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## **BYLAW NO. 2042**

# **OTTER POINT FIRE PROTECTION AND EMERGENCY RESPONSE LOCAL SERVICE ESTABLISHMENT BYLAW NO. 1, 1992**

**Consolidated for Public Convenience  
(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED SEPTEMBER 9, 1992  
(Consolidated with Amending Bylaws 2720, 3171, 3215, 3368, 3440, 3546, 4162 & 4592)

For reference to original bylaws or further details, please contact the Capital Regional District,  
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**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 2042**

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A BYLAW TO CONVERT OTTER POINT (ELECTORAL AREA B [SOOKE]) FIRE PROTECTION SPECIFIED AREA TO OTTER POINT FIRE PROTECTION EMERGENCY RESPONSE LOCAL SERVICE AREA AND TO AMEND THE POWER AS SET OUT IN OTTER POINT FIRE PROTECTION SPECIFIED AREA ESTABLISHMENT AND LOAN AUTHORIZATION BYLAW NO. 1, 1979.  
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WHEREAS the Regional Board of the Capital Regional District may, by bylaw, under Section 767(4) of the *Municipal Act* convert a service provided by the Regional District under a specified area to a Local Service and by the same bylaw amend the power to the extent that it could if the power were in fact exercised under the authority of a bylaw establishing the service provided that the bylaw meets the requirements of Section 794 and is adopted in accordance with Section 802 of the *Municipal Act*;

AND WHEREAS the Regional Board did establish by Bylaw No. 626 cited as the "Otter Point Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1979" as a service area for the provision of fire protection services for the specified area described in the bylaw within a portion of the Electoral Area of Sooke;

AND WHEREAS the Regional Board wishes to convert the said fire protection specified area to a Local Service;

AND WHEREAS the Regional Board wishes to add, under the provisions of Section 788(1)(g), of the *Municipal Act* the authority to provide assistance in response to other classes of circumstances specified by bylaw that may cause harm to persons or property;

AND WHEREAS the approval of the Inspector of Municipalities is required under Section 795(1)(a) of the *Municipal Act*;

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

1. The fire protection service provided within the specified area created under Bylaw 626, cited as "Otter Point Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1979" is hereby converted and established as a Fire Protection and Emergency Response Service within the service area defined in Section 2 and is the service of:
  - (a) fire prevention;
  - (b) fire suppression; and
  - (c) assistance in response to:
    - (i) requests from the Provincial Ambulance Service for extrication of persons from damaged motor vehicles;
    - (ii) requests for assistance in the extrication of persons from damaged buildings, structures, or from situations involving natural hazards;

- (iii) emergencies where police or ambulance personnel are unavailable or are unable to respond adequately and the equipment and personnel of the department is required to respond to the situation;

in situations where the Fire Chief determines that the personnel and equipment resources of the Fire department are capable of responding to the emergency.

(Bylaw 3215)

2. The boundaries of the Local Service Area established in Section 1 are shown in heavy outline on Schedule "A" attached hereto and shall be known as the "Otter Point Local Service Area".
3. Only the Electoral Area of Sooke is a participating area for this Local Service.
4. The annual costs for the Local Service, net of grants and other revenue, shall be recovered:
  - (a) by the requisition of money under Section 809.1 of the *Municipal Act* to be collected by a property value tax to be levied and collected under Section 810.1(1) of the *Municipal Act*;
5. The maximum amount that may be requisitioned under Section 804(1) for the Local Service will be the greater of:
  - (a) One hundred and twenty-five thousand dollars (\$125,000) OR
  - (b) an amount equal to the amount that could be raised by a property value tax rate of \$2.50 per ONE THOUSAND DOLLARS (\$1,000.00) which when applied to the net taxable value of the land and improvements within the Local Service Area, will yield the maximum amount that may be requisitioned under Section 804(1)(a) and (b) of the *Municipal Act* for the service.
6. The Board of the Capital Regional District may by bylaw, establish an Otter Point Fire Protection Local Services Committee consisting of the Director representing the Sooke Electoral Area plus such other persons as may be designated in the bylaw and in such bylaw may delegate to the Committee any or all of the administrative powers of the Regional Board in relation to the operation of the Local Service provided under this bylaw.

(Bylaw 3215)
7. Notwithstanding Section 2 of this bylaw, the fire department may provide fire suppression and emergency response outside the boundaries of the service area where the Capital Regional District has entered into an agreement for this purpose.

(Bylaw 3215)
8. Bylaw No. 626 being the "Otter Point Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1976" is hereby repealed.
9. This Bylaw may be cited as the "Otter Point Fire Protection and Emergency Response Local Service Establishment Bylaw No. 1, 1992".

READ A FIRST TIME THIS 24th day of June 1992

READ A SECOND TIME THIS 24th day of June 1992

READ A THIRD TIME THIS 24th day of June 1992

CONSENTED TO BY THE DIRECTOR FOR THE ELECTORAL AREA OF SOOKE

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 25th day of August 1992

RECONSIDERED AND FINALLY ADOPTED THIS 9th day of September 1992

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 11th day of September 1992

Original signed  
CHAIRPERSON

Original signed  
SECRETARY

**SCHEDULE A**

(Bylaw 4592)

