

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2442, 2021

A bylaw to amend 'Moberly Lake Fire Department (South) Local Service Establishment Bylaw No. 1076, 1996,' as previously amended by Bylaw 2037, 2012, to allow the Peace River Regional District to directly operate and manage the Moberly Lake Fire Department.

WHEREAS, the Peace River Regional District adopted "Moberly Lake Fire Department (South) Local Service Establishment Bylaw No. 1076, 1996", to establish a fire protection service on the south side of Moberly Lake and to authorize that the Regional District provide financial assistance to the Moberly Lake Volunteer Fire Department Society for the operation of a fire department in the service area;

AND WHEREAS, the Moberly Lake Fire Department Society no longer wishes to operate the Moberly Lake Fire Department and provide fire prevention and suppression services and therefore the Regional District wishes to amend the service delivery model for the service from providing funding to the Volunteer Society for the operation of the Fire Department, to a direct service delivery model whereby the Peace River Regional District operates and manages the Moberly Lake Fire Department in order to provide continued fire prevention and suppression services in the service area;

AND WHEREAS pursuant to the *Local Government Act*, consent for the amendment of the establishing bylaw has been obtained in writing from the Director of Electoral Area E on behalf of the participating area;

NOW THEREFORE, the Board of the Peace River Regional District in open meeting assembled, enacts as follows:

SECTION 1 – GENERAL PROVISIONS

1. This bylaw may be cited as "Moberly Lake Fire Department (South) Amendment Bylaw No. 2442, 2021".
2. If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

SECTION 2 – TEXT AMENDMENTS

Moberly Lake Fire Department (South) Local Service Establishment Bylaw No. 1076, 1996, is hereby amended as follows:

3. Paragraph one of the preamble is deleted in its entirety and a new paragraph one inserted in its place which reads as follows:
"WHEREAS, pursuant to the *Local Government Act*, a Regional District may establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District".
4. Paragraph two of the preamble is deleted in its entirety.

5. Paragraph three of the preamble is amended by deleting the words “providing a financial contribution to the Moberly Lake Volunteer Fire Department Society” and inserting in their place the words “operating a fire department to provide fire prevention and suppression services in the Moberly Lake Fire (South) Service Area”.
6. That paragraph four of the preamble, be amended by deleting the words “under Section 796 (1) of the Municipal Act”.
7. That Clause 2, under the title “LOCAL SERVICE ESTABLISHED” be amended to delete the words “contribution to the cost of the service of” and inserting in their place the words “provision” and deleting the words “provided within the service area by the Moberly Lake Volunteer Fire Department” and inserting in their place the words “services within the Moberly Lake Fire (South) Service Area.
8. That Clause 5 under the title COST RECOVERY be amended by deleting the words “by requisition under Section 809.1 of the *Municipal Act* to be collected by a property value tax in the local service area, to be levied and collected under Section 810.1(1) on land and improvements” and inserting in their place the words “by one or more of the following:
 - a) A property value tax imposed pursuant to the *Local Government Act*, levied against the net taxable value of land and improvements;
 - b) Revenues raised by other means authorized by the *Local Government Act*, or another Act;
 - c) Revenues raised by way of agreement, enterprise, gift, grant or otherwise;
 - d) The imposition of user fees and other charges that may be specified by separate bylaw.”
9. That Clause 6 under the title REQUISITION LIMIT be amended by deleting the words “pursuant to Section 804(1) of the *Municipal Act*”.

READ A FIRST TIME THIS 11th day of March , 2021.
 READ A SECOND TIME THIS 11th day of March , 2021.
 READ A THIRD TIME THIS 11th day of March , 2021.

I HEREBY CERTIFY THE FOREGOING to be a true and correct copy of Bylaw No. 2442, 2021 cited as “Moberly Lake Fire Department (South) Amendment Bylaw No. 2442, 2021” as read a third time by the Regional Board of the Peace River Regional District at a meeting held on the 11th day of March, 2021.

Original Signed by

 Tyra Henderson, Corporate Officer

Received the Approval of the Inspector of Municipalities this 16th day of April , 2021.
 ADOPTED THIS 7th day of October , 2021.
 Filed with the Inspector of Municipalities this 8th day of October , 2021.

Original signed by

 Brad Sperling, Chair

(Corporate Seal has been affixed to the original bylaw)

Original signed by

 Tyra Henderson,
 Corporate Officer

I HEREBY CERTIFY THE FORGOING to be a true and correct copy of the “Moberly Lake Fire Department (South) Amendment Bylaw No. 2442, 2021”, as adopted by the Peace River Regional District on the 7th day of October, 2021.

Original signed by

 Tyra Henderson, Corporate Officer