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STAFF REPORT

TO: J. Harrison
Director of Corporate Services

DATE: September 15, 2015

FROM: J. Hill
Manager of Administrative Services

MEETING: Board, September 29, 2015

SUBJECT: Results of Alternative Approval Process - Bylaw No. 1725

RECOMMENDATION

That "Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015" be adopted.

PURPOSE

To report the results of the alternative approval process for "Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015" and to bring forward the Bylaw for consideration of adoption.

BACKGROUND

At its regular meeting held June 23, 2015, the Board gave third reading to Bylaw No. 1725 which would authorize the Board to provide a contribution toward the operation of 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 (Attachment 1).

In accordance with the *Community Charter* the Board directed staff to proceed with an alternative approval process (AAP) to seek elector approval in the service area for the Bylaw (Gabriola Island). As part of the AAP, electors opposed to the adoption of the Bylaw are required to sign an Elector Response Form and submit it to the Regional District prior to the established deadline. Approval of the electors by AAP is obtained, if at the end of the time for receiving elector responses, the number of elector responses received is less than 10% of the number of electors of the service area.

For the purpose of conducting the AAP, the number of electors in the service area was determined to be 3,361. In order for Bylaw No. 1725 to receive elector approval, less than 10%, or 336, Elector Response Forms must have been received by the deadline of September 8, 2015. The results of the AAP are shown on the attached Corporate Officer's Certification (Attachment 2). There were a total of 4 Elector Response Forms received by the deadline (less than 10% of electors) therefore Bylaw No. 1725 has received approval of the electors by the alternative approval process and can be adopted by the Board.

ALTERNATIVES

1. That the Board adopt "Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015".
2. That the Board not adopt Bylaw No. 1725 and provide alternative direction.

FINANCIAL IMPLICATIONS

The maximum amount that may be requisitioned annually for the service is the greater of \$15,000, or 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. Based on a residential property assessed at \$300,000, the cost to the individual homeowner would be approximately \$4.56 per annum.


STRATEGIC PLAN IMPLICATIONS:

N/A

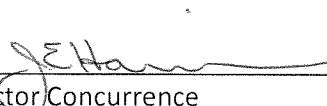
SUMMARY/CONCLUSIONS

In accordance with the *Community Charter* the Board directed staff to proceed with an alternative approval process to seek elector approval for Bylaw No. 1725 which would authorize the Board to provide a contribution toward the operation of 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 (Attachment 1).

The results of the alternative approval process are shown on the attached Corporate Officer's Certification (Attachment 2). Less than 10% of the number of electors of the service area signed and submitted an Elector Response Form prior to the established deadline; therefore, Bylaw No. 1725 has received approval of the electors by the alternative approval process and the Board may proceed with adoption of the Bylaw.



Report Writer



Director Concurrence



CAO Concurrence

Attachment 1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1725

A BYLAW TO ESTABLISH A TAXI SAVER CONTRIBUTION 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 Contribution 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 Contribution Service Establishment Bylaw No. 1725, 2015".

2. Service

(1) A Taxi Saver Contribution Service is hereby established for the purpose of providing a contribution toward the operation of 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").

(2) For the purpose of this bylaw a "low income senior" means a person 65 years of age or older who is enrolled in the MSP Regular Premium Assistance Program or qualifies for another provincial or federal income assistance program on the basis of financial need.

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 two times this 26th day of May, 2015.

Read a third time, as amended, this 23rd day of June, 2015.

Received the approval of the Inspector of Municipalities this 7th day of July, 2015.

Received the approval of the electors under section 801.3 of the *Local Government Act* this 8th day of September, 2015.

Adopted this ____ day of _____, 2015.

CHAIRPERSON

CORPORATE OFFICER

Attachment 2

REGIONAL DISTRICT OF NANAIMO

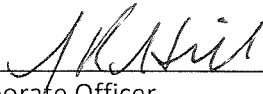
CORPORATE OFFICER'S CERTIFICATION

I, the undersigned Corporate Officer, as the person assigned responsibility for corporate administration under section 198 of the *Local Government Act*, certify the results of the alternative approval process that was conducted to obtain the approval of the electors for "Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015" as follows:

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|-------|---|
| 3,361 | Estimated number of electors |
| 4 | Number of elector response forms submitted by the deadline |
| 0 | Number of elector response forms rejected |
| 4 | Number of elector response forms accepted |
| .001 | Percentage of estimated electors who validly submitted elector response forms |

and in accordance with Section 86 of the *Community Charter*, the approval of the electors was obtained.

DATED this 10th day of September, 2015.



Corporate Officer