

DRAFT B

CAPITAL REGIONAL DISTRICT
BYLAW NO. 3322 (levy with limit)

A BYLAW TO ESTABLISH AND PROVIDE THE SERVICE
OF RESPONDING TO HAZARDOUS MATERIAL INCIDENTS IN THE CAPITAL REGIONAL DISTRICT

WHEREAS:

- A. The Regional District of the Capital Regional District may, under Section 796 of the *Local Government Act*, establish and provide the service of responding to hazardous materials incidents in the Capital Regional District;
- B. Under Section 801.3(1)(a) of the *Local Government Act*, assent of the Electors may be obtained according to section 797.5(1)(b);
- C. The Regional Board has obtained the consent on behalf of the Electors in accordance with Section 801.3 of the *Local Government Act* pursuant to Section 801 of the *Local Government Act*.
- D. The approval of the Inspector of Municipalities has been obtained under Section 801(1)(a) of the *Local Government Act*.

NOW THEREFORE the Board of the Capital Regional District in open meeting assembled enacts as follows:

Service

- 1. The Service of responding to hazardous material incidents in the Capital Regional District is hereby established.

Boundaries

- 2. The boundaries of the service are coterminous with the boundaries of the Capital Regional District.

Participating Area

- 3. The electoral areas of Juan de Fuca, Salt Spring Island and the Southern Gulf Islands and the municipalities of North Saanich, Sidney, Central Saanich, Saanich, Victoria, Oak Bay, Esquimalt, View Royal, Colwood, Langford, Highlands, Metchosin and Sooke are the participating areas for this service.

Cost Recovery and Apportionment of Costs

- 4. The annual costs for the service may be recovered by the following:
 - a) by the requisition of money under section 805 and 806 of the *Local Government Act* to be collected by a property value tax, based on land and improvements levied and collected under Sections 805.1 and 806.1 of the *Local Government Act*;
 - b) fees and charges imposed under section 363 of the *Local Government Act*;
 - c) revenues raised by other means authorized under this or another Act;
 - d) revenues received by agreement, enterprise, gift, grant or otherwise.

- 5. a) The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating area on the basis of 50 percent by population and 50 percent by the requisition of money under Section 803 of the *Local Government Act* as a property value tax and to be levied and collected under Division 4.3 of Part 24 of the *Local Government Act*.
- b) Population, for the purpose of this section, is the population estimate determined annually by the Regional Planning Services Department of the Capital Regional District.

Maximum Requisition

- 6. The maximum amount that may be requisitioned under Section 803 for the Service will be the greater of:
 - a) Seven Hundred thousand dollars (\$700,000.00) or
 - b) an amount equal to the amount that could be raised by a property value tax rate of \$0.015 per ONE THOUSAND DOLLARS (\$1,000.00) which when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned under Section 806.1 of the *Local Government Act* for the service.
- 7. This Bylaw may be cited as the "Capital Regional District Hazardous Materials Incident Response Service Establishment Bylaw No. 1, 2006."

READ A FIRST TIME THIS	day of	2006
READ A SECOND TIME THIS	day of	2006
READ A THIRD TIME THIS	day of	2006
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	day of	2006
ADOPTED THIS	day of	2006

CHAIR

SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS day of 2006