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BOARD	✓

STAFF REPORT

TO: J. Harrison
Director, Corporate Services

DATE: June 22, 2015

FROM: J. Hill
Manager, Administrative Services

MEETING: Board – June 23, 2015

SUBJECT: Amendment to Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725

RECOMMENDATIONS:

1. That third reading of “Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725, 2015” be rescinded.
2. That “Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725, 2015” be amended as follows:
 - By deleting “Taxi Saver Service” throughout the bylaw and replacing it with “Taxi Saver Contribution Service”;
 - By deleting Section 2 and replacing it with the following:

“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. That “Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015” be read a third time as amended.
4. That the Board approve the revised Elector Response Form as provided in Attachment 2.

PURPOSE:

To amend the proposed Taxi Saver Service Establishment Bylaw in response to recommendations provided by Ministry staff and to clarify the definition of “low income senior”, and to approve a revised Elector Response Form to be used in conjunction with the Alternative Approval Process.

BACKGROUND:

At the May 26, 2015 Regular Board meeting, the RDN Board introduced and gave three readings to Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725 (Attachment 1) and approved an Elector Response Form to use in conjunction with the Alternative Approval Process to be undertaken prior to the deadline of September 8, 2015 as established by the Board.

Following third reading, the bylaw was forwarded to the Inspector of Municipalities for approval. Ministry staff have reviewed the bylaw and are recommending that due to the nature of the service, the bylaw be established as a ‘contribution’ service instead of a regular service as the Regional District will not be administering the service and will have little involvement in the service other than providing funding to the Gabriola Recreation Society to administer the Taxi Saver Program.

Amendments to the bylaw are presented for the Board’s consideration to change the service to a contribution service and to clarify the definition of “low income senior” to align with what is provided in the draft Service Agreement to reduce uncertainty about who the service will apply to.

A revised Elector Response Form is also provided for the Board’s consideration that incorporates the proposed changes to the bylaw. This form must be approved by the Board. Staff recommend proceeding with the amendments to Bylaw No. 1725 and approving the revised Elector Response Form as presented.

ALTERNATIVES:

1. To amend “Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015” and approve the revised Elector Response Form.
2. To provide alternative direction.

FINANCIAL IMPLICATIONS:

There are no financial implications.

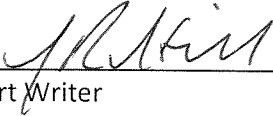
STRATEGIC PLAN IMPLICATIONS:

N/A

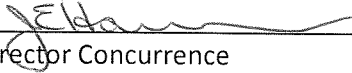
SUMMARY/CONCLUSIONS:

Gabriola Island Taxi Saver Service Establishment Bylaw No. 1725 was forwarded to the Inspector of Municipalities for approval following third reading that was given at the May 26, 2015 Board meeting. Ministry staff are recommending that the Service be established as a 'contribution' service instead of a regular service as the Regional District will not be administering the service. Amendments to the bylaw are provided for the Board's consideration to change the service to a contribution service and to clarify the definition of "low income senior" to align with what is provided in the draft Service Agreement.

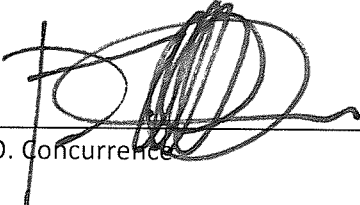
A revised Elector Response Form is also provided for the Board's consideration that incorporates the proposed amendments to the bylaw. Staff recommend proceeding with the amendments to Bylaw No. 1725 and approving the revised Elector Response Form as presented.



Report Writer



Director Concurrence



C.A.O. Concurrence

Attachment 1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1725

A BYLAW TO ESTABLISH A TAXI SAVER 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 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 Service Establishment Bylaw No. 1725, 2015”.

2. **Service**

A Taxi Saver Service is hereby established to provide 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”).

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 three times this 26th day of May, 2015.

Received the approval of the Inspector of Municipalities this ___ day of _____, 2015.

Received the approval of the electors under section 801.3 of the *Local Government Act* this ___ day of _____, 2015.

Adopted this ___ day of _____, 2015.

CHAIRPERSON

CORPORATE OFFICER

“**Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015**” to establish a Taxi Saver Contribution Service 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.

Pursuant to section 86 of the *Community Charter*, I certify that:

- I am a person entitled to be registered as an elector (pursuant to the *Local Government Act*) of Gabriola Island;
- I have not previously signed an Elector Response Form with respect to this Bylaw; and
- I am **OPPOSED** to the adoption of “Gabriola Island Taxi Saver Contribution Service Establishment Bylaw No. 1725, 2015” to establish a Taxi Saver Contribution Service 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, without first obtaining the assent of the electors in a voting proceeding (referendum).

FULL NAME OF ELECTOR: _____
(Please Print Full Name)

ELECTOR’S RESIDENTIAL ADDRESS: _____
(State Full Address)

SIGNATURE OF ELECTOR: _____

DATE: _____

To be completed by Non-Resident Property Electors only
I am entitled to register as a non-resident property elector as an owner of the property located at the following address: _____

Deadline: For this Elector Response Form to be counted, it must be submitted in person or by mail to be received by the Corporate Officer **NO LATER THAN 4:00 PM ON TUESDAY, SEPTEMBER 8, 2015.**

- **Postmarks WILL NOT be accepted as the date of submission.**
- **ORIGINAL SIGNATURES ARE REQUIRED, therefore the Elector Response Forms may not be returned by email or by fax.**

Approval of the electors by the alternate approval process is obtained if less than 336 Elector Response Forms are received by the stated deadline. Submit the Elector Response Form to:

Corporate Services Department
Regional District of Nanaimo
6300 Hammond Bay Road, Nanaimo, BC V9T 6N2
Phone: 250-390-4111/1-877-607-4111

Office Hours: (Monday, Tuesday, Thursday, Friday, 8:30 AM – 4:30 PM / Wednesday 8:30 AM – 5:30 PM)
excluding Statutory Holidays.

INFORMATION REGARDING QUALIFICATIONS FOR ELECTORS

Resident electors:

- age 18 or older;
- a Canadian citizen;
- a resident of British Columbia for at least 6 months immediately before signing this elector response form;
- a resident of Gabriola Island for at least 30 days before signing this elector response form; and
- not disqualified by any enactment from voting in an election or otherwise disqualified by law.

Non-resident property elector:

- not entitled to register as a resident elector of Gabriola Island;
- age 18 or older;
- a Canadian citizen;
- a resident of British Columbia for at least 6 months immediately before signing this elector response form;
- a registered owner of real property on Gabriola Island for at least 30 days before signing this elector response form;
- the only persons who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust;
- not disqualified by any enactment from voting in an election or otherwise disqualified by law;
- **if there is more than one registered owner of the property (either as joint tenants or tenants in common), only one of those individuals, with the written consent of the majority of the owners, may register as a non-resident property elector; and**
- **a person may only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.**

Note: No corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.

An accurate copy of this Elector Response Form may be utilized (either single-sided or double-sided), provided that it is made of the form prior to any electors signing such form, so that only Elector Response Forms with original signatures are submitted.