

BYLAW NO. 1389

A Bylaw of the Regional District of Kootenay Boundary, in the Province of British Columbia, to establish an Economic Development Service in the Boundary.

WHEREAS pursuant to the provisions of the *Local Government Act*, being Chapter 323 of the Revised Statutes of British Columbia and amendments thereto, a Board may by Bylaw establish a service for the promotion of economic development;

AND WHEREAS the Board of Directors has deemed it appropriate to establish different terms from those outlined in the *Local Government Act* for service review and service withdrawal;

AND WHEREAS the Board of Directors has deemed it appropriate to accept consent to adopt this bylaw from both the municipal and electoral area participating areas;

NOW THEREFORE BE IT RESOLVED that the Board of the Regional District of Kootenay Boundary, in open meeting assembled, enacts as follows:

1. CITATION

- a. This bylaw may be cited for all purposes as "Regional District of Kootenay Boundary Economic Development (Boundary) Service Establishment Bylaw No. 1389, 2008."

2. ESTABLISHMENT AND DESCRIPTION OF SERVICE

- a. The Board of Directors of the Regional District of Kootenay Boundary hereby establishes a service for the promotion of economic development in the Boundary communities to be known as the "Boundary Economic Development Service".
- b. This service shall provide for the promotion of economic development in the Boundary communities and, for that purpose, the Board of the Regional District of Kootenay Boundary, or its designates, is empowered and authorized to do all things necessary, including, without limiting the generality of the foregoing, obtaining required permits and licenses, employing staff, purchasing equipment or services, and entering into contracts for the purposes of the Boundary Economic Development Service.

3. SERVICE BOUNDARIES AND PARTICIPANTS

- a. The boundaries of this service shall be the boundaries of Electoral Areas C, D, and E and inclusive of the Cities of Greenwood and Grand Forks and the Village of Midway as outlined on the plan attached as Schedule 'A'.
- b. The participants of this service are Electoral Area C, Electoral Area D, Electoral Area E, the Village of Midway, the City of Greenwood, and the City of Grand Forks.

4. COST RECOVERY

- a. The costs for this service shall be recovered utilizing one or more of the following:
 - i. Property Value Taxation
 - ii. Fees and Charges
 - iii. Revenues raised pursuant to the Local Government Act or other legislation
 - iv. Revenues received by way of agreement, gift, enterprise, grant or otherwise.

5. SERVICE REVIEW AND DISPUTE RESOLUTION

- a. This service shall be reviewed in the fourth quarter of 2009 and every three years thereafter.
- b. The review will look at the effectiveness and value of the service.
- c. The costs of the scheduled service review shall be borne by the service, including any facilitation or consulting costs deemed appropriate by the participants.
- d. Should any participant wish to leave the service after a scheduled service review they will be allowed to subject to the following restrictions:
 - i. The leaving participant will still be responsible for their share of any existing debt or commitment.
 - ii. The leaving participant will have no claim on the assets of the service.
- e. Should enough participants leave the service as to make the service unsustainable, any assets of the service will be liquidated and allocated:
 - i. Firstly, to the reduction of any existing debt or commitments of the service
 - ii. Secondly, to the participants on the basis of the participating member's relative share of the 2008 converted assessment.
- f. Should any participant initiate service review outside of the schedule established herein, that participant will be responsible for all costs associated with the review, unless otherwise agreed to by at least 2/3's of the participants.

Read a **FIRST** time this 30th day of October, 2008.

Read a **SECOND** time this 30th day of October, 2008.

Read a **THIRD** time this 30th day of October, 2008.

I, Elaine Kumar, Director of Corporate Administration of the Regional District of Kootenay Boundary, do hereby certify the foregoing to be a true and correct copy of Regional District of Kootenay Boundary Bylaw No. 1389 cited as "Regional District of Kootenay Boundary Economic Development (Boundary) Service Establishment Bylaw No. 1389, 2008".


 Director of Corporate Administration

Written consent to adopt this bylaw was received from the Director of Electoral Area C the 18th day of December, 2008.

Written consent to adopt this bylaw was received from the Director of Electoral Area D the 18th day of December, 2008.

Written consent to adopt this bylaw was received from the Director of Electoral Area E the 18th day of December, 2008.

Written consent to adopt this bylaw was received from the City of Grand Forks the 6th day of January, 2009.

Written consent to adopt this bylaw was received from the City of Greenwood the 16th day of January, 2009.

Written consent to adopt this bylaw was received from the Village of Midway the 5th day of January, 2009.

APPROVED by the Inspector of Municipalities this 4th day of February, 2009.

RECONSIDERED AND FINALLY ADOPTED this 26th day of February, 2009.

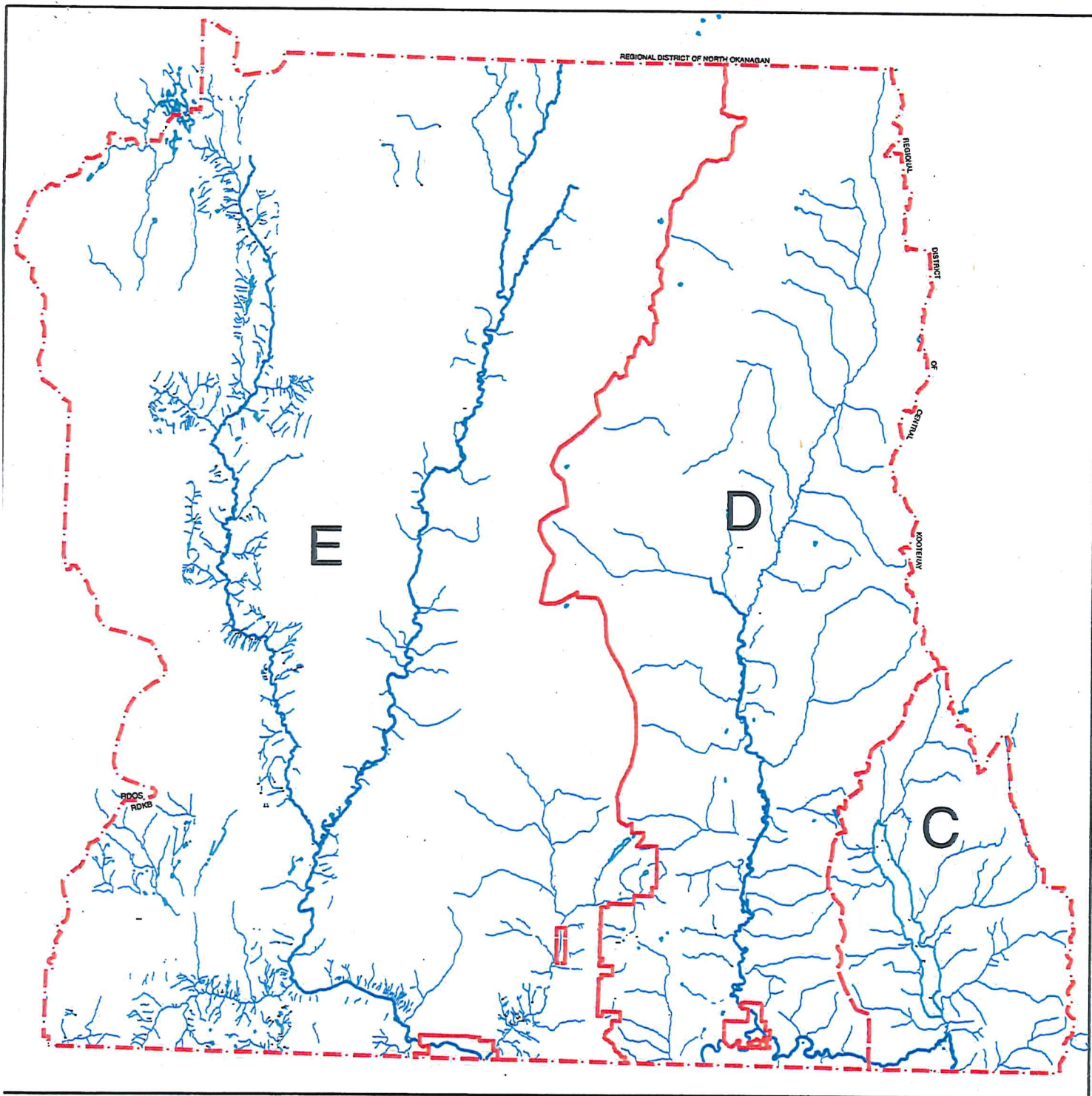

 Chair


 Director of Corporate Administration

I, Elaine Kumar, Director of Corporate Administration of the Regional District of Kootenay Boundary, do hereby certify the foregoing to be a true and correct copy of Regional District of Kootenay Boundary Bylaw No. 1389 cited as the "Regional District of Kootenay Boundary Economic Development (Boundary) Service Establishment Bylaw No. 1389, 2008" as reconsidered and finally adopted this 26th day of February, 2009.



Director of Corporate Administration



I hereby certify this Schedule A to be a true and correct copy and that this Schedule A correctly outlines the properties to be included in the Boundary Economic Development Service Establishment Bylaw "Regional District of Kootenay Boundary Bylaw No. 1389."



Scale
1:500,000

J. Kumar

Oct. 30/08

Director of Corporate Administration