

REGIONAL DISTRICT OF KITIMAT-STIKINE

BYLAW NO. 658

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A bylaw to establish the Terrace Area Solid Waste and  
Recyclable Material Management Service

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**WHEREAS** under section 796 of the *Local Government Act* a Regional District may operate any service the Board considers necessary or desirable for all or part of the Regional District;

**AND WHEREAS** the Regional District of Kitimat-Stikine (the "**Regional District**") wishes to establish a service for the purpose of solid waste and recyclable material management;

**AND WHEREAS** the purpose of this bylaw is to implement the approved solid waste management plan of the Regional District, therefore under section 24(7) of the *Environmental Management Act*, the Regional District does not require a petition, approval of the electors or assent of the electors for the adoption of this bylaw;

**AND WHEREAS** the approval of the Inspector of Municipalities has been obtained under section 801 of the *Local Government Act*;

**AND WHEREAS** participating area approval in each participating area has been obtained under sections 801.4 and 801.5 of the *Local Government Act*.

**NOW THEREFORE** the Board of the Regional District of Kitimat-Stikine in open meeting assembled enacts as follows:

1. **Citation**

This Bylaw may be cited for all purposes as the "Kitimat-Stikine Terrace Area Solid Waste and Recyclable Material Management Service Establishment Bylaw No. 658, 2015".

2. **Service**

The service of solid waste and recyclable material management (the "**Service**") is established as a service for the purposes of:

- (a) the operation of municipal solid waste disposal facilities;
- (b) the operation of a service for the collection, storage and management of municipal solid waste and recyclable material; and
- (c) the provision of other services in connection with the services under (a) or (b) that may from time to time be authorized by an approved solid waste management plan.

3. **Participating Areas and Boundaries**

The participating areas for the Service are Electoral Areas C and E and the City of Terrace and the boundaries of the service area (the "**Service Area**") are the boundaries of the City of Terrace and the whole of Electoral Areas of C and E (the "**Participating Areas**").

4. **Cost Recovery**

As provided in section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:

- (a) property value taxes imposed on the net taxable value of improvements in the Service Area in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) parcel taxes imposed in accordance with Division 4.3 of Part 24 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.

5. **Maximum Requisition**

In accordance with section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is Three Million Dollars (\$3,000,000).

6. **Apportionment of Costs**

The following values and definitions apply for the purposes of sections 7 to 10:

- (a) "Calculation Annual Service Cost" or "CASC" means one-half of the NASC;
- (b) "Net Annual Service Cost" or "NASC" means the total cost for the Service in a year, net of revenues received from fees, charges, agreements, enterprise, gift, grant or otherwise;
- (c) "Participating Area Assessed Value of Improvements" or "PAAVI" means the total converted assessed value of all classes of improvements in a Participating Area in a year;
- (d) "Participating Area Population" or "PAP" means the total population of a Participating Area determined in accordance with the most recent census data available from Statistics Canada;
- (e) "Participating Area Share" means the amount determined in accordance with section 9;
- (f) "Service Area Population" or "SAP" means the total population of the Service Area determined in accordance with the most recent census data available from Statistics Canada;

- (g) "Sub-Total A" means the amount determined in accordance with section 7;
- (h) "Sub-Total B" means the amount determined in accordance with section 8;
- (i) "Total Assessed Value of Improvements" or "TAVI" means the total converted assessed value of all classes of improvements in the Service Area in a year.

7. Sub-Total A is determined by the following formula:

$$\text{CASC} / \text{SAP} \times \text{PAP}$$

8. Sub-Total B is determined by the following formula:

$$\text{CASC} / \text{TAVI} \times \text{PAAVI}$$

9. The Participating Area Share is the sum total of Sub-Total A and Sub-Total B.

10. The costs of the service apportioned to each Participating Area shall be the Participating Area Share.

READ a first time this 19<sup>th</sup> day of June, 2015.

READ a second time this 19<sup>th</sup> day of June, 2015.

READ a third time this 19<sup>th</sup> day of June, 2015.


CONSENT of the City of Terrace obtained this 13<sup>th</sup> day of July, 2015.


CONSENT of Electoral Area C Director obtained this 19<sup>th</sup> day of June, 2015.

CONSENT of Electoral Area E Director obtained this 19<sup>th</sup> day of June, 2015.

APPROVED by the Inspector of Municipalities this 16<sup>th</sup> day of July, 2015.

ADOPTED this 17<sup>th</sup> day of July, 2015.

  
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Chair

*Deputy*  
  
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Deputy Administrator