

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 2785

A bylaw to establish a Cultural service within Greater Vernon

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**WHEREAS** the *Local Government Act*, provides that the Board of the Regional District of North Okanagan may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS** the Board wishes to establish a service within the Greater Vernon area of the Regional District of North Okanagan for the purposes of acquisition, development, operation and maintenance of a Cultural service;

**AND WHEREAS** the Board wishes to seek the assent of the electors to fund the land acquisition and construction of a Greater Vernon Multi-Purpose Cultural facility within the Greater Vernon area of the Regional District of North Okanagan;

**AND WHEREAS** the Board has, by resolution, determined that participating area approval is to be obtained for the entire service area and the approval process shall be by Assent Voting (Referendum) in accordance with sections 342(1)(b), 342(4) and 344(1)(b) of the *Local Government Act*;

**AND WHEREAS** pursuant to Section 348(1) of the *Local Government Act*, if money is to be borrowed in relation to the service, the establishing bylaw and the loan authorization bylaw [*Greater Vernon Multi-Use Cultural Facility Loan Authorization Bylaw No. 2786, 2018*] must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

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

### CITATION

1. This Bylaw may be cited as “**Greater Vernon Cultural Service Establishment Bylaw No. 2785, 2018**”.

### INTERPRETATION

2. Words or phrases defined in the British Columbia *Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
3. The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this Bylaw.
4. Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any Bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Board of the Regional District of North Okanagan, as amended, revised, consolidated or replaced from time to time.

5. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

### **SCOPE OF SERVICE**

6. The service established by this bylaw is limited to:
  - a) The provision of planning and administrative support for cultural services in the service area; and
  - b) The acquisition, disposition, operation and maintenance of, and borrowing for, land, facilities and cultural assets for the purposes of cultural programming in the service area; and
  - c) The provision of grants in relation to cultural facilities, programming or projects.

### **SERVICE AREA**

7. The service area shall include all of the District of Coldstream, City of Vernon and Electoral Areas "B" and "C" of the Regional District of North Okanagan.

### **PARTICIPATING AREA**

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

### **COST RECOVERY**

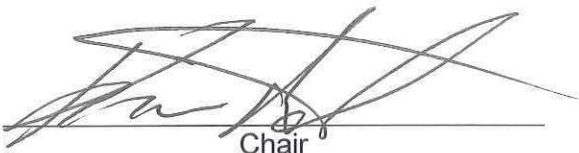
9. The annual cost of providing the service, including debt charges shall be recovered by either or both of the following:
  - a) The requisition of money under sections 385 [*Requisition of funds from municipalities*] or section 387 [*Requisition of funds for electoral areas*] of the *Local Government Act* to be collected as a property value tax to be levied on land and improvements for regional hospital district purposes within the participating areas and collected in accordance with sections 386 [*Collection in municipalities*] and section 388 [*Collection in electoral areas*] of the *Local Government Act*.
  - b) The imposition of fees and other charges.
10. The annual cost of this service, including debt charges, shall be apportioned amongst the participants to the service on the basis of the converted value of land and improvements for hospital purposes in the service area.

**MAXIMUM REQUISITION**

11. The maximum amount that may be requisitioned annually for this service shall not exceed \$0.25 for each \$1,000 of net taxable value of land and improvements within the service area.

<b>Read a First, Second and THIRD Time</b>	this	20th	day of	June, 2018
<b>Third Reading Rescinded</b>	this	15th	day of	August, 2018
<b>Read a Third Time as Amended</b>	this	15th	day of	August, 2018
<b>Approved by the Inspector of Municipalities</b>	this	17th	day of	August, 2018
<b>Received Assent of the Service Area Electors</b>	this	20th	day of	October, 2018

**ADOPTED** this 21st day of November, 2018

  
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Chair  
Kevin Acton

  
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Corporate Officer  
Paddy Juniper