

CAPITAL REGIONAL DISTRICT

BY-LAW NO. 2042

A BY-LAW TO CONVERT OTTER POINT (ELECTORAL AREA B [SOOKE]) FIRE PROTECTION SPECIFIED AREA TO OTTER POINT FIRE PROTECTION EMERGENCY RESPONSE LOCAL SERVICE AREA AND TO AMEND THE POWER AS SET OUT IN OTTER POINT FIRE PROTECTION SPECIFIED AREA ESTABLISHMENT AND LOAN AUTHORIZATION BYLAW NO. 1, 1979.

WHEREAS the Regional Board of the Capital Regional District may, by bylaw, under Section 767(4) of the Municipal Act convert a service provided by the Regional District under a specified area to a Local Service and by the same bylaw amend the power to the extent that it could if the power were in fact exercised under the authority of a bylaw establishing the service provided that the bylaw meets the requirements of Section 794 and is adopted in accordance with Section 802 of the Municipal Act;

AND WHEREAS the Regional Board did establish by Bylaw No. 626 cited as the "Otter Point Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1979" as a service area for the provision of fire protection services for the specified area described in the bylaw within a portion of the Electoral Area of Sooke;

AND WHEREAS the Regional Board wishes to convert the said fire protection specified area to a Local Service;

AND WHEREAS the Regional Board wishes to add, under the provisions of Section 788(1)(g), of the Municipal Act the authority to provide assistance in response to other classes of circumstances specified by bylaw that may cause harm to persons or property;

AND WHEREAS the approval of the Inspector of Municipalities is required under Section 795(1)(a) of the Municipal Act;

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

1. The fire protection service provided within the specified area created under Bylaw 626, cited as "Otter Point Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1979" is hereby converted and established as a Local Service within the service area defined in Section 2 for the provision and operation of fire prevention and suppression services and attendance, in conjunction with police or ambulance service personnel, to provide assistance under their direction in response to the classes of circumstances specified in Section 6 of this bylaw for that part of the Electoral Area of Sooke shown on map attached hereto as Schedule "A".
2. The boundaries of the Local Service Area established in Section 1 are shown in heavy outline on Schedule "A" attached hereto and shall be known as the "Otter Point Local Service Area".
3. Only the Electoral Area of Sooke is a participating area for this Local Service.
4. The annual costs for the Local Service, net of grants and other revenue, shall be recovered:
 - (a) by the requisition of money under Section 809.1 of the Municipal Act to be collected by a property value tax to be levied and collected under Section 810.1(1) of the Municipal Act;
5. The maximum amount that may be requisitioned under Section 804(1) for the Local Service will be the greater of:
 - (a) One hundred and twenty-five thousand dollars (\$125,000) OR

- (b) an amount equal to the amount that could be raised by a property value tax rate of \$2.50 per ONE THOUSAND DOLLARS (\$1,000.00) which when applied to the net taxable value of the land and improvements within the Local Service Area, will yield the maximum amount that may be requisitioned under Section 804(1)(a) and (b) of the Municipal Act for the service.
6. For the purposes of Section 1, assistance may be provided in response to the following classes of circumstances:
 - (a) fire or explosion;
 - (b) flood, tempest, earthquake, landslide, tidal wave or other natural event;
 - (c) building collapse or motor vehicle or other accident;
 - (d) spill, release, or leak of a substance capable of injuring property or the health or safety of a person;
 - (e) risk of explosion or fire or risk of a spill, release or leak of a substance referred to in clause (d);
 - (f) any emergency as declared under section 786(1)(h) of the Municipal Act;
 - (g) persons requiring First Aid medical treatment
 7. The Board of the Capital Regional District may by bylaw, establish an Otter Point Fire Protection Local Services Committee consisting of the Director representing the Sooke Electoral Area plus such other persons as may be designated in the bylaw and in such bylaw may delegate to the Committee any or all of the administrative powers of the Regional Board in relation to the operation of the Local Service provided under this bylaw.
 8. Bylaw No. 626 being the "Otter Point Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1976" is hereby repealed.
 9. This Bylaw may be cited as the "Otter Point Fire Protection and Emergency Response Local Service Establishment By-law No. 1, 1992".

READ A FIRST TIME THIS 24th day of June 1992


READ A SECOND TIME THIS 24th day of June 1992

READ A THIRD TIME THIS 24th day of June 1992


CONSENTED TO BY THE DIRECTOR FOR THE ELECTORAL AREA OF SOOKE

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 25th day of August 1992

RECONSIDERED AND FINALLY ADOPTED THIS 9th day of September 1992



 CHAIRPERSON



 SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS

11th day of September 1992