

**REGIONAL DISTRICT OF NORTH OKANAGAN
BYLAW NO. 1648, 2000**

CONSOLIDATED FOR CONVENIENCE

This document is an office consolidation of the above-noted Bylaw and includes the amendments listed below. This Bylaw has been consolidated for convenience and is intended for information and reference purposes only. This document is not the official version of the Bylaw. Be advised that plans, pictures, other graphics or text in the official version may be missing or altered in this consolidated version. Where accuracy is critical, please contact the Corporate Services Department at the Regional District of North Okanagan.

TEXT AMENDMENTS

Bylaw No.	Adopted	Amendment
1893, 2003	August 3, 2004	– Amend the service area to include ALL of the District of Coldstream
2491, 2011	May 18, 2011	– Amend the Scope of Service
2632, 2014	August 20, 2014	– Amend by reducing the scope of the parks function

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 1648

A bylaw to convert the function of Community Parks and Recreational Programmes and Facilities to a service established by bylaw and to amend the service area to include only Designated Area No. 1 (City of Vernon, part of the District of Coldstream and Electoral Areas "B" and "C")

WHEREAS by Supplementary Letters Patent dated March 31, 1976 the Regional District was granted the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) within the entire Regional District;

AND WHEREAS the *Local Government Act* authorizes the Regional District Board (the "Board") to convert a function established by Supplementary Letters Patent to a service exercised under the authority of a bylaw establishing the service;

AND WHEREAS the Board wishes to convert the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) to an established service of Community Parks, Recreation and Culture;

AND WHEREAS the Board wishes to amend the service area established under the Letters Patent in order to establish a separate service area for each "Designated Area" as defined in Supplementary Letters Patent dated March 31, 1976 and the Board is considering five distinct bylaws for that purpose;

AND WHEREAS the Board wishes to amend the service area for the purpose of this Bylaw, to include only the City of Vernon, part of the District of Coldstream (Municipal Voting Division 1) and Electoral Areas "B" and "C";

AND WHEREAS the Regional District, the City of Vernon and the District of Coldstream have entered into an agreement (a copy of which is attached as Appendix A, but which does not form part of this bylaw) concerning the Parks, Recreation and Culture service;

AND WHEREAS the Board has obtained the required consent of at least 2/3 of the participants of the original function pursuant to Section 802(1)(b) of the *Local Government Act*;

NOW THEREFORE, the Regional Board of the Regional District of North Okanagan, in open meeting assembled, ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited as the "**Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000**"

CONVERSION and ESTABLISHMENT

2. The function of Division XXVI Community Parks and Recreational Programmes and Facilities as established by Supplementary Letters Patent dated March 31, 1976, is converted and established as the "*Greater Vernon Parks, Recreation and Culture Service*" with the service area as described in Section 5 of this bylaw.

SCOPE OF SERVICE

3. The service established by this bylaw is limited to:

- ~~(1) the operation of recreational programs and facilities;~~
- (2) the acquisition, improvement and maintenance of land, buildings and other facilities for park and recreation purposes;
- ~~(3) the operation and maintenance of tertiary or regional parks that tend to draw users from outside the Service Area, including open space reserves and ecological reserves which address objectives beyond the traditional recreation park;~~
- (3) the acquisition, disposition, operation and maintenance of and borrowing for**
 - (a) trails and trail systems, and of sub-regional parks including but not limited to the parks identified in Schedules 1, 1A, and 1B, and**
 - (b) buildings, facilities, trails, trail systems and other improvements for park purposes;**
- ~~(4) operation and maintenance of those areas within secondary parks that contain recreational programs or services provided by the Service;~~
- (4) borrowing that has been approved and adopted prior to June 1, 2014 in relation to this service, in regard to the acquisition or development of recreation facilities or parks;**
- (5) Cultural services and/or grants related to:
 - (a) Museum;
 - (b) Art Gallery;
 - (c) Boys and Girls Club;
 - (d) Arts Council;
 - (e) Caetani House; and
 - (f) Cultural grants
 - (g) Literacy and Youth Initiatives Society of the North Okanagan (Teen Junction)**

4. It is the intention of the Board not to change the scope of the service without the unanimous consent of all participants.

SERVICE AREA

5. The service area for the service converted and established by Section 2 is the same as the former Designated Area No. 1, consisting of all of the City of Vernon, all of Electoral Areas "B" and "C", and ~~that part of the District of Coldstream being Municipal Voting Division 1 as defined in the "District of Coldstream Local Government Elections Procedures Bylaw No. 1233, 1996".~~ **all of the District of Coldstream.**

PARTICIPATING AREAS

6. The participating areas for the service are the City of Vernon, District of Coldstream, and Electoral Areas "B" and "C".

COST RECOVERY

7. The annual cost of providing the service, including debt charges ~~on existing parks and recreational facilities within the service area~~, shall be recovered by either or both of the following:
 - (1) the requisition of money under Sections 805 and 806 of the *Local Government Act* to be collected as a property value tax to be levied on improvements only for regional hospital district purposes within the participating areas and collected in accordance with Sections 805.1 and 806.1 of the Act;
 - (2) the imposition of fees and other charges.
8. The annual cost of this service shall be apportioned amongst the participants on the basis of the converted value of improvements only for hospital purposes in those areas.

MAXIMUM REQUISITION

9. The maximum amount that may be requisitioned annually for this service shall not exceed the product of a levy of \$ 1.45 for each \$1,000 of net taxable value of land and improvements in the service area.

COMMITTEE

10. The administration and the operation of the service shall be carried out by a committee to be known as the "*Greater Vernon Parks, Recreation and Culture Committee*" (the "Committee"). The Committee's powers, duties and limitations shall be established by a separate bylaw.
- ~~11. The Committee shall consist of three representatives appointed by the Council of the City of Vernon, one representative appointed by the Council of the District of Coldstream, and the Directors of Electoral Areas "B" and "C". In addition, one representative appointed by School District No. 22 shall sit on the Committee (unless the School District declines to participate in the Committee), but that representative shall be limited to voting only on matters relating to the property of the School District and services or facilities funded by the School District.~~
- 11. *The Committee shall consist of three representatives appointed by the Council of the City of Vernon, two representatives appointed by the Council of the District of Coldstream, and the Directors of Electoral Areas "B" and "C". In addition, one representative appointed by School District No. 22 shall sit on the Committee (unless the School District declines to participate in the Committee), but that representative shall be limited to voting only on matters relating to the property of the School District and services or facilities funded by the School District.***
12. Subject to Section 11, each member of the Committee shall have one vote on all matters decided by the Committee.

REGIONAL BOARD VOTING

13. In relation to resolutions and bylaws respecting the administration and operation of the service, including bylaws regulating the service, each director who represents a participant shall be entitled to one vote.

WITHDRAWAL FROM SERVICE

14. In addition to the withdrawal procedure under the *Local Government Act*, if the scope of the service as set out in Section 3 of this Bylaw is changed without the consent of a participant, that participant may withdraw from the service by giving notice in writing to the other participants, provided that the financial liabilities of the remaining participants are not increased by the withdrawal or the withdrawing participant makes arrangements that are accepted by the remaining participants, acting reasonably, to address the increased liabilities.

Read a First, Second and THIRD Time this 11th day of October, 2000

Approved by the Inspector of Municipalities this 23rd day of January, 2001

Reconsidered and ADOPTED this 14th day of February, 2001

“S. Field”
Chair

“B. Gagnon”
Secretary

Park Designation: Sub-Regional (Trails / Parks etc)

Name	Ownership	Location	Area HA	Jurisdiction
BX Creek Trail (As Per Schedule 1a)	RDNO	Area B, Area C, Vernon	2.89	Subregional
BX Falls Park / Trail	RDNO	Area C	1.54	Subregional
Creekside Park	Coldstream	Coldstream	7.71	Subregional
DND Army Camp	RDNO Lease with Federal Government	Vernon	22.28	Subregional
Greater Vernon Sports Field and Athletics Facility	RDNO Lease with Okanagan College	Coldstream	5.80	Subregional
Grey Canal Trail (As Per Schedule 1b)	RDNO	Area B, Area C, Vernon		Subregional
Kal Beach	Vernon	Coldstream	3.90	Subregional
Kal Beach Parking Lot	City of Vernon	Coldstream		Subregional
Kin Beach	City of Vernon	Vernon	1.70	Subregional
Marshall Field Park	City of Vernon	Vernon	19.44	Subregional
Middleton Mountain Prebashewski (Trail)	RDNO	Coldstream		Subregional
Middleton Mountain Property (Coldstream)	Coldstream	Coldstream		Subregional
Middleton Mountain Property (Farnsworth)	RDNO	Coldstream	36.42	Subregional
North Vernon Park	RDNO	Vernon	1.42	Subregional
Paddlewheel Park (includes Lot 12 Plan 3932 / 7889 Okanagan Landing Rd)	RDNO & Lease	Vernon	3.01	Subregional
Ranchlands	RDNO	Coldstream	126.79	Subregional

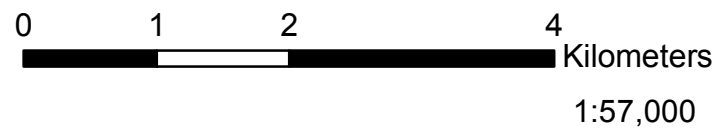
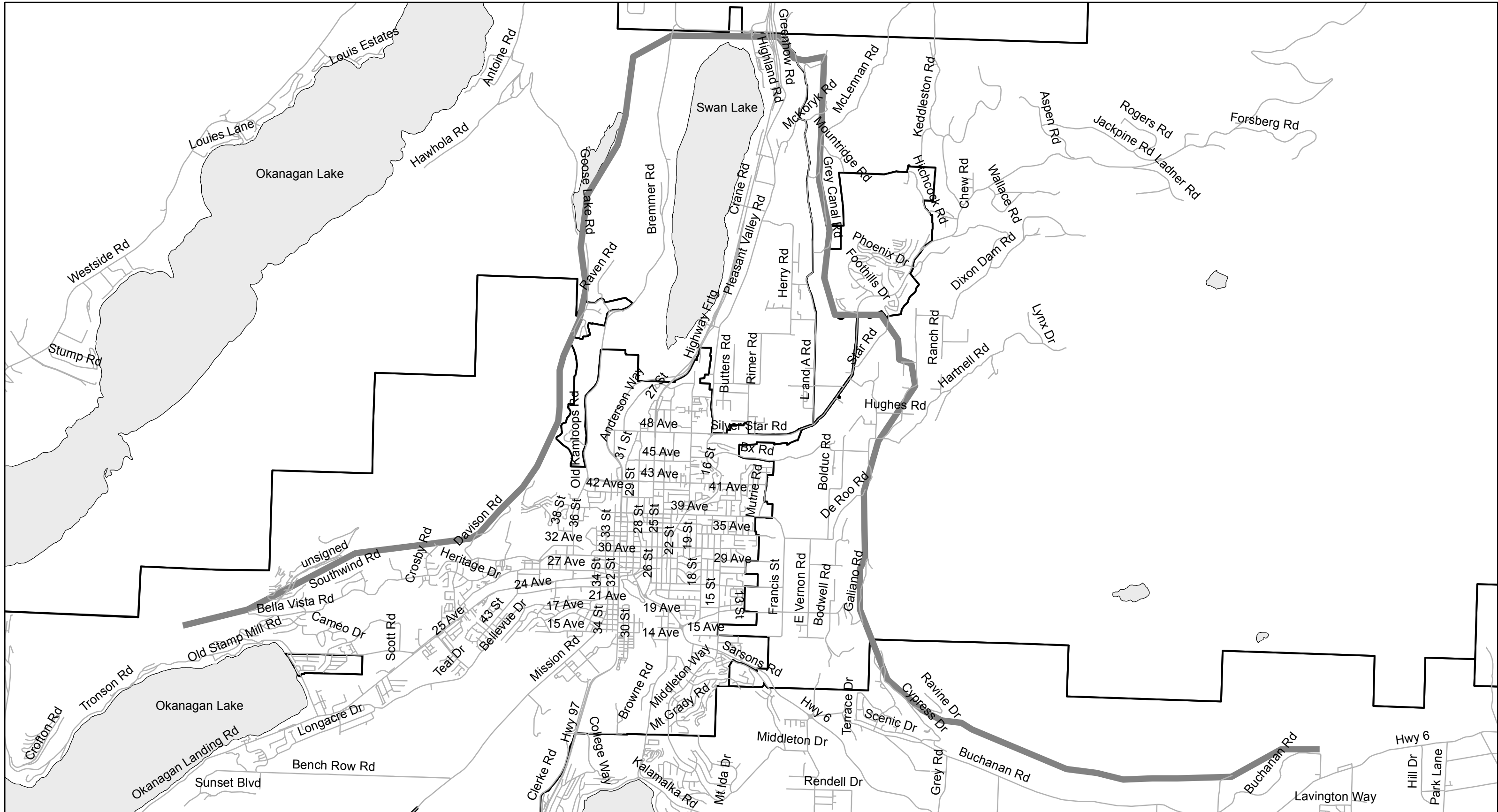
Park Designation: Sub-Regional (Trails / Parks etc)

Schedule 1

Name	Ownership	Location	Area HA	Jurisdiction
Rocky Ridge Park	RDNO	Vernon		Subregional
Truman Dagnus Lougheed Provincial Park	Provincial Lease Pending	Vernon		Subregional
Swan Lake	RDNO / Ducks Unlimited	Area B	49.37	Subregional

Grey Canal Trail

Schedule 1B



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