REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN

BYLAW NO. 2809, 2018

A bylaw to establish and operate a Regional Transit system within the Regional District Okanagan-Similkameen.

WHEREAS under Section 332 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 Regional District of Okanagan-Similkameen by B.C. Reg. 128/92 dated April 9, 1992 was granted the additional power to provide Transit Systems as local services;

AND WHEREAS the Lieutenant Governor in Council issued Supplementary Letters Patent which granted the Regional District Okanagan-Similkameen with the power to provide transit services;

AND WHEREAS the Board of the Regional District wishes to establish a service for the purpose of providing a public passenger transportation system as defined in the *British Columbia Transit Act* as a community transit service within the boundaries of the Regional District of Okanagan-Similkameen;

AND WHEREAS the Board of Directors resolved by a 2/3 vote that participating area approval be obtained for the entire proposed service area;

AND WHEREAS the approval of the electors in the participating areas has been obtained in accordance with the *Local Government Act*;

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

1.   **CITATION**

1.1   This bylaw may be cited as the 'Regional District Okanagan-Similkameen Transit Service Establishment Bylaw No. 2809, 2018'.

2.   **ESTABLISHMENT OF THE SERVICE**

2.1   The Board of the Regional District of Okanagan-Similkameen, is empowered and authorized to undertake and carry out, or cause to be undertaken and carried out, provisions of the Transit System Service, and without limiting the generality of the foregoing:

     (a)   to acquire all such licenses, rights or authorities as may be required or desirable for or in connection with the provision of said Transit System Service, and
     (b)   to enter into contracts with such authorities and companies as may be necessary or appropriate to implement said Transit System Service.

3. BOUNDARIES OF THE SERVICE AREA

3.1 The boundaries of the Transit System Service Area are the boundaries of the Regional District Okanagan-Similkameen in its entirety, which includes:

Electoral Area "A" – Rural Osoyoos, Electoral Area "B" – Cawston, Electoral Area "C" – Oliver Rural, Electoral Area "D" – Kaleden/Okanagan Falls, Electoral Area "E" – Naramata, Electoral Area "F" – Okanagan Lake West/West Bench, Electoral Area "G" – Keremeos Rural/Hedley, Electoral Area "H" – Princeton Rural. City of Penticton, District of Summerland, Town of Oliver, Town of Osoyoos, Town of Princeton, Village of Keremeos.

4. PARTICIPATING AREA

4.1 The participating area is the Regional District of Okanagan-Similkameen in its entirety.

5. COST RECOVERY METHOD

5.1 As provided in the *Local Government Act*, the annual costs of the Service shall be recovered by one or more of the following:
   (a) property value taxes imposed in accordance with Division 3;
   (b) subject to subsection (2) of Section 378, parcel taxes imposed in accordance with Division 3;
   (c) fees and charges imposed under Section 397 (*imposition of fees and charges);*
   (d) revenues raised by other means authorized under this or another Act;
   (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. LIMIT

6.1 The maximum amount that may be requisitioned annually for the service shall not exceed $300,000 or $0.017 per $1000 net taxable value of land and improvements in the service area, whichever the greater.
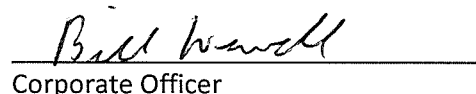

READ A FIRST, SECOND and THIRD TIME this 3rd day of May, 2018.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 19th day of June, 2018.

RECEIVED APPROVAL OF THE ELECTORATE THROUGH ALTERNATIVE APPROVAL PROCESS this 31st day of August, 2018.

ADOPTED this 6th day of September, 2018.

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Board Chair

_____
Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this 19th day of November, 2018.