

REGIONAL DISTRICT OF NANAIMO

**INAUGURAL BOARD MEETING
TUESDAY, DECEMBER 8, 2009**

**CIRCULATED REPORT
FOR AGENDA**

PAGES

ADMINISTRATOR'S REPORTS

2-7 Bylaw 1388.03 – Amends the Yellow-Point Fire Protection Service Establishment
Bylaw. (All Directors – One Vote)



CAG APPROVAL	
EAP	
COM	
RHD	
BOARD	✓ 2208/09

MEMORANDUM

TO: C. Mason
Chief Administrative Officer

DATE: November 30, 2009

FROM: N. Avery
General Manager, Finance & Information Services

FILE:

SUBJECT: Bylaw Amendments for the Yellowpoint Waterloo Fire Protection Service Area

PURPOSE:

To introduce for three readings a bylaw to amend the boundaries, the requisition and the name of the Yellowpoint Waterloo Fire Protection Service.

BACKGROUND:

In 2008, voters residing in the south Cedar/Yellowpoint area of Electoral Area 'A', voted in a referendum to be amalgamated for fire protection services with the North Cedar Improvement District. The boundaries were not able to be changed officially at the end of 2008 and in the interim the North Cedar Improvement District has provided service under a contract arrangement. In October 2009 the Order in Council officially adjusting the North Cedar Improvement District boundaries was passed by the Province. A bylaw to amend the boundaries is required to ensure correct taxation in 2010.

Three aspects of the current bylaw are being amended – the boundaries, the requisition and the name of the service. The requisition is being amended to match the projected five year horizon in the financial plan which is an amount of \$185,080. The name is recommended to be changed to the Cassidy Waterloo Fire Protection Service, which is more descriptive of the geographic and local neighbourhood name.

Bylaw 1388.02 was introduced in November 2008 to reduce the boundaries and to amend the requisition – but was rescinded at third reading because it was unable to be completed at that time. Staff recommend abandoning that bylaw at this time and making the final adjustments with a new bylaw, Bylaw 1388.03.

ALTERNATIVES:

1. Approve the bylaw amendments as presented.
2. Amend the bylaw further and approve a further amended bylaw.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative the requisition limit is amended to the greater of \$185,080 or the value obtained by applying a tax rate of \$1.51 to the values of land and improvements in the service area.

A copy of the current five year plan is attached, showing the estimated budget requirements at this time. The budget includes a service contract of \$54,000 with the Cranberry Fire District as well as operating costs for the firehall and lease financing for two firefighting vehicles.

A portion of the annual tax revenues will be raised by a parcel tax at a rate of \$91 per property. The remainder of the operating budget is covered by assessment based property taxes. The 2010 projected tax results for properties in the service area is somewhat higher than forecast in 2008 due to finalizing vehicle purchases at slightly higher prices than anticipated and providing more funds to cover hall operating costs, now that it is in full use. This service area is unique in that it contains one major commercial/industrial property – the Nanaimo Airport. Staff are still working out the details on how parcel taxes will apply to this property, but the table below illustrates a typical 2010 property tax profile compared to the forecast from the fall of 2008:

Property Value	2009 Actual (includes combined service area)	2010 forecast	2010 budget actual
\$100,000	\$140	\$170	\$190
\$200,000	\$210	\$245	\$290
\$300,000	\$285	\$325	\$385
\$400,000	\$350	\$405	\$485

Alternative 2

The distribution of revenue collection between parcel taxes and assessment based taxes can be altered at the Board’s discretion. However, property owners were advised that the parcel tax rate would be approximately \$90 and staff recommend remaining consistent with previously distributed information.


SUMMARY/CONCLUSIONS:

Staff have been advised that the Order in Council authorizing the extension of the North Cedar Improvement District fire protection boundaries, to cover the remainder of south Cedar/Yellowpoint, has been approved. A bylaw amendment is required to ensure properties in that area are removed from the Yellowpoint Waterloo Fire Protection Service Area for 2010 taxation purposes. Bylaw 1388.03 proposes to amend the boundaries to only include properties in the Cassidy/Spruston Rd. areas as well as the Nanaimo airport lands. The requisition is amended to match the current five year financial plan projections and the name of the service is amended to “Cassidy Waterloo Fire Protection Service”.


Staff recommend abandoning rescinded Bylaw 1388.02 and adopting Bylaw 1388.03 as presented.

RECOMMENDATIONS:

1. That "Waterloo Fire Protection Service Amendment Bylaw No. 1388.02, 2008" be abandoned.
2. That "Cassidy Waterloo Fire Protection Service Amendment Bylaw No. 1388.03, 2009" be introduced for three readings and be forwarded to the Ministry of Community and Rural Development for approval.



Report Writer



C.A.O. Concurrence

COMMENTS:

FP-Waterloo	2009 Budget	2010 Proposed Budget	2011	2012	2013	2014
Revenues						
	14.0%	-35.9%	3.0%	2.9%	2.9%	2.8%
Property taxes	(165,890)	<u>(106,385)</u>	(111,385)	(116,385)	(121,385)	(126,385)
Parcel taxes	(68,110)	(58,695)	(58,695)	(58,695)	(58,695)	(58,695)
Miscellaneous	(7,385)	0	-	-	-	-
Prior year (surplus)deficit	7,385	(29,000)	(13,240)	(4,973)	(1,689)	(3,388)
Total Revenues	<u>(234,000)</u>	<u>(194,080)</u>	<u>(183,320)</u>	<u>(180,053)</u>	<u>(181,769)</u>	<u>(188,468)</u>
Expenditures						
Administration	500	2,010	2,010	2,010	2,010	2,010
Building Ops	3,500	3,860	3,860	3,860	3,860	3,860
Veh & Equip ops	19,000	13,300	13,300	13,300	13,300	13,300
Operating Costs	2,000	1,650	1,667	1,684	1,701	1,735
Transfer to other gov/org	144,000	54,000	54,000	54,000	54,000	54,000
Debt financing	65,000	106,020	103,510	103,510	103,510	103,510
Contributions to reserve funds	-	-	-	-	-	-
SubTotal	<u>234,000</u>	<u>180,840</u>	<u>178,347</u>	<u>178,364</u>	<u>178,381</u>	<u>178,415</u>
New debt						
Total expenditures	<u>234,000</u>	<u>180,840</u>	<u>178,347</u>	<u>178,364</u>	<u>178,381</u>	<u>178,415</u>
(Surplus)/deficit	0	(13,240)	(4,973)	(1,689)	(3,388)	(10,053)

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REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1388.03

A BYLAW TO AMEND THE BOUNDARIES AND THE NAME OF THE
YELLOWPOINT-WATERLOO FIRE PROTECTION
SERVICE AREA

WHEREAS the Board of the Regional District of Nanaimo established by its Bylaw No. 1388 the Yellowpoint-Waterloo Fire Protection Service;

AND WHEREAS the boundaries of the North Cedar Improvement District have been extended to properties in the Yellowpoint area within this Service Area;

AND WHEREAS the requisition for the Service Area requires amendment to address the change in boundaries;

AND WHEREAS it is considered desirable to amend the name of the service to remove the reference to Yellowpoint;

AND WHEREAS the Board has obtained the required consent of the service participants, in accordance with section 802 of the *Local Government Act*;

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

1. **Amendments**

That Bylaw No. 1388 be amended by:

a) Deleting Section 2 - Boundaries and replacing it with the following:

2. Boundaries

The boundaries of the Service Area are outlined on Schedule 'A' attached hereto.

b) Deleting Section 5 – Maximum Requisition and replacing it with the following:

5. Maximum Requisition

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

(a) \$185,080; or

(b) the amount which results by applying the rate of \$1.51 per \$1,000 applied to the net taxable value of land and improvements within the service area.

c) Deleting Section 7 – Citation and replacing with the following:

7. Citation

This bylaw may be cited for all purposes as “Cassidy-Waterloo Fire Protection Service Establishment Bylaw No. 1388, 2004”.

d) Deleting the word “Yellowpoint” and replacing it with “Cassidy” wherever it appears in Bylaw No. 1388.

2. **Citation**

This bylaw may be cited for all purposes as “Cassidy-Waterloo Fire Protection Service Amendment Bylaw No. 1388.03, 2009”.

Introduced and read three times this 8th day of December, 2009.

Received the approval of the Inspector of Municipalities this ____ day of _____, 2010.

Adopted this ____ day of _____, 2010.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION