

The changes to Southern Community Transit Service Area Conversion Bylaw No. 1230, 2001 are as follows:

7. **Apportionment**

For Conventional Service

- (1) In this Section "Annual Operating Agreement" means an Operating Agreement as defined in the *British Columbia Transit Act*.
- (2) Each participating area shall be apportioned the costs of the service based on the percentage derived from the following formula:

For Custom Service

77% x that proportion of revenue hours attributed to a participating area to the total revenue hours identified in the then current year Annual Operating Agreement

Plus

23% x that proportion of revenue kilometers attributed to a participating area to the total revenue kilometers identified in the then current year Annual Operating Agreement.

Plus

For Custom Service

The proportion of the number of rides reported for a participant to the total number of rides for all participants multiplied by the proportion that custom transit revenue hours represent of the total revenue hours for both conventional and custom service as derived from the Annual Operating Agreement for the prior year.

This Bylaw provides the framework for the Transportation Services and Finance to annually allocate Custom Transit rides and revenue hours for the prior year identified in the AOA.

Bylaw No. 897.07

This service bylaw requires a minor housekeeping amendment to add Electoral Area H to the preamble. This is also an opportunity to repeal Bylaw No. 908 as this bylaw is redundant.

ALTERNATIVES

1. That "Northern Community Transit Service Amendment Bylaw No. 897.07, 2020" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.
2. That "Southern Community Transit Service Area Amendment Bylaw No. 1230.06, 2020" be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.
3. That alternate direction be provided.


FINANCIAL IMPLICATIONS

There are no financial implications to the RDN resulting from the adoption of Bylaw No. 1230.06, 2020, Bylaw No. 987.07 or the repeal of Bylaw No. 908, 1993 as the RDN will allocate the Municipalities and Electoral Areas for rides and revenue hours for the prior year identified in the AOA.

STRATEGIC PLAN IMPLICATIONS

Transportation and Transit - Provide opportunities for residents to move effectively through and around the Region.

The proposed Bylaw will support the activities of the Transportation Services in the region.



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December 26, 2019

Reviewed by:

- T. Mayea, Legislative Coordinator
- J. Bradburne, Director of Finance
- D. Pearce, General Manager, Transportation and Emergency Services
- P. Carlyle, Chief Administrative Officer

Attachments

1. Southern Community Transit Service Area Amendment Bylaw No. 1230.06, 2020
2. Northern Community Transit Service Amendment Bylaw No. 897.07, 2020
3. Regional District of Nanaimo District 69 Custom Transit and Paratransit Local Service Area Establishment Bylaw No. 908, 1993

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1230.06

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
SOUTHERN COMMUNITY TRANSIT SERVICE AREA
CONVERSION BYLAW NO. 1230, 2001**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend "Southern Community Transit Service Area Conversion Bylaw No. 1230, 2001";

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with 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 as "Southern Community Transit Service Area Amendment Bylaw No. 1230.06, 2020".

2. Amendment

"Southern Community Transit Service Area Conversion Bylaw No. 1230, 2001" is amended as follows:

(1) By deleting Section 7 and substituting it with the following:

"7. Apportionment

(1) In this Section "Annual Operating Agreement" means an Operating Agreement as defined in the *British Columbia Transit Act*.

(2) Each participating area shall be apportioned the costs of the service based on the percentage derived from the following formula:

For Conventional service

77% x that proportion of revenue hours attributed to a participating area to the total revenue hours identified in the then current year Annual Operating Agreement.

Plus

23% x that proportion of revenue kilometers attributed to a participating area to the total revenue kilometers identified in the then current year Annual Operating Agreement.

Plus

For Custom service

The proportion of the number of rides reported for a participant to the total number of rides for all participants multiplied by the proportion that custom transit revenue hours represent of the total revenue hours for both conventional and custom service as derived from the Annual Operating Agreement for the prior year.”

Introduced and read three times this ____ day of _____, 20__.

Received the approval of the Inspector of Municipalities this ____ day of _____, 20__.

Adopted this ____ day of _____, 20__.

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 897.07

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
NORTHERN COMMUNITY TRANSIT SERVICE ESTABLISHMENT BYLAW NO. 897, 1993**

WHEREAS the Board of the Regional District wishes to amend "Northern Community Transit Service Establishment Bylaw No. 897, 1993";

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with 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 as "Northern Community Transit Service Amendment Bylaw No. 897.07, 2020".

2. Amendment

"Northern Community Transit Service Establishment Bylaw No. 897, 1993" is amended as follows:

(1) By deleting and replacing the second paragraph of the preamble with the following:

"AND WHEREAS the service area shall be comprised of the participating areas of Electoral Areas E, G and H, the City of Parksville and the Town of Qualicum Beach;"

3. Repeal

"Regional District of Nanaimo District 69 Custom Transit and Paratransit Local Service Area Establishment Bylaw No. 908, 1993", and any amendments thereto are hereby repealed.

Introduced and read three times this ____ day of _____, 20__.

Received the approval of the Inspector of Municipalities this ____ day of _____, 20__.

Adopted this ____ day of _____, 20__.

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 908

(Consolidated for convenience only up to and including .05)

**A BYLAW TO ESTABLISH AND OPERATE
CUSTOM TRANSIT AND PARATRANSIT
AS A LOCAL SERVICE**

WHEREAS pursuant to Section 790 of the Municipal Act the Lieutenant Governor in Council by regulation dated the 7th day of February, 1992 granted additional powers to the Regional District to establish and operate transit as a local service;

AND WHEREAS the Regional District intends to operate custom transit and paratransit services;

AND WHEREAS the service area shall be comprised of the participating areas of Electoral Areas 'E', 'F', 'G' and 'H', the City of Parksville and the Town of Qualicum Beach;

AND WHEREAS pursuant to Section 795 (2) (b), the Regional Board, by resolution passed by at least 2/3 of the votes cast, permitted assent to be given by the electors in the entire proposed service area;

AND WHEREAS pursuant to Section 796 (2), the Regional Board has obtained the assent of the electorate; NOW THEREFORE the Board of Directors of the Regional District of Nanaimo enacts as follows;

1. **Local Service Established**

The local service established and to be operated is the provision of custom transit and paratransit services.

2. **Boundaries of Service Area**

The boundaries of the service area are the boundaries of the Electoral Area 'H'.

3. **Participating Areas**

Electoral Area 'H' including participating area for the service.

4. **Cost Recovery**

The costs of the local service, net of grants and other revenue, may be recovered by one or more of the following:

- (a) the requisition of monies under Section 809 and 809.1 of the Municipal Act to be collected

by a property value tax to be levied and collected under Sections 810 (1) and 810.1 (1) of the Municipal Act.

- (b) the requisition of monies under Sections 809 and 809.1 of the Municipal Act to be collected by a frontage tax or parcel tax to be imposed under Sections 810 (2) and 810.1 (2) of the Municipal Act;
- (c) the imposition of fees and other charges which may be fixed by Separate bylaw for the purpose of recovering these costs.

5. **Maximum Amount Requisitioned**

The maximum amount that may be requisitioned under Section 804 (1) (a) of the Municipal Act for the annual operating costs of the local service shall be the greater of:

- (a) \$190,000; or
- (b) the property value tax rate of \$0.86 per \$1,000 that when applied to the net taxable value of land and improvements within the service area will yield the maximum amount that may be requisitioned under Section 804 (1) (a) and (b) for the local service.

6. **Powers**

To operate this service, the Regional District may:

- (a) acquire, install, operate and maintain equipment for the purpose of measuring and checking transit operations, customer fare collections, and other data relative to the operation of custom transit and paratransit systems;
- (b) acquire, own and operate custom transit and paratransit systems and enter into Transit Service Agreements and Annual Operating Agreements in respect of the provision and maintenance of public passenger transportation systems, and research or demonstration projects relating to the provision of public passenger transportation, as provided in the British Columbia Transit Act and Regulations thereto;
- (c) undertake such duties and obligations as are provided in the British Columbia Transit Act and Regulations thereto.

7. **Definitions**

Custom transit service is defined as an on demand transit service for qualifying handicapped persons and is provided using either Regional District owned and operated customized transit vehicles or privately operated vehicles approved for this use by the Manager of Transportation Services.

Paratransit service is a fixed route service which may include on demand off route service provided using either Regional District owned and operated transit vehicles or privately owned and operated vehicles approved for this use by the Manager of Transportation Services.

8. **Citation**

This bylaw may be cited as "Regional District of Nanaimo District 69 Custom Transit and Paratransit Local Service Area Establishment Bylaw No. 908, 1993".

Introduced and read three times this 14th day of September, 1993.

Reconsidered and passed at third reading as amended this 12th day of October, 1993.

Approval of the Inspector of Municipalities obtained this 21st day of October, 1993. Assent

of the electors obtained this 20th day of November, 1993.

Reconsidered and adopted this 14th day of December, 1993.

CHAIRPERSON

SECRETARY