

RDN REPORT		###
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MAY 05 2015		
RHD		
BOARD		

STAFF REPORT

TO: J. Harrison
Director, Corporate Services

DATE: May 1, 2015

FROM: J. Hill
Manager, Administrative Services

MEETING: COW - May 12, 2015

SUBJECT: Alternative Approval Process to Establish a Taxi Saver Service on Gabriola Island

RECOMMENDATIONS:

1. That "Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725, 2015" be introduced and read three times.
2. That the Board establish 4:00 pm on Tuesday, September 8, 2015, as the deadline for receiving elector responses for the alternative approval process.
3. That the Board approve the Elector Response Form as provided in Attachment 2.
4. That the Board determine the total number of electors to which the approval process applies to be 3,361.

PURPOSE:

To initiate an alternative approval process (AAP) for the purpose of obtaining elector approval to adopt a service establishment bylaw for the purpose of providing a Taxi Saver Service on Gabriola Island.

BACKGROUND:

At the February 24, 2015 Regular Board meeting, the RDN Board adopted the following motion:

MOVED Director Houle, SECONDED Director McPherson, that the Board direct staff to proceed with the alternative approval process to establish a Taxi Saver Service on Gabriola Island.

As part of the AAP, the Board must provide three readings to a service establishment bylaw, set the deadline for receiving elector response forms, approve the elector response form, and determine the total number of electors of the area to which the AAP applies (Gabriola Island).

For consideration of Board approval, "Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725, 2015" is attached for the Board's review (Attachment 1). Should the Board give Bylaw No. 1725 three readings and adopt the recommendations relating to the AAP, staff will forward the bylaw to the Ministry of Community, Sport and Cultural Development for the approval of the Inspector. Following approval, Staff will proceed with publishing the notice of the AAP. The deadline for receiving elector

response forms must be established by the Board and be at least 30 days after the second publication of the notice. Staff suggest a deadline of 4:00 pm on Tuesday, September 8, 2015.

Staff have drafted an elector response form for the Board's consideration (Attachment 2). This form must be approved by the Board.

Pursuant to section 86(1) of the *Community Charter*, approval of the electors has been obtained if, at the end of the time period for receiving elector response forms, the number of response forms received is less than 10% of the number of electors of the area to which the approval process applies. This AAP process applies to Gabriola Island, and the number of electors on Gabriola Island is determined to be 3,361. Therefore, if less than 336 elector response forms are received prior to 4:00 pm on Tuesday, September 8, 2015, elector approval is deemed to have been obtained and the Board can proceed to adopt Bylaw No. 1725.

ALTERNATIVES:

1. Proceed with first, second and third readings of Bylaw No. 1725 and adopt the recommendations relating to the alternative approval process.
2. Do not proceed with bylaw readings or adopt the recommendations relating to the alternative approval process.

FINANCIAL IMPLICATIONS:

The cost to obtain elector approval by the alternative approval process is approximately \$1,600 for advertising costs which will be recovered by the service area if established. If the service is not established, costs will be recovered through the feasibility function for Electoral Area 'B'.

STRATEGIC PLAN IMPLICATIONS:

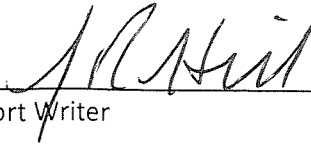
N/A

SUMMARY/CONCLUSIONS:

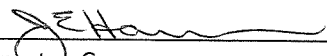
At the February 24, 2015 Regular Board meeting the Board directed staff to proceed with the alternative approval process to establish a Taxi Saver Service on Gabriola Island. As part of the AAP, the Board must provide three readings to a service establishment bylaw (Attachment 1), set the deadline for receiving elector response forms, approve the elector response form (Attachment 2) and determine the total number of electors of the area to which the AAP applies (Gabriola Island).

The number of electors of the proposed service area is determined to be 3,361. Staff suggest that the deadline for submitting elector response forms be established as 4:00 pm on Tuesday, September 8, 2015.

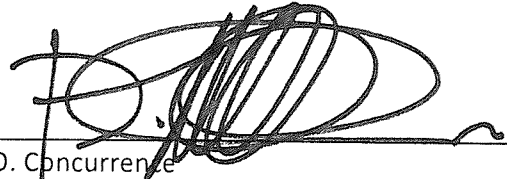
Staff recommend the Board proceed with providing three readings to Bylaw No. 1725 and adopt the recommendations relating to the alternative approval process. If less than 336 (10% of the number of electors on Gabriola Island) of elector response forms are received by 4:00 pm on Tuesday, September 8, 2015, elector approval is deemed to have been obtained and the Board can adopt Bylaw No. 1725.



Report Writer



Director Concurrence



C.A.O. Concurrence

Attachment 1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1725

A BYLAW TO ESTABLISH A TAXI SAVER SERVICE ON GABRIOLA ISLAND

WHEREAS under sections 796 and 800 of the *Local Government Act* a regional district may, by bylaw, establish and operate any service the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a Taxi Saver Service on Gabriola Island for the purpose of providing a Taxi Saver Program to provide assistance to residents of Gabriola Island who are persons with disabilities or seniors with low incomes;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under section 801(1)(a) of the *Local Government Act*;

AND WHEREAS the approval of the electors in the participating area has been obtained by an alternative approval process under section 801.3 of the *Local Government Act*;

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

1. **Citation**

This bylaw may be cited for all purposes as the "Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725, 2015".

2. **Service**

A Taxi Saver Service is hereby established to provide a Taxi Saver Program on Gabriola Island to provide assistance to residents of Gabriola Island who are persons with disabilities or seniors with low incomes (the "Service").

3. **Boundaries**

The boundaries of the Service Area are coterminous with the boundaries of Gabriola Island (the "Service Area").

4. **Participating Area**

Electoral Area 'B' is the sole participating area in the Service.

5. **Cost Recovery**

In accordance with section 803 of the *Local Government Act*, the annual cost of providing the Service may be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- (b) parcel taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- (c) fees and charges imposed under section 363 of the *Local Government Act*;
- (d) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. **Maximum Requisition**

In accordance with section 800.1 (1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the Service is the greater of:

- (a) fifteen thousand dollars (\$15,000); or
- (b) the amount obtained by applying a property value tax rate of \$0.0152 per \$1,000 to the net taxable value of land and improvements in the Service Area.

Introduced and read three times this ___ day of _____, 2015.

Received the approval of the Inspector of Municipalities this ___ day of _____, 2015.

Received the approval of the electors under section 801.3 of the *Local Government Act* this ___ day of _____, 2015.

Adopted this ___ day of _____, 2015.

CHAIRPERSON

CORPORATE OFFICER



ALTERNATIVE APPROVAL PROCESS
ELECTOR RESPONSE FORM

Gabriola Island

“Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725, 2015” to establish a Taxi Saver Service on Gabriola Island for the purpose of providing a Taxi Saver Program to provide assistance to residents of Gabriola Island who are persons with disabilities or seniors with low incomes.

Pursuant to section 86 of the *Community Charter*, I certify that:

- I am a person entitled to be registered as an elector (pursuant to the *Local Government Act*) of Gabriola Island;
- I have not previously signed an Elector Response Form with respect to this Bylaw; and
- I am **OPPOSED** to the adoption of “Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725, 2015” to establish a Taxi Saver Service on Gabriola Island for the purpose of providing a Taxi Saver Program to provide assistance to residents of Gabriola Island who are persons with disabilities or seniors with low incomes, without first obtaining the assent of the electors in a voting proceeding (referendum).

FULL NAME OF ELECTOR: _____
(Please Print Full Name)

ELECTOR’S RESIDENTIAL ADDRESS: _____
(State Full Address)

SIGNATURE OF ELECTOR: _____

DATE: _____

To be completed by Non-Resident Property Electors only
I am entitled to register as a non-resident property elector as an owner of the property located at the following address: _____

Deadline: For this Elector Response Form to be counted, it must be submitted in person or by mail to be received by the Corporate Officer **NO LATER THAN 4:00 PM ON TUESDAY, SEPTEMBER 8, 2015.**

- Postmarks **WILL NOT** be accepted as the date of submission.
- **ORIGINAL SIGNATURES ARE REQUIRED**, therefore the Elector Response Forms may not be returned by email or by fax.

Approval of the electors by the alternate approval process is obtained if less than 336 Elector Response Forms are received by the stated deadline. Submit the Elector Response Form to:

Corporate Services Department
Regional District of Nanaimo
6300 Hammond Bay Road, Nanaimo, BC V9T 6N2
Phone: 250-390-4111/1-877-607-4111

Office Hours: (Monday, Tuesday, Thursday, Friday, 8:30 AM – 4:30 PM / Wednesday 8:30 AM – 5:30 PM)
excluding Statutory Holidays.

INFORMATION REGARDING QUALIFICATIONS FOR ELECTORS

Resident electors:

- age 18 or older;
- a Canadian citizen;
- a resident of British Columbia for at least 6 months immediately before signing this elector response form;
- a resident of Gabriola Island for at least 30 days before signing this elector response form; and
- not disqualified by any enactment from voting in an election or otherwise disqualified by law.

Non-resident property elector:

- not entitled to register as a resident elector of Gabriola Island;
- age 18 or older;
- a Canadian citizen;
- a resident of British Columbia for at least 6 months immediately before signing this elector response form;
- a registered owner of real property on Gabriola Island for at least 30 days before signing this elector response form;
- the only persons who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust;
- not disqualified by any enactment from voting in an election or otherwise disqualified by law;
- **if there is more than one registered owner of the property (either as joint tenants or tenants in common), only one of those individuals, with the written consent of the majority of the owners, may register as a non-resident property elector; and**
- **a person may only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.**

Note: No corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.

An accurate copy of this Elector Response Form may be utilized (either single-sided or double-sided), provided that it is made of the form prior to any electors signing such form, so that only Elector Response Forms with original signatures are submitted.