



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3918

A Bylaw to Establish and Operate a Service for Flood Management Within the Cowichan River Watershed

WHEREAS pursuant to Sections 796 and 800 of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a service for the purpose of flood management within the Cowichan River Watershed area;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3918 – Cowichan Flood Management Service Establishment Bylaw, 2015**".

2. SERVICE BEING ESTABLISHED

2.1 The service being established under the authority of this bylaw is the service of flood management within the Cowichan River Watershed area.

2.2 This service provides the CVRD with authority to construct, maintain and operate flood management works and to engage in other flood management activities within the Cowichan River Watershed including:

- a. Constructing, upgrading, and maintaining dikes and associated structures;
- b. Undertaking periodic gravel extraction and management activities;
- c. Undertaking periodic log jam removal and other large woody debris management activities;
- d. Undertaking flood modeling initiatives;
- e. Maintaining a flood monitoring and early warning system;
- f. Developing and implementing flood management plans;
- g. Entering into agreements and acquiring interests in land and statutory rights of way as needed to accomplish the objectives of this section; and
- h. Acting as the diking authority for dikes and related works constructed by the CVRD within the Cowichan River Watershed.

3. SERVICE AREA BOUNDARIES

The boundaries of the service area are the boundaries of the Cowichan River Watershed as shown in Schedule A of this bylaw.

4. PARTICIPATING AREAS

The whole of the City of Duncan; the whole of the Town of Lake Cowichan; and those portions of the District of North Cowichan, Electoral Area B – Shawnigan Lake, Electoral Area D – Cowichan Bay, Electoral Area E – Cowichan Station/Sahtlam/Glenora, Electoral Area F – Cowichan Lake South/Skutz Falls, and Electoral Area I – Youbou/Meade Creek that are within the boundaries of the service area as shown in Schedule A to this bylaw; are participating areas in this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

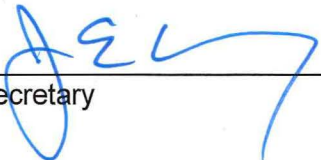
- (a) property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area;
- (b) the imposition of fees and other charges that may be fixed by separate bylaw;
- (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$150,000 or an amount equal to the amount that could be raised by a property value tax of \$0.0320 per \$1,000 of net taxable value of land and improvements within the service area.

READ A FIRST TIME this	<u>12th</u>	day of	<u>August</u>	, 2015.
READ A SECOND TIME this	<u>12th</u>	day of	<u>August</u>	, 2015.
READ A THIRD TIME this	<u>12th</u>	day of	<u>August</u>	, 2015.
THIRD READING RESCINDED this	<u>9th</u>	day of	<u>September</u>	, 2015.
READ A THIRD TIME this	<u>9th</u>	day of	<u>September</u>	, 2015.

I hereby certify this to be a true and correct copy of Bylaw No. 3918 as given Third Reading on the 9th day of September, 2015.


Corporate Secretary

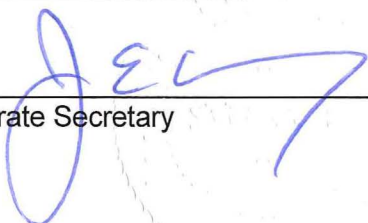
SEPT 10 2015
Date

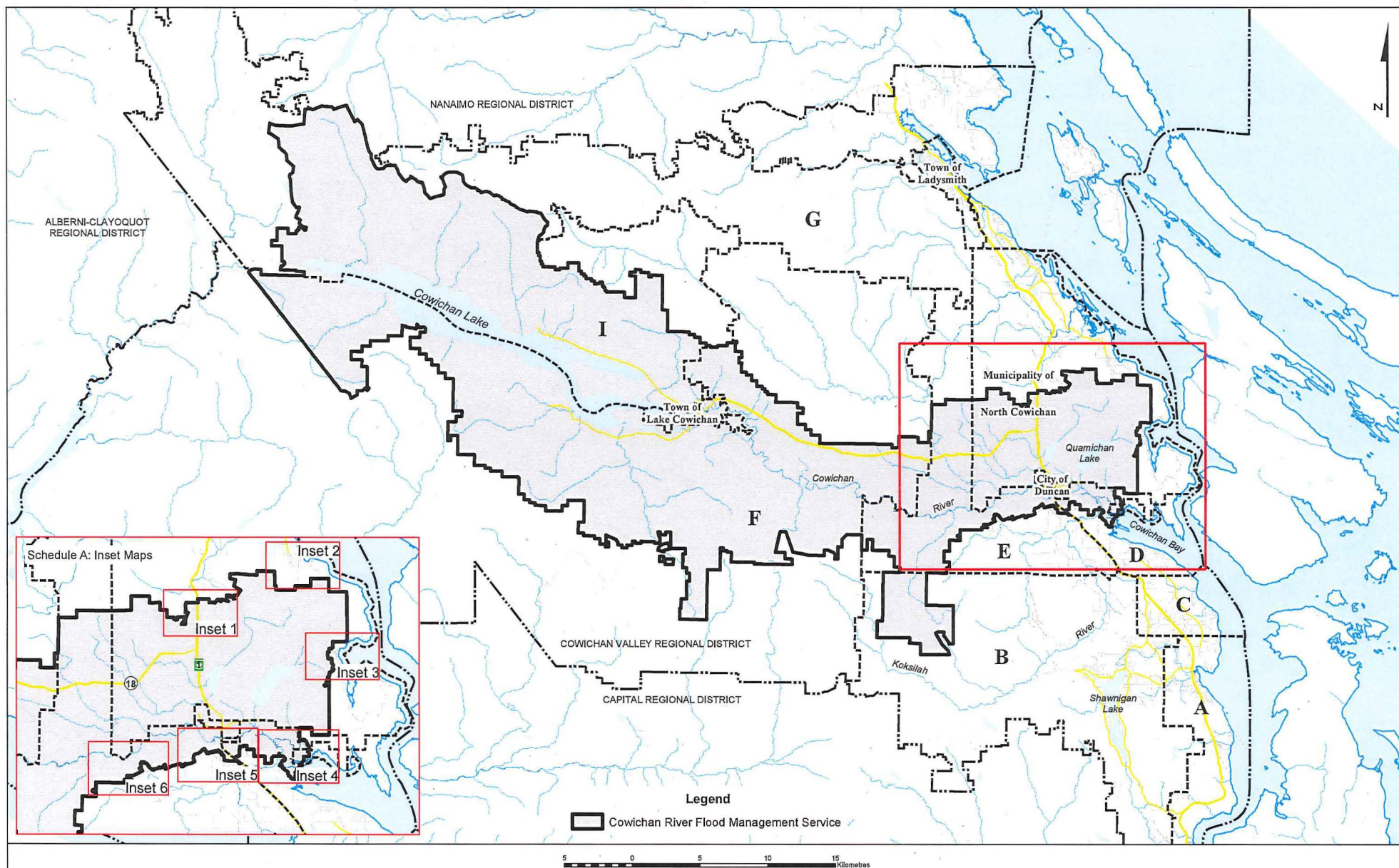
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

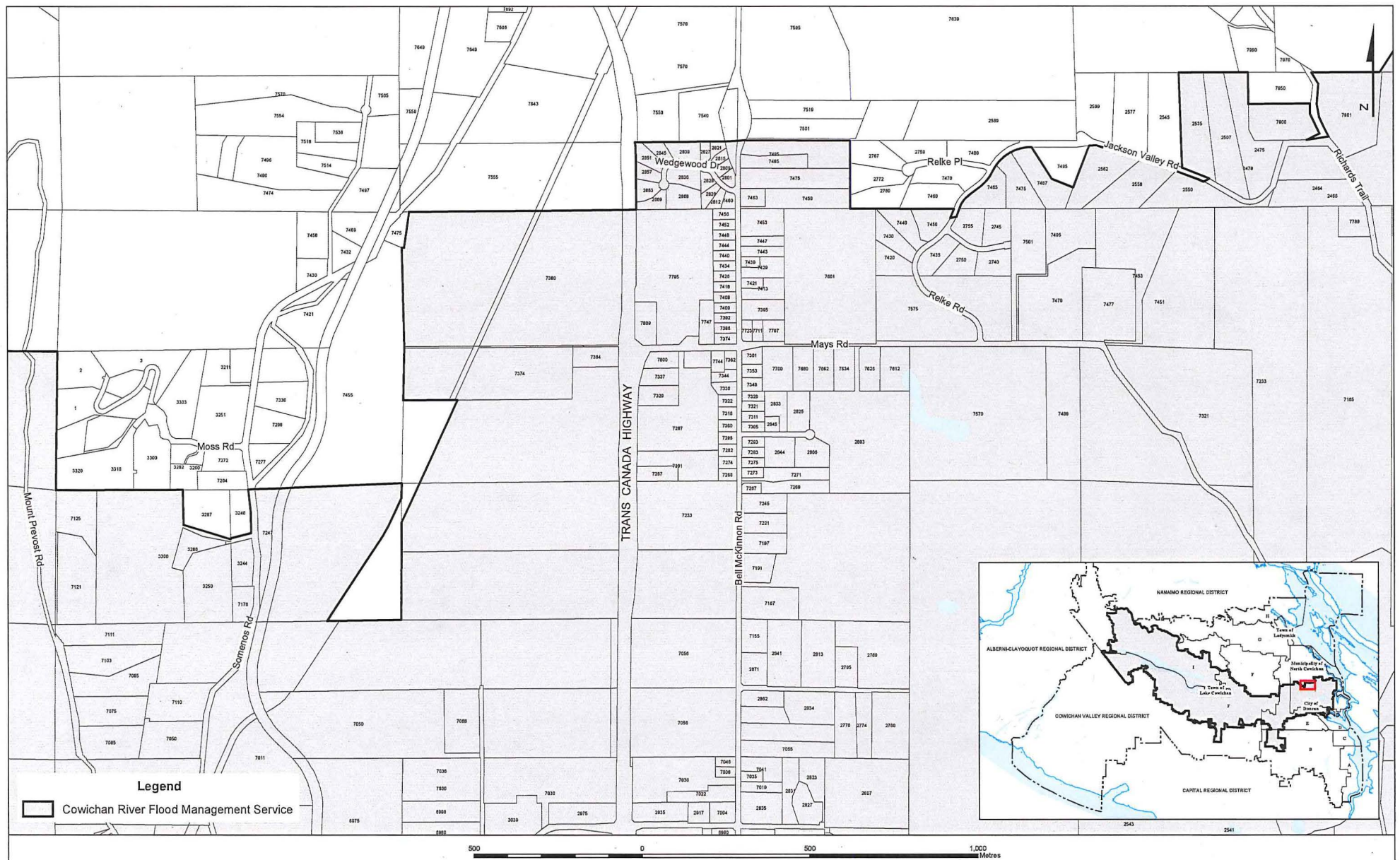
18th day of September, 2015.

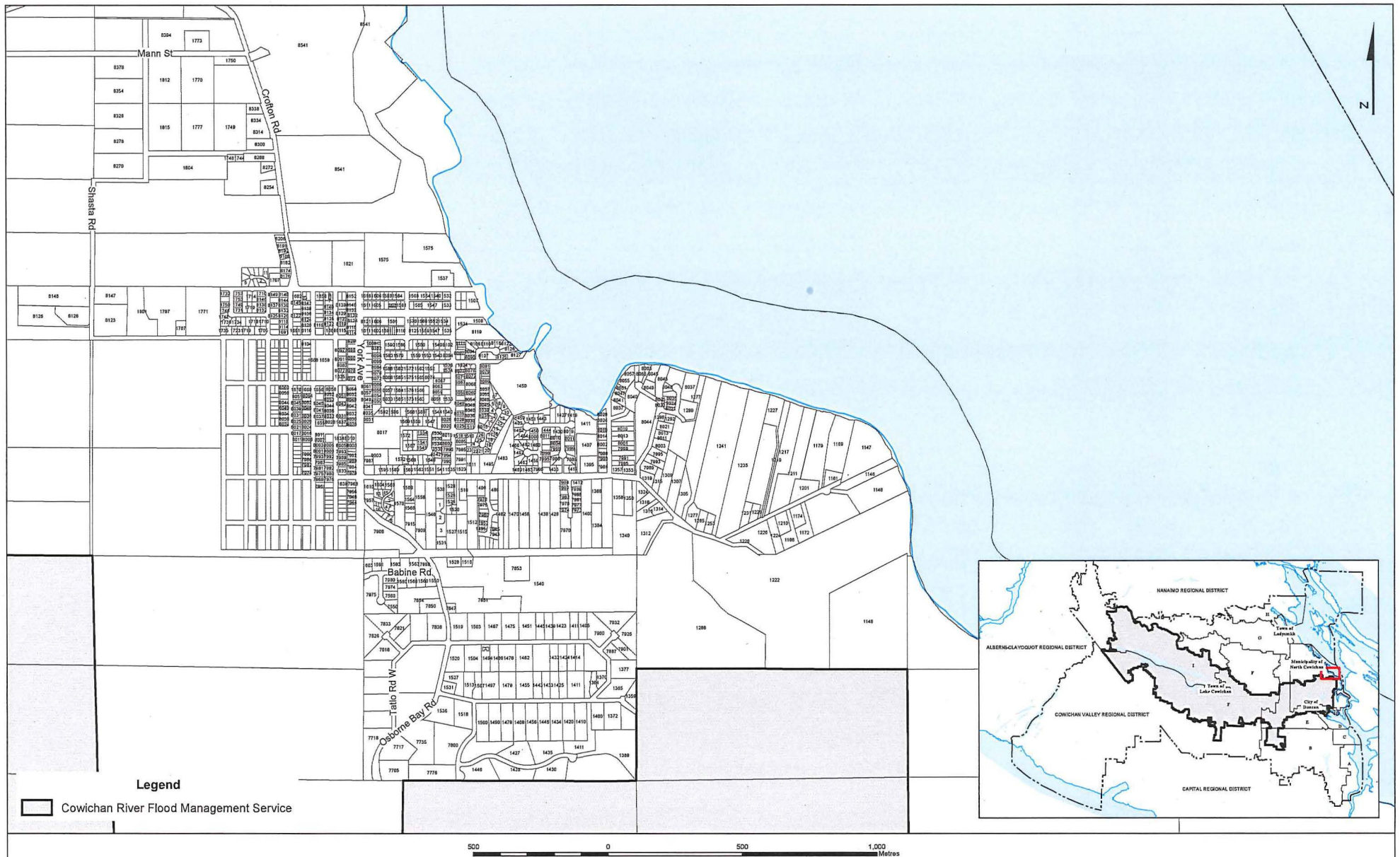
ADOPTED this 9th day of December, 2015.

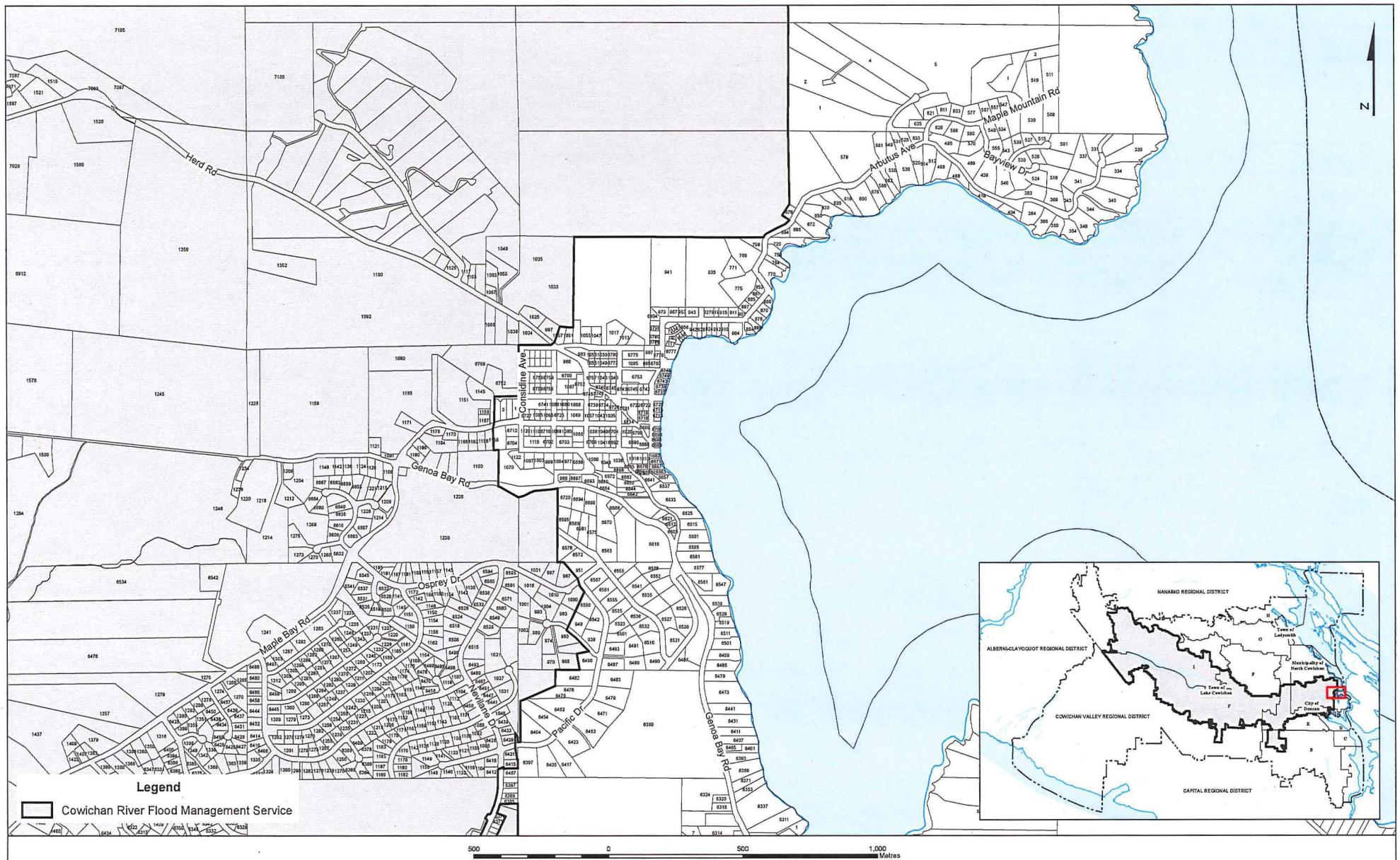

Chairperson


Corporate Secretary



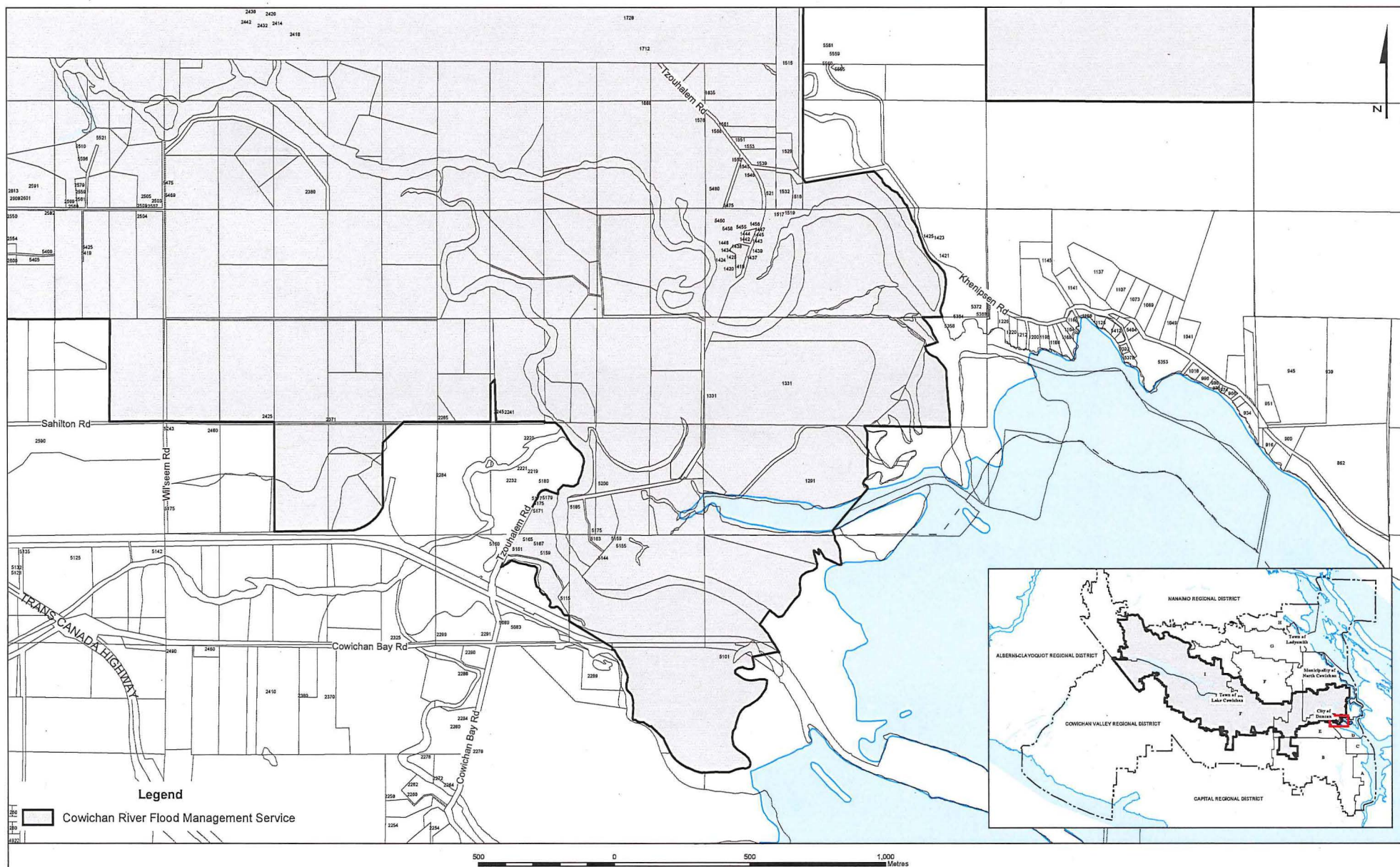






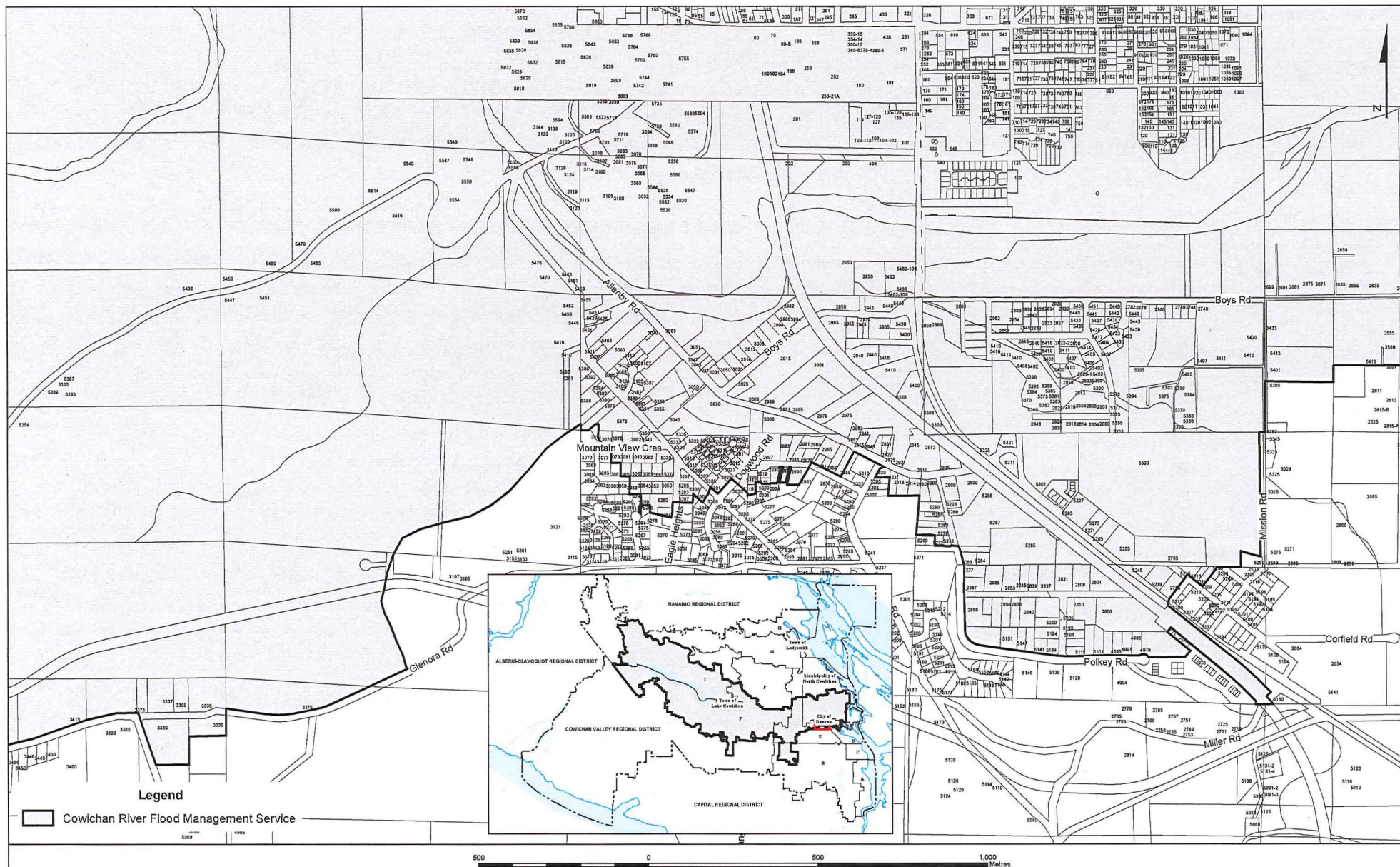
Schedule A: Inset 3 to CVRD Bylaw No. 3918 - Cowichan River Flood Management Service Establishment Bylaw, 2015.

Adopted December 9, 2015.



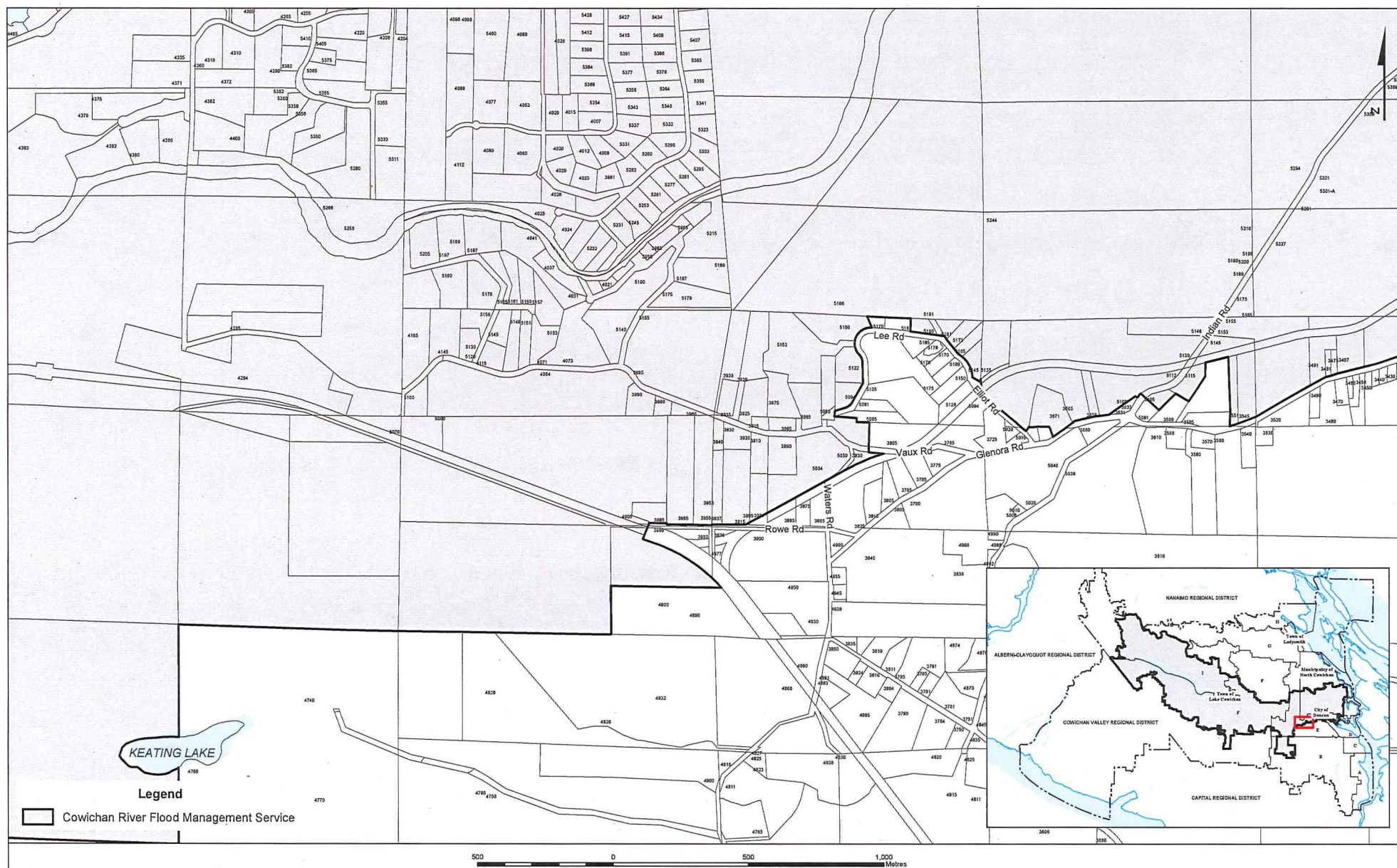
Schedule A: Inset 4 to CVRD Bylaw No. 3918 - Cowichan River Flood Management Service Establishment Bylaw, 2015.

Adopted December 9, 2015.



Schedule A: Inset 5 to CVRD Bylaw No. 3918 - Cowichan River Flood Management Service Establishment Bylaw, 2015.

Adopted December 9, 2015.





Statutory Approval

Under the provisions of section _____ **801**

of the _____ ***Local Government Act***

I hereby approve Bylaw No. _____ **3918**

of the _____ ***Cowichan Valley Regional District*** ,

a copy of which is attached hereto.

Dated this

B

day

of

SEPT

, 2015

Deputy Inspector of Municipalities