

REGULAR COUNCIL MEETING AGENDA
Tuesday, January 23, 2018
4:00 p.m.

CALL TO ORDER AT 4:00 P.M.

ADOPTION OF AGENDA (and late items, if appropriate)

ADOPTION OF MINUTES:

- a) Regular Council Meeting held January 9, 2018
- b) Committee of the Whole Meeting held January 16, 2018

DELEGATIONS:

- a) Staff Sergeant Ryan Currie of the Creston RCMP Detachment, regarding and update with respect to the Creston RCMP Detachments staffing levels and activities.

COUNCIL COMMITTEE - REPORTS:

- a) Committee of the Whole Recommendations 1 – 5 for adoption.

RECOMMENDATION NO. 1:

THAT Ltr #10 from the BC Seniors Games Society, regarding an invitation to host the 2020, 2021, or 2022 annual 55+ BC Games, be received.

RECOMMENDATION NO. 2:

THAT Ltr #16 from the Director of Municipal Services, regarding proposed amendments to the Cemeteries Regulations & Operations, and Fees and Charges Bylaws, be received; AND FURTHER, THAT Council consider three readings to the Cemeteries Regulations and Operations Amendment Bylaw No. 1865, 2018 at the February 27, 2018 Regular Council Meeting, with the definition of a 'former resident' being amended to that of any individual that has lived in the Town of Creston or RDCK Electoral Areas A, B, or C for at least ten (10) years.

RECOMMENDATION NO. 3:

THAT Ltr #19 from the Town Manager, regarding the Draft Communications & Consultation Plan: Fire Hall & Fire Protection Services, be received; AND FURTHER, THAT Council approves in principle, the Draft Communications & Consultation Plan for Fire Hall & Fire Protection Services, as set out in Ltr #19 from the Town Manager.

RECOMMENDATION NO. 4:

THAT the verbal report from the Town Manager regarding an Expression of Interest with respect to Public Green Spaces, be received; AND FURTHER, THAT Council authorizes Staff to proceed with placing an ad in the Creston Valley Advance and on the Town of Creston website to ascertain expressions of interest from the public with respect to establishing public green spaces in the Downtown Core.

RECOMMENDATION NO. 5:

THAT the presentations from the Director of Finance and Corporate Services, the Assistant Fire Chief and the Director of Municipal Services, regarding departmental core budgets be received; AND FURTHER, THAT Council directs Staff to include 2019 - 2022 Occupancy charges in the rents budgeted to be charged to the RCMP in the 2018 - 2022 Five-Year Financial Plan.

Pg.**Item**

Ltr #25 from Staff Sgt Ryan Currie of the Creston RCMP Detachment, regarding and update with respect to the Creston RCMP Detachments staffing levels and activities.

Ltr #17 from the Creston Valley Rod and Gun Club regarding an invitation to the Annual Wild Game Banquet Dinner.

Ltr #20 from the City of Victoria, regarding a request to the BC Minister of Justice and Attorney General to modernize the *BC Motor Vehicle Act*.

Ltr #18 from the People in Pain Network, regarding a Discretionary Grant Application for the Creston Pain Self-Management Education and Support program.

BYLAWS:

Bylaw No. 1860, 2017, Revitalization Tax Exemption Bylaw (***Rescind Adoption***)

Bylaw No. 1853, 2018, West Kootenay Inter-Community Business Licence Bylaw (***Adoption***)

Bylaw No. 1864, 2017, Amend Delegation of Authority Bylaw (***Adoption***)

NEW BUSINESS:**REPORTS OF REPRESENTATIVES:**

- Council Member Verbal Reports

Receive Verbal Reports of Council.

GIVING OF NOTICES:

COTW – February 20 and March 20, 2018

COUNCIL – 2nd & 4th Tuesdays of each month

Acting Mayors – 2018

January	Clr. Unruh	February	Clr. Comer
March	Clr. Elford	April	Clr. Wilson
May	Clr. Boehmer	June	Clr. Boehmer
July	Clr. Unruh	August	Clr. Comer
September	Clr. Elford	October	Clr. Wilson
November	Clr. Casemore	December	Clr. Boehmer

QUESTION PERIOD:

MOVE TO CLOSED MEETING, pursuant to Sub-section 90(1) (c) and (e) of the *Community Charter*.

RECONVENE TO REGULAR MEETING

RESOLUTIONS FROM CLOSED MEETING:

ADJOURNMENT

TOWN OF CRESTON
REGULAR COUNCIL MEETING MINUTES – JANUARY 9, 2018

Minutes of a Regular Meeting of Council held on Tuesday, January 9, 2018 at 4:00 p.m. in the Town of Creston Council Chambers, 238 – 10th Avenue, North.

PRESENT: Mayor Toyota
Councillors Boehmer, Comer, Elford, Unruh, Wilson
Lou Varela, Town Manager
Steffan Klassen, Director of Finance & Corporate Services
Ross Beddoes, Director of Municipal Services/Chief Building Official
Colin Farynowski, Manager of Engineering
Mike Moore, Fire Chief
Jared Riel, Assistant Fire Chief
Stacey Hadley, Corporate Officer
Marsha Neufeld, Executive Assistant

ABSENT: Councillor Casemore

MEDIA: Lorne Eckersley, Creston Valley Advance
Lisa Berg, Juice FM Radio

GALLERY: Approximately 11 members of the public, as per the Attendance Sign-In Sheet, which is attached to and forms a part of these minutes as Appendix 'I'.

CALL TO ORDER: Mayor Toyota called the Regular Meeting to order at 4:00 p.m.

1-17
AGENDA Moved by Councillor Boehmer, seconded by Councillor Unruh
THAT the Agenda for the Regular Meeting of January 9, 2018, be adopted. CARRIED

2-17
MINUTES Moved by Councillor Boehmer, seconded by Councillor Elford
THAT the Minutes of the Regular Council Meeting held December 12, 2017, be adopted as read on this day and that such Minutes as read set out all the business before Council that day and fully and properly record all of the resolutions and bylaws passed and adopted by Council at that meeting. CARRIED
►REGULAR DEC 12 /17

3-17
►SPECIAL COTW MEETING - DEC 12/17 Moved by Councillor Comer, seconded by Councillor Unruh
THAT the Minutes of the Special Committee of the Whole Meeting held December 12, 2017, be received. CARRIED

DELEGATION Mayor Toyota welcomed Ms. Myrna Johnson, Chairperson for the
►COMMITTEE FOR AN AFFORDABLE FIRE HALL Committee of an Affordable Fire Hall to the meeting at 4:04 p.m.

On behalf of the Committee for an Affordable Fire Hall Ms. Johnson advised that the Committee is looking forward to hearing evidence based options for an affordable Fire Hall in the near future, that the Committee is happy to assist with the exploration of options, that the design development manual has not been released to-date for public review and that a request under the *Freedom of Information and Protection of Privacy Act* has been submitted to the Town of Creston with respect to access to the design development manual and other planning related documents.

Ms. Johnson also requested that all fees with respect to the Freedom of Information and Protection of Privacy request be waived and advised that she was unable to receive questions at that time.

Mayor Toyota thanked Ms. Johnson and the Committee for an Affordable Fire Hall for their presentation.

COUNCIL COMMITTEE Moved by Councillor Wilson, seconded by Councillor Elford
4-17 THAT Council Committee Recommendation No. 1 from the December 12, 2017 Special Committee of the Whole Meeting, be adopted as follows:
►/DEC 12/17 MTG

RECOMMENDATIONS **RECOMMENDATION NO. 1:**
►2018 WATER AND SEWER SERVICES That the 2018 Water and Sewer Services budget review from the Director of Municipal Services, be received. CARRIED

- 5-17
▶ COMMITTEE FOR AN AFFORDABLE FIRE HALL
Moved by Councillor Elford, seconded by Councillor Unruh
THAT Ltr #703 from the Committee for an Affordable Fire Hall regarding an offer of assistance and cooperation with respect to a new Fire Hall, be received. CARRIED
- 6-17
▶ WEST KELOWNA – CANNABIS TAX SHARING
Moved by Councillor Elford, seconded by Councillor Comer
THAT Ltr #701 from the District of West Kelowna regarding a request for support with respect to lobbying the Province for a share of the cannabis tax sharing formula, be received; AND FURTHER, THAT staff is authorized to submit a letter to the Province lobbying for a share of the cannabis tax sharing formula. CARRIED
- 7-17
▶ FIRE HALL NEXT STEPS
Moved by Councillor Comer, seconded by Councillor Boehmer
THAT Ltr #694 from the Town Manager regarding the next steps with respect to a new Fire Hall, be received; THAT Staff is authorized to develop a communication and consultation strategy, with associated budget in the immediate short term; AND FURTHER, THAT staff provides Council with a framework to consider the establishment of a Select Committee with a mandate to provide input regarding the development of short and long-term solutions to address the deficiencies of the current Fire Hall and options with respect to a Fire Hall replacement, both of which are supported with necessary technical expertise. CARRIED
- 8-17
▶ REGIONAL FIRE SERVICES AGREEMENT
Moved by Councillor Boehmer, seconded by Councillor Elford
THAT Ltr #07 from the Director of Finance and Corporate Services regarding the Fire Protection and Assistance Response Agreement, be received; AND FURTHER, THAT Council authorize staff to enter into a Fire Protection and Assistance Response Agreement with the Regional District of Central Kootenay Electoral Areas A, B and C to provide fire protection services to a defined portion of Electoral Areas A, B and C commencing January 1st, 2018. CARRIED
- 9-17
▶ AMEND ICBL BYLAW
Moved by Councillor Elford, seconded by Councillor Boehmer
THAT Ltr #700 from the Director of Finance and Corporate Services regarding an amendment to the Inter-Community Business Licence Bylaw No. 1853, 2018, be received. CARRIED
- 10-17
▶ AMEND DELEGATION OF AUTHORITY BYLAW
Moved by Councillor Boehmer, seconded by Councillor Elford
THAT Ltr #06 from the Director of Municipal Services regarding an amendment to the Delegation of Authority Bylaw No. 1864, 2017, be received. CARRIED
- BYLAWS**
- 11-17
▶ BYLAW 1853 (1ST & 2ND RDGS)
Moved by Councillor Boehmer, seconded by Councillor Unruh
THAT West Kootenay Inter-Community Business Licence Bylaw No. 1853, 2018, be read a first time by title, second time by content. CARRIED
- 12-17
▶ BYLAW 1853 (3RD RDG)
Moved by Councillor Comer, seconded by Councillor Wilson
THAT West Kootenay Inter-Community Business Licence Bylaw No. 1853, 2018, be read a third time. CARRIED
- 13-17
▶ BYLAW 1864 (1ST & 2ND RDGS)
Moved by Councillor Elford, seconded by Councillor Boehmer
THAT Delegation of Authority Bylaw No. 1864, 2017, be read a first time by title, second time by content. CARRIED
- 14-17
▶ BYLAW 1853 (3RD RDG)
Moved by Councillor Wilson, seconded by Councillor Comer
THAT Delegation of Authority Bylaw No. 1864, 2017, be read a third time. CARRIED
- 15-17
▶ STRATEGIC PRIORITIES CHART
Moved by Councillor Boehmer, seconded by Councillor Wilson
THAT the Strategic Priorities Chart, be received as amended. CARRIED
- 16-17
▶ FOLLOW UP ACTION LIST
Moved by Councillor Comer, seconded by Councillor Boehmer
THAT the Regular Council Meeting Follow-Up Action List, as of December 12, 2017, be received as amended. CARRIED

REPORTS OF REPS.

- ▶ CLR ELFORD
Councillor Elford reported on his attendance at a Cemetery Select Committee meeting, a Creston Valley Services Committee budget meeting and a Creston Community Forest meeting.

- CLR UNRUH Councillor Unruh reported on her attendance at a Creston Valley Chamber of Commerce meeting and a Blossom Festival meeting.
- CLR WILSON Councillor Wilson reported on her attendance at a Creston Valley Chamber of Commerce meeting, a Community Networking meeting and a Blossom Festival meeting.
- MAYOR TOYOTA Mayor Toyota reported on his attendance at a Regional District of Central Kootenay Board meeting, at Adam Robertson Elementary School’s annual Ho Ho Ho event and his participation in a conference call with the BC Mayors’ Caucus.
- STAFF REPORTS Members of staff provided verbal reports on key issues and projects currently being addressed by the various departments.
- 17-17
► RECEIVE REPORTS Moved by Councillor Comer, seconded by Councillor Unruh THAT the verbal Reports of Council and staff members be received.
CARRIED
- GIVING OF NOTICES** COTW – January 16 & February 20, 2018
COUNCIL – 2nd & 4th Tuesdays of each month
- QUESTION PERIOD** Members of the Gallery posed questions with respect to insurance and a requirement for proof of insurance in association with the issuance of a business licence.
- Discussion was held regarding the Alternative Approval vs. Referendum process and a comparison of voter turnout during elections, by-elections and the recent referendum.
- The Director of Finance and Corporate Services advised that there was no requirement to go directly to Referendum with respect to Loan Authorization Bylaw No. 1861, 2017. However; Council decided that due to the nature and importance of the issue that a Referendum was appropriate to receive electoral assent.
- Mayor Toyota advised that the recent Referendum related only to a request for authorization to borrow up to the maximum amount of \$6.1 million dollars, and that the Town was not presenting a plan or design in association with the Referendum.
- 18-17
MOVE TO CLOSED MEETING Moved by Councillor Comer, seconded by Councillor Unruh THAT by authority of the *Community Charter*, this meeting is closed from the public and/or news media, pursuant to Sub-Section 90(1)(c) and (e).
CARRIED
- RECONVENE** The Regular Council Meeting reconvened at 5:40 p.m.
- 19-17
ADJOURNMENT Moved by Councillor Wilson THAT the Regular Council Meeting of January 9, 2018, be adjourned at 5:40 p.m.
CARRIED
- CERTIFIED CORRECT:**

Ron Toyota
Mayor

Stacey Hadley
Corporate Officer

TOWN OF CRESTON
REGULAR COMMITTEE OF THE WHOLE MEETING MINUTES
JANUARY 16, 2018

Minutes of a Regular Committee of the Whole Meeting of Council held on Tuesday, January 16, 2018 at 4:00 p.m. in the Town of Creston Council Chambers, 238 - 10th Avenue, North.

PRESENT: Mayor Ron Toyota
Councillors Boehmer, Casemore, Comer, Elford, Unruh, Wilson

ALSO PRESENT: Lou Varela, Town Manager
Steffan Klassen, Director of Finance & Corporate Services
Ross Beddoes, Director of Municipal Services/Chief Building Official
Jared Riel, Deputy Fire Chief
Ferd Schmidt, Public Works Superintendent
Marsha Neufeld, Executive Assistant
Bev Caldwell, Corporate Officer

GALLERY: Lorne Eckersley, Creston Valley Advance
Lisa Berg, Juice FM

CALL TO ORDER: Mayor Toyota called the meeting to order at 4:00 p.m.

COUNCIL COMMITTEE Moved by Councillor Boehmer, seconded by Councillor Comer
THAT the agenda of the Regular Committee of the Whole meeting for January 16, 2018, be adopted.

CARRIED

► **BC SENIORS GAMES SOCIETY** **RECOMMENDATION NO. 1:**
THAT Ltr #10 from the BC Seniors Games Society, regarding an invitation to host the 2020, 2021, or 2022 annual 55+ BC Games, be received.

► **PROPOSED AMENDMENTS TO CEMETERIES REGULATIONS & OPERATIONS AND FEES AND CHARGES BYLAW** **RECOMMENDATION NO. 2:**
THAT Ltr #16 from the Director of Municipal Services, regarding proposed amendments to the Cemeteries Regulations & Operations, and Fees and Charges Bylaws, be received; AND FURTHER, THAT Council consider three readings to the Cemeteries Regulations and Operations Amendment Bylaw No. 1865, 2018 at the February 27, 2018 Regular Council Meeting, with the definition of a 'former resident' being amended to that of any individual that has lived in the Town of Creston or RDCK Electoral Areas A, B, or C for at least ten (10) years.

► **DRAFT COMMUNICATIONS & CONSULTATION PLAN: FIRE HALL & FIRE PROTECTION SERVICES** **RECOMMENDATION NO. 3:**
THAT Ltr #19 from the Town Manager, regarding the Draft Communications & Consultation Plan: Fire Hall & Fire Protection Services, be received; AND FURTHER, THAT Council approves in principle, the Draft Communications & Consultation Plan for Fire Hall & Fire Protection Services, as set out in Ltr #19 from the Town Manager.

► **EXPRESSION OF INTEREST WITH RESPECT TO PUBLIC GREEN SPACES** **RECOMMENDATION NO. 4:** THAT the verbal report from the Town Manager regarding an Expression of Interest with respect to Public Green Spaces, be received; AND FURTHER, THAT Council authorizes Staff to proceed with placing an ad in the Creston Valley Advance and on the Town of Creston website to ascertain expressions of interest from the public with respect to establishing public green spaces in the Downtown Core.

► **DEPARTMENTAL CORE BUDGET PRESENTATIONS** **RECOMMENDATION NO. 5:** THAT the presentations from the Director of Finance and Corporate Services, the Assistant Fire Chief and the Director of Municipal Services, regarding departmental core budgets be received; AND FURTHER, THAT Council directs Staff to include 2019 - 2022 Occupancy charges in the rents budgeted to be charged to the RCMP in the 2018 - 2022 Five-Year Financial Plan.

The Regular Committee of the Whole Meeting held January 16, 2018, adjourned at 5:56 p.m.

AS TO THE MINUTES OF THIS COMMITTEE OF THE WHOLE MEETING:

Mayor Ron Toyota

Lou Varela, Town Manager



**TOWN OF CRESTON
DELEGATION REQUEST**

Ltr# 25

0570.02
7400.01

Council
Jan 23 118

I/WE REQUEST TO ATTEND THE FOLLOWING MEETING:

(NOTE: Items discussed at a PUBLIC Meeting are available to the press for publication.)

REGULAR OR CLOSED COMMITTEE OF THE WHOLE ON _____, 20____
@ 4:00 p.m. First and Third Tuesday of each month

REGULAR OR CLOSED COUNCIL MEETING ON Jan 23, 2018
@ 4:00 p.m. Second and Fourth Tuesday of each month

NAME OF DELEGATION: <u>Creston RCMP</u>	
SPOKESPERSON(S): <u>Staff Sgt. Ryan Currie</u>	
MAILING ADDRESS: <u>Creston RCMP Detachment</u>	
TELEPHONE NO.:	EMAIL:
DETAILS OF ISSUE TO BE DISCUSSED: <u>- Introduction of new Staff Sergeant</u> <u>- Update re: staffing levels and activities</u>	

PLEASE READ CAREFULLY

Council Procedures Bylaw No. 1647 states:

- (1) The Members may hear up to four (4) delegations at each Closed, Regular, Special, Council and/or Committee meeting, with a time limit of 15 minutes per delegation.
- (2) Requests by delegates will be reviewed by the Town Manager to determine whether or not the delegation should be heard by Committee or by Council at its next regular scheduled meeting. All delegation requests must be written requests, submitted to the office of the Town Manager, clearly setting out the subject matter to be dealt with, the proposals intended to be made and the name of the spokesperson(s).
- (3) A petition to Council shall include the name and residential address of each petitioner and the name and mailing address of a contact person.
- (4) Council must not permit delegations to address a meeting of the Council or its committees on the following:
 - (a) A bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
 - (b) Official Community Plan Bylaws, or Zoning & Development Bylaws, including amendments to such bylaws, which have received first reading and which have not been adopted, defeated, or abandoned.
 - (c) Matters on which the Town Manager has commenced prosecution, and on which judgement has not been rendered.
 - (d) Business Licence Hearings conducted in accordance with Part 20 of the *Local Government Act*.
 - (e) The promotion of commercial products or services that in the opinion of the Member presiding have no connection to the business of the Town.
 - (f) Publicly tendered contracts or proposal calls for the provision of goods or services for the Town, between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded, either by Council or Town staff.
- (5) The provisions of clause (b) of subsection 4.11 (4) do not apply where a second or subsequent Public Hearing is to be held on an Official Community Plan Bylaw or Zoning & Development bylaw, or amendments to such bylaws, whichever is the case.

Your Delegation Request for January 23, 2018 at 4 a.m. or p.m. is
 Confirmed **Declined**

(Please contact the Executive Assistant at (250) 428-2214, ext. 226, if you require further information)



Creston Valley Rod & Gun Club



T of C	
Letter #	17
File #	1855,03
JAN 10 2018	
Action	Council -
	Jan. 23

January 9, 2018

To our valued Community Sponsors,

The Creston Valley Rod and Gun Club has had a fantastic year in 2017. To celebrate, the club has been working very hard to organize **The Annual Wild Game Banquet Dinner**, held in February of each year. The generous donations from community members like yourselves, has helped make this event one of the largest and most successful events in the Creston Valley. The Donations generally come in the form of cash, goods or services. This is a family event so donations for any age or gender is greatly appreciated.

We are looking forward to another successful Banquet and hope to see you and your family and friends there!!

Traven Huscroft
President.

If you have donations to be picked up call Annette Rocca Morse 250-428-4355

1410 Birch St. Creston, BC V0B 1G3

or High Caliber Auto
Collision &
Repair

banquet is Feb 17th

THE CITY OF VICTORIA



OFFICE OF THE MAYOR

T of C
Letter # <u>20</u>
File # <u>0410.20.A2</u>
JAN 11 2018
Action <u>Council</u>
<u>Jan 23, 2018</u>

January 4, 2018

BC Minister of Justice and Attorney General
1001 Douglas Street
Victoria, BC V8W 2C5

Dear Honourable David Eby:

Re: Modernizing the BC Motor Vehicle Act

On November 23, 2017 Council endorsed the Road Safety Law Reform Group of British Columbia's Position Paper entitled *Modernizing the BC Motor Vehicle Act*.

On behalf of the City of Victoria, I am requesting that the Government of British Columbia review and modernize the BC Motor Vehicle Act to increase safety for all road users and achieve the "Vision Zero" objective of making BC's roads the safest in North America and eliminating road-related injuries and deaths by 2020.

Cycling and walking are important modes of transportation. According to the 2016 census, 37% of Victoria residents walk, cycle or use other forms of active transportation for their journey to work. Benefits of increased active transportation mode share include congestion management, reduced greenhouse gas emissions and air particulates, enhanced transportation affordability and improved community health.

As a part of the City's commitment to increasing active transportation use, we are in support of updating the Motor Vehicle Act to reflect the importance of all road users, to create new rules that improve cyclist and pedestrian safety, and to add fines that threaten vulnerable road users.

Other jurisdictions have modernized their laws to clarify the rights and responsibilities between motorists and cyclists, to align traffic laws with new infrastructure design standards and traffic management practices, and to ensure that the laws remain equitable for vulnerable road users.

Clearly articulated rules, roles and responsibilities can help to increase understanding and compliance with BC traffic laws and reduce conflicts on the road. Additionally, reforms can assist law enforcement agencies in prioritizing enforcement to target activities most likely to result in collisions, injuries and fatalities among vulnerable road users.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to be 'Lisa Helps'.

Mayor Lisa Helps

cc. Premier John Horgan
Minister of Transportation and Infrastructure – Honourable Claire Trevena
Members of the Legislative Assembly
AVICC
UBCM

1 Centennial Square Victoria British Columbia Canada V8W 1P6
Telephone (250) 361-0200 Fax (250) 361-0348 Email mayor@victoria.ca

www.victoria.ca

Memorandum

Ltr #32
File: 3900.20.37

To: Council
From: Steffan Klassen, Director of Finance and Corporate Services
Date: January 19, 2018
Subject: Bylaw No. 1860, 2017 being the Revitalization Tax Exemption Bylaw

Due to staff turnover there was an oversight with respect to the publication of Revitalization Tax Exemption Bylaw No. 1860, 2017, as public notice of the Bylaw was not consecutively publicized for a two-week period.

The provision of public notice is required under section 94 of the *Community Charter* and in order to ensure strict adherence and compliance to the Act, it is required that adoption of Bylaw No. 1860, 2017 be rescinded and that public notice be provided for a consecutive two-week period. Following re-publication, staff will then bring forward Bylaw 1860 for re-adoption.

The rescinding of the Bylaw's adoption will in no way compromise the Revitalization Tax Exemption Program or any of the applicants registered with the program to date.

Therefore, staff is requesting Council's consideration of the following recommendation:

"THAT Ltr #32 from Director of Finance and Corporate Services be received; AND FURTHER, THAT Council Resolution #319-17 adopting Bylaw No. 1860, 2017, being the Revitalization Tax Exemption Bylaw, be rescinded.

Respectfully submitted,



Steffan Klassen, Director of Finance and
Corporate Services

TOWN OF CRESTON

BYLAW NO. 1860

A Bylaw to establish a Revitalization Tax Exemption Program.

WHEREAS under Section 226 of the *Community Charter*, Council may provide a Revitalization Tax Exemption Program for land or improvements or both that is applicable to designated kinds of property, or related activities or circumstances;

WHEREAS Council wishes to establish a Revitalization Tax Exemption Program for the Eligible Improvements defined in Section 2 i) of this Bylaw;

WHEREAS Council is of the opinion that the development of new commercial businesses, or the redevelopment of existing commercial businesses, which encourage investment and employment, is seen as a critical component of the economic revitalization and growth of the Town of Creston's Commercial Areas;

WHEREAS in accordance with Section 165 of the *Community Charter*, the Town has set out the objectives and policies in relation to the use of permissive tax exemptions in the Five Year Financial Plan (2017-2021) Bylaw No. 1856 and this Bylaw is consistent with those objectives and policies;

WHEREAS the purpose of this Bylaw is to encourage the economic revitalization and economic growth of the Town of Creston by means of the development of new commercial businesses within the Designated Revitalization Area;

WHEREAS Council's reasons for creating the Revitalization Tax Exemption Program are as follows:

- a) Council recognizes that a critical component of the continued economic revitalization and growth of the Town is to build upon the success of its prior initiatives by encouraging the development of new commercial businesses, or the redevelopment of existing commercial businesses in the Town's zones that permit commercial uses, which will stimulate investment in the Town and provide new employment opportunities and commercial services for its existing and future residents, thereby attracting further economic growth and increasing the Town's tax base;
- b) the Town of Creston's Official Community Plan identifies the commercial objective of creating a strong and vibrant commercial economy in the Town of Creston; and,
- c) the Town of Creston's 2017 Corporate Strategic Plan identifies economic development as a corporate priority;

WHEREAS the objectives of the Revitalization Tax Exemption Program are to:

- a) encourage new commercial businesses in new and renovated buildings in the Town's zones that permit commercial uses and thereby establish the commercial services and the investment and employment opportunities that will attract additional investment and economic growth to the Town of Creston; and
- b) reinforce the municipality's "open for business" approach and attract redevelopment and new development of commercial businesses within the municipality;

AND WHEREAS notice of this Bylaw has been given in accordance with Sections 94 and 227 of the *Community Charter*;

NOW THEREFORE the Council of the Town of Creston, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Revitalization Tax Exemption Bylaw No. 1860, 2017".
2. In this Bylaw:
 - a) "Appropriately Zoned Land" means Parcels that are zoned and licensed as described in Section 4 of this Bylaw;
 - c) "Assessed Value" means the value of land and improvements in a specified year, as determined by the Assessment Authority in the assessment region of the Province of British Columbia in which the land and improvements are located;
 - d) "Calendar Year" and "Year" means all months inclusive from January to December;
 - e) "Chief Building Official" means the person appointed by the Council to that position or a person authorized by the Chief Building Official to perform his/her duties under this Bylaw;
 - f) "Council" means the Council of the Town of Creston;
 - g) "Designated Revitalization Area" means the area designated as such under Section 3 of this Bylaw;
 - h) "Director of Finance and Corporate Services" means the person appointed by the Council to that position or other Corporate Officer of the Town of Creston;
 - i) "Eligible Improvement" means:
 - .i an existing building, used only for an Eligible Use, on Appropriately Zoned Land and having a renovation project value of \$50,000.00 or greater as determined by the Town's Chief Building Official and for which a valid Building Permit has been issued by the Town;
 - .ii a new building, used only for an Eligible Use, that is constructed on Appropriately Zoned Land and having a construction project value of \$150,000.00 or greater as determined by the Town's Chief Building Official and for which a valid Building Permit has been issued by the Town;
 - .iii an Eligible Improvement for which a Building Permit must have been issued by the Town, with construction commencing after the adoption of this Bylaw, or within sixty (60) prior to the adoption of this Bylaw.
 - j) "Eligible Land" means the area of a Parcel occupied by the footprint of the Eligible Improvements on the land to be detailed in the Revitalization Tax Exemption Agreement;
 - k) "Eligible Use" means a Principal Eligible Use;
 - l) "Municipal Property Taxes" means the municipal portion of taxes imposed on the land and improvements by the Town under Section 197(1)(a) of the *Community Charter*;
 - m) "Owner" means the registered Owner of the Eligible Improvement;
 - n) "Parcel" means a parcel upon which one or more improvements are to be constructed that may qualify the land or improvements, or both, for a tax exemption under this Bylaw;
 - o) "Principal Eligible Use" means a commercial use permitted on Appropriately Zoned Land as defined under Section 4 of this Bylaw;

- p) “Recapture Amount” means the amount an Owner is required to pay to the Town under Section 8 of this Bylaw;
- q) “Revitalization Tax Exemption Agreement” or “Agreement” means an Agreement between the Owner of the Eligible Improvements and the Town of Creston that is substantially in the form attached to this Bylaw as Schedule “A”;
- r) “Revitalization Tax Exemption Certificate” means a Revitalization Tax Exemption Certificate issued by the Town of Creston pursuant to this Bylaw and pursuant to the provisions of Section 226 of the *Community Charter*, substantially in the form attached to this Bylaw as Schedule “B”;
- s) “Term” means the number of years for which a tax exemption is granted under Section 9 of this Bylaw;
- t) “Town” means the Town of Creston.

3. DESIGNATED REVITALIZATION AREA

- 3.1 The Designated Revitalization Area consists of all properties within the Town of Creston that are located in a commercial zone under the Town’s Zoning Bylaw No. 1123, as defined in Section 4 of this Bylaw, that permits *commercial uses*.

4. APPROPRIATELY ZONED LAND

- 4.1 To qualify as an Eligible Improvement, an improvement must be located on a Parcel that is zoned *General Commercial C-1, Local Commercial C-2, Tourist Commercial C-3, Licensed Premises Commercial C-4, Mixed Use Commercial C-5, Highway Service Commercial HSC, Highway Service Commercial – Hotel/Convention Centre HSC-H, or Highway Service Commercial – Light Manufacturing HSC-M* as detailed in Schedule “A” of Zoning Bylaw No. 1123; and, have a valid Building Permit issued by the Town of Creston for the construction of a Principle Eligible Improvement.

5. REQUIRED CONSTRUCTION VALUE

- 5.1 Revitalization Tax Exemptions will apply only to:
 - a) a redevelopment or alteration of an existing Eligible Improvement that has a construction value in excess of \$50,000.00; or
 - b) construction of a new Eligible Improvement, under this Bylaw, with a construction value in excess of \$150,000.00;

both values to be determined by the Chief Building Official whose decision shall be final.

6. APPLICATION FOR EXEMPTION CERTIFICATE

- 6.1 An application for a Revitalization Tax Exemption Certificate must be made to the Town’s Director of Finance and Corporate Services on or before August 31 in the year prior to the first year in respect of which a tax exemption is sought and be accompanied by an Occupancy Permit for the Eligible Improvement issued by the Town.

- 6.2 The application must include sufficient information, as required by the Director of Finance and Corporate Services, to verify that the proposed development is an Eligible Improvement.
- 6.3 The Town of Creston will accept applications for a Revitalization Tax Exemption only in the years 2018, 2019 and 2020, and no applications will be accepted after August 31, 2020.
- 6.4 After obtaining a Building Permit from the Town for the construction of an Eligible Improvement, the Applicant may submit a Revitalization Tax Exemption Application in the form provided by the Town, but the Revitalization Tax Exemption Certificate must not be issued until the requirements and conditions for a Revitalization Tax Exemption Certificate prescribed in this Bylaw, the Agreement and the form of the Revitalization Tax Exemption Certificate in Schedule B to this Bylaw, together with any additional requirements and conditions required by the Town, have been met by the Applicant.
- 6.5 If construction commenced prior to the time limit in subsection 2(i)(iii) of the definition of Eligible Improvement in this Bylaw, the Revitalization Tax Exemption Application will not be eligible for consideration under this Bylaw.

7. REVITALIZATION TAX EXEMPTION CERTIFICATE

- 7.1 Once all conditions and requirements prescribed in this Bylaw and the Agreement as prerequisites for the issuance of a Revitalization Tax Exemption Certificate have been met, the Town's Director of Finance and Corporate Services must issue a Revitalization Tax Exemption Certificate for the property that is the subject of the Agreement.
- 7.2 If the Revitalization Tax Exemption Certificate is issued on or before October 31, the tax exemption takes effect in the following Calendar Year.
- 7.3 A Revitalization Tax Exemption Certificate must be issued for the Eligible Improvements in the form attached as Schedule "B" and must include the conditions set out in that form.

8. CANCELLATION OF CERTIFICATE

- 8.1 A Revitalization Tax Exemption Certificate issued for Eligible Improvements is subject to the requirement that all of the conditions set out in the Revitalization Tax Exemption Agreement continue to be met during the Term established in Section 9 of this Bylaw.
- 8.2 Council may cancel a Revitalization Tax Exemption Certificate if any one or more of the conditions or requirements set out in the Revitalization Tax Exemption Agreement are breached, and the cancellation will be effective as of the date of the breach.
- 8.3 If the Revitalization Tax Exemption Certificate is cancelled during a year in which the Owner of Eligible Improvements has received an exemption from municipal taxes, a Recapture Amount representing the amount of the Revitalization Tax Exemption granted to the Owner from the date of the breach of the condition or requirement, as applicable, is payable to the Town by the Owner.
- 8.4 If the breach occurred during the Calendar Year, the Recapture Amount will be the portion of the annual tax exemption for the balance of the taxation year remaining from the effective date of cancellation of the Certificate.

9. TERM AND EXEMPTION AMOUNT

- 9.1 The maximum Term of an exemption under this Program is 10 years commencing on January 1 of the first Calendar Year after the year in which the Revitalization Tax Exemption Certificate is issued as long as it is issued prior to October 31.
- 9.2 The percentage of the Amount calculated in accordance with Section 9.3 of this Bylaw that will be provided in each year of the Term is set out in the following table:

Year of the Term	% of Revitalization Tax Exemption of Municipal Property Tax on Eligible Improvements
Years 1 - 5	100%
Years 6 – 10	50%

- 9.3 The amount of the Revitalization Tax Exemption (the “Amount”) is the increase in the general municipal property tax levied on the difference in the assessed value of improvements on the Parcel between the year prior to the commencement of construction of the Eligible Improvements and the year following the issuance of the Revitalization Tax Exemption Certificate, that is, the difference in assessed value attributed to the Eligible Improvements.
- 9.4 The assessed value of the improvement as determined by the BC Assessment Authority will determine the value of the Revitalization Tax Exemption. The value of construction, as determined by the Chief Building Official for the purpose of establishing Program eligibility, may not necessarily reflect the value of the improvement as determined by the BC Assessment Authority.
- 9.5 The maximum Revitalization Tax Exemption under this Bylaw must not exceed the increase in the assessed value of improvements on the property in the Calendar Year before the new construction or alteration began and the Calendar Year in which the new construction or alteration is completed.
- 9.6 Tax rate increases will still apply on the non-exempted assessment.
- 9.7 An exemption under this Program does not affect the Owner’s liability for municipal utility user fees or parcel taxes, or taxation imposed by or on behalf of other government or public bodies.
- 9.8 The Schedules to this Bylaw form a part of and are enforceable in the same manner as this Bylaw.
- 9.9 If a Schedule is referred to or mentioned in this Bylaw without identifying its location as being in another bylaw or enactment, it is a reference to a Schedule attached to this Bylaw.

PUBLIC NOTICE, pursuant to Sections 94 and 227 of the *Community Charter*, was given the and day of , 2017.

READ A FIRST and SECOND TIME this 19th day of September, 2017.

READ A THIRD TIME this 19th day of September, 2017.

ADOPTED this 10th day of October, 2017.

Mayor Ron Toyota

Bev Caldwell, Executive Assistant

SCHEDULE "A"
Town of Creston
Revitalization Tax Exemption Bylaw No. 1860

REVITALIZATION TAX EXEMPTION AGREEMENT

This Agreement dated for reference the _____ day of _____, 20____ is

BETWEEN:

(the "Owner")

AND:

The Town of Creston,
238 – 10th Avenue North
PO Box 1339
Creston, British Columbia
V0B 1G0

(the "Town")

Whereas:

- A. The Owner is the registered Owner in fee simple of lands in the Town of Creston at **[civic address]** legally described as **[legal description]** (the "Parcel");
- B. Under Bylaw No. 1860 (the "Bylaw"), the Town established a Revitalization Tax Exemption Program (the "Program") for all properties within the Town of Creston that are located in a commercial zone under the Town's Zoning Bylaw No. 1123, that permits commercial use(s) as a principal use. To be considered as an Eligible Improvement under the Program, the Owner's Parcel must:
 - a) be zoned *General Commercial C-1, Local Commercial C-2, Tourist Commercial C-3, Licensed Premises Commercial C-4, Mixed Use Commercial C-5, Highway Service Commercial HSC, Highway Service Commercial – Hotel/Convention Centre HSC-H, or Highway Service Commercial – Light Manufacturing HSC-M* as detailed in Schedule "A" of Zoning Bylaw No. 1123; have a renovation project value of \$50,000.00 or greater as determined by the Town's Chief Building Official; and, have a valid Building Permit issued by the Town of Creston for the renovation of an existing building on the Parcel for use as a Principle Eligible Improvement; or
 - b) be zoned *General Commercial C-1, Local Commercial C-2, Tourist Commercial C-3, Licensed Premises Commercial C-4, Mixed Use Commercial C-5, Highway Service Commercial HSC, Highway Service Commercial – Hotel/Convention Centre HSC-H, or Highway Service Commercial – Light Manufacturing HSC-M* as detailed in Schedule "A" of Zoning Bylaw No. 1123; provide a new construction project of a commercial use; have a construction project value of \$150,000.00 or greater as determined by the Town's Chief Building Official; and, have a valid Building Permit issued by the Town for the construction of a new building on the Parcel to be used as a Principle Eligible Improvement.

- C. The objectives of the Revitalization Tax Exemption Program are to:
- a) encourage new commercial businesses in new and renovated buildings in the Town's zones that permit commercial uses and thereby establish the commercial services and the investment and employment opportunities that will attract additional investment and economic growth to the Town of Creston; and
 - b) reinforce the municipality's "open for business" approach and to attract new and improved commercial development to the municipality;
- D. The Owner proposes to construct new improvements, or alter existing improvements (the "Project"), on the Parcel and has applied to the Town for a tax exemption under the Revitalization Tax Exemption Program in respect of the Project and the Town has agreed to grant the exemption for the Project.

THIS AGREEMENT is evidence that in consideration of the following conditions and requirements, the Owner and the Town covenant and hereby agree that:

1.0 Eligibility

A Revitalization Tax Exemption will only be granted for the Parcel if the Project meets the requirements for an Eligible Improvement as set out in the Bylaw and Recital B on page 1 of this Agreement.

2.0 The Project

The Owner must ensure that the Project is constructed, maintained, operated and used for the purposes of a Principle Eligible Improvement, as defined in the Bylaw, throughout the Term of the Tax Exemption in a fashion that will be consistent with and will foster the objectives of the Revitalization Tax Exemption Program as set out in the Bylaw.

3.0 Operation and Maintenance of Project

Throughout the Term of the Tax Exemption, the Owner must operate, repair and maintain the Project and keep the Project in a state of good repair, as a prudent Owner would do.

4.0 Revitalization Tax Exemption

Subject to fulfillment of the conditions and requirements for issuance set out in this Agreement and in the Bylaw, the Town will issue a Revitalization Tax Exemption Certificate (the "Certificate") to the Owner and provide the relevant assessor of BC Assessment with a copy of the Certificate entitling the Owner to a municipal property tax exemption in respect of the Parcel (the "Tax Exemption") for the Calendar Years set out in this Agreement.

5.0 Conditions

The following conditions must be met before the Town will issue a Certificate to the Owner:

- 5.1 The Owner must make application for a Building Permit from the Town on or after January 1, 2016 and prior to August 31, 2020 for the Project;
- 5.2 The Owner must complete, or cause to be completed, construction of the Project in conformance with the conditions of the Building Permit(s) issued for the Parcel and in compliance with all laws, statutes, regulations and orders of any authority having jurisdiction, including bylaws of the Town, that are applicable to the Project, and obtain an Occupancy Permit for the Eligible Improvement and submit that permit with the application for the Certificate; and,

5.3 The Owner must use the Eligible Improvement for the Principle Eligible Use.

6.0 Calculation of Revitalization Tax Exemption

The amount of the annual Tax Exemption shall be equal to the municipal property tax on the increase in the assessed value of improvements on the Parcel, attributable to the construction of the Eligible Improvements, between the year before the commencement of construction of the Project and the year immediately after the year in which the Tax Exemption Certificate is issued if issued prior to October 31.

7.0 Term of Revitalization Tax Exemption

The maximum Term of an exemption under the Program is 10 years commencing on January 1 of the first Calendar Year after the year in which the Revitalization Tax Exemption Certificate is issued, as long as it is issued prior to October 31 in the previous year.

8.0 Cancellation

The Town may cancel the Certificate if the Owner requests cancellation in writing or fails to meet any of the conditions and requirements specified in the Bylaw, this Agreement or Certificate as conditions on which the Tax Exemption was provided.

9.0 Recapture

If pursuant to the terms and conditions specified in this Agreement or the Tax Exemption Certificate, the Certificate is cancelled, the Owner will remit to the Town, no later than 30 days after receiving notice from the Town of the cancellation and the amount owing, the Recapture Amount prescribed in this Bylaw.

10.0 No Refund

For greater certainty, under no circumstances will the Owner be entitled, under this Agreement, the Bylaw, the Certificate or the Town's Revitalization Tax Exemption Program, to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.

11.0 Enurement

This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors and assigns.

12.0 Notices

Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and delivered personally (and if so shall be deemed received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so shall be deemed delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

To the Owner at:

And to the Town at:

The Town of Creston
PO Box 1339
238 – 10th Avenue North
Creston, British Columbia V0B 1G0
Attention: Director of Municipal Services

or to such other address to which a party hereto from time to time notifies the other parties in writing.

13.0 No Assignment

The Owner may not assign its interest in this Agreement except to a subsequent Owner in fee simple of the Parcel.

14.0 Severance

If any portion of this Agreement is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.

15.0 Interpretation

Wherever the singular or masculine is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.

16.0 Further Assurances

The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.

17.0 References

A reference in this Agreement to the Town or the Owner includes their permitted assigns, heirs, successors, officers, employees and agents.

18.0 Effective Date

This Agreement shall be effective from and after the reference date in this Agreement, but only if this Agreement has been duly executed and delivered by the Owner to the Town and duly executed by the Town.

19.0 Expense

Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and commitments of the Owner contained in this Agreement, and of all matters incidental to those obligations and commitments is solely at the expense of the Owner

20.0 Owner's Representations

The Owner represents and warrants to the Town that:

- a) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into and performance of this Agreement;
- b) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and legally binding contractual obligation of the Owner;
- c) neither the execution and delivery, nor the performance, of this Agreement shall breach any other agreement or obligation respecting the Lands; and
- d) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

Approval of this Agreement by Resolution No. _____ of the Council of the Town of Creston was given on the _____ day of _____, 20_____.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

THE TOWN OF CRESTON)
by its authorized signatories:)
)
)
)
)
)
_____)
Mayor)
)
)
_____)
Corporate Officer)

(Insert name of Owner, if a corporation or)
corporate body) by its authorized signatories:)
)
)
)
_____)
Name and title)
)
)
_____)
Name and title)

Name of Owner, if an individual

Name of Witness

Address of Witness

SCHEDULE "B"
Town of Creston
Revitalization Tax Exemption Bylaw No. 1860

REVITALIZATION TAX EXEMPTION CERTIFICATE

SECTION 226 OF THE COMMUNITY CHARTER

In accordance with the Town of Creston's Downtown Revitalization Tax Exemption Bylaw No. 1860, and in accordance with the Revitalization Tax Exemption Agreement dated for reference the _____ day of _____, 20____ (the "Agreement") entered into between the Town of Creston (the "Town") and _____ (the "Owner"), the registered Owner(s) of the parcel described below:

This **Certificate** certifies that the Parcel is subject to a Revitalization Tax Exemption in an amount equal to the tax on the increase in the assessed value of the Parcel, after the Eligible Improvements have been completed on the Parcel, between the year before the commencement of construction of the Project, and the year immediately after the Tax Exemption Certificate is issued.

The Parcel to which the tax exemption applies is located in the Town of Creston and is described as follows:

Civic Address:

PID:

Legal Description:

The Tax Exemption is for the Calendar Years commencing with the year _____ and ending with the year _____.

The Tax Exemption is provided on the following conditions:

1. The Owner does not breach any covenant or condition in the Agreement and performs all obligations to be performed by the Owner as set out in the Agreement.
2. The Owner has not sold all or any portion of his or her equitable or legal fee simple interest in the Parcel without the transferee taking an assignment of the Agreement, and agreeing to be bound by it.
3. The Owner, or a successor in title to the Owner, has not allowed the property taxes for the Parcel to go into arrears or to become delinquent.
4. The Owner, or a successor in title to the Owner, does not apply to amend the Town of Creston's Zoning Bylaw No. 1123, as amended, consolidated or replaced from time to time, to rezone the parcel from the zoning in effect at the time the Certificate was issued.
5. The Parcel is not put to a use other than those uses permitted in the applicable Commercial Zone as detailed in Zoning Bylaw No. 1123, and amendments thereto.
6. The Principal Use of the Parcel remains a Principal Eligible Use throughout the Term of the Tax Exemption.
7. As a condition of the issuance of this **Certificate**, the Owner must obtain an Occupancy

Permit from the Town for the Eligible Improvement and submit it with the Owner's application for this **Certificate**.

If any of these conditions are not met then the Council of the Town of Creston may cancel this Revitalization Tax Exemption Certificate. If such cancellation occurs, the Owner of the property for which the Certificate was issued will remit to the Town the Recapture Amount calculated in accordance with Bylaw 1821 within the notice period specified in the Agreement.

Director of Finance & Corporate Services
Town of Creston

Date

Town of Creston

Bylaw No. 1853

A bylaw to amend the West Kootenay Inter-Community Business Licence Bylaw No. 1846, 2016.

WHEREAS it is deemed necessary and in the public interest to amend West Kootenay Inter-Community Business Licence Bylaw No. 1846, 2016;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

Part 1 Citation

1.1 This Bylaw may be cited as “West Kootenay Inter-Community Business Licence Amendment Bylaw No. 1853, 2017”.

Part 2 Severability

2.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amendments

3.1 Part 3 Definitions is amended by deleting the following:

“**Participating Government**” means the following communities that have adopted the Inter-Community Business Licence Bylaw: City of Castlegar, City of Nelson, City of Rossland, Town of Creston, and Village of Kaslo.

and replacing with the following:

“**Participating Government**” means those of the following municipalities that have adopted this Inter-Community Business Licence Bylaw and any other municipalities that adopt this bylaw at a later date:

City of Castlegar	Town of Creston
City of Nelson	Village of Kaslo
City of Rossland	Village of Salmo

READ A FIRST TIME by title and SECOND TIME by content this this 9th day of January, 2018.

READ A THIRD TIME by title this this 9th day of January, 2018.

ADOPTED this day of , 2018.

Mayor Ron Toyota

Stacey Hadley, Corporate Officer

Town of Creston

Bylaw No. 1864

A bylaw to amend the Delegation of Authority Bylaw No. 1855, 2017.

WHEREAS it is deemed necessary and in the public interest to amend Delegation of Authority Bylaw No. 1855, 2017;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

Part 1 Citation

1.1 This Bylaw may be cited as “Delegation of Authority Amendment Bylaw No. 1864, 2017”.

Part 2 Severability

2.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amendments

3.1 Delegation of Authority Bylaw No. 1855, 2017 is hereby amended by inserting the following provision as Section 6.2:

6.2 Council hereby delegates to the Town Manager and Director of Municipal Services all of the powers, duties, and functions of Council in respect to the waiver of a fee payable to the Town of Creston for the use of municipal property as follows:

6.2.1 Park rental booking fees as per Schedule 8 (Parks and Community Services) of the Fees and Charges Bylaw No. 1763, 2011 as amended or replaced from time to time, when the applicant is a registered, locally-based non-profit organization.

READ A FIRST TIME by title and SECOND TIME by content this 9th day of January, 2018.

READ A THIRD TIME by title this this 9th day of January, 2018.

ADOPTED this day of , 2018.

Mayor Ron Toyota

Stacey Hadley, Corporate Officer