

File: 3900-02

May 25, 2023

Via email: aproton@courtenay.ca

City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Attention: Ms. Adriana Proton, Manager of Legislative Services

Dear Ms. Proton:

Re: Bylaw No. 766 being “Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 4”

The Comox Valley Regional District (CVRD) Board, at its meeting of May 23, 2023, gave three readings to Bylaw No. 766 being “Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 4”. The intent of the bylaw is to expand the service to incorporate the City of Courtenay, Town of Comox, and Village of Cumberland as direct participants within the service.

This proposed change to the service is aligned with the after-action reports from recent regional emergency exercises and the feedback received through direct engagement with councils and senior staff at each municipality. In short, full regionalization of the service can:

- Enhance advanced planning, response and recovery from hazards, risks, and vulnerabilities;
- Strengthen our regional advocacy and key messaging for the emergency management service and in emergency events;
- Provide a more consistent approach to integrating disaster risk reduction;
- Enable full Board participation in governance of the service; and
- Ensure that all Comox Valley local governments can meet the pending requirements under new emergency management legislation and employ best practices.

This bylaw, prior to submission for approval from the Inspector of Municipalities, requires written consent of two-thirds of the existing and prospective participants in the service, that being Electoral Areas A, B and C, the City of Courtenay, Town of Comox, and Village of Cumberland.

In light of the above, the board requests your council to consent to the bylaw amendment under section 346 of the *Local Government Act* by considering the following resolution:

THAT the City of Courtenay consent to the adoption of the Comox Valley Regional District Bylaw No. 766 being “Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 4” under section 346 of the *Local Government Act*.

By way of background information, please find attached the staff report dated May 4, 2023, that was presented to the Electoral Areas Services Committee. Also attached is Bylaw No. 766 at third reading.

If you have any questions or would like CVRD staff to attend your Council meeting, please contact me at 250-334-6052 or via email at ldennis@comoxvalleyrd.ca.

We look forward to hearing from you at your earliest convenience.

Sincerely,

L. Dennis

Lisa Dennis

Manager of Legislative Services

Attachments: Staff report dated May 4, 2023
Bylaw No. 766

DATE: May 4, 2023**FILE:** 7130-03**TO:** Chair and Directors
Electoral Areas Services Committee**FROM:** James Warren
Deputy Chief Administrative OfficerSupported by James Warren
Deputy Chief Administrative OfficerJ. Warren**RE: Comox Valley Emergency Management Program Service Expansion****Purpose**

To seek support for expansion of the Regional Emergency Management service through an amendment to Bylaw No. 1341 being “Comox Valley Emergency Program Extended Service Bylaw No. 1341, 1991” to include the City of Courtenay, Town of Comox, and Village of Cumberland as direct participants.

Recommendation from the Deputy Chief Administrative Officer:

THAT an amendment to Bylaw No. 1341 being “Comox Valley Emergency Program Extended Service Bylaw No. 1341, 1991” to include the City of Courtenay, Town of Comox, and Village of Cumberland as participants be approved;

AND FURTHER THAT participating area approval for the amending bylaw be authorized to be given by electoral area director and municipal council consents pursuant to sections 346 and 347 of the *Local Government Act*.

Executive Summary

With the support of the Electoral Areas Services Committee, staff approached and presented the benefits and rationale for moving to a truly regional emergency management service delivery. Such engagement has included the Town of Comox, City of Courtenay, Village of Cumberland, while also informing K’ómoks First Nation.

- Feedback from respective Councils and Chief Administrative Officers indicated support, in principle, for moving to a truly regional service delivery model though some analysis related to requisition methods was requested.
 - The service establishment bylaw currently determines that funds are collected by a property value tax on land and improvements. Staff are not recommending any amendments to the method of cost recovery; however, options do exist to collect revenues through parcel taxes or a population basis. By incorporating the municipalities into this service and moving away from the contracted services model, funding for the service will come into line with most all Comox Valley Regional District (CRVD) regional services. The Emergency Management Service is one of many essential community protective services. Protective services along with a multiple of other tax base supported services, are funded through the tax base, using assessment values to determine the equitable amount per household and business. Municipalities further determine fairness across the residential and non-residential tax base. Although not perfect and at times challenging during volatile housing markets periods, this is the most common method currently available when considering ability to pay and fair share of local services. Alternative means for raising funds for this service can be considered however the CVRD would look first for rationale to move this particular service to something that is a different philosophy.

- The next step will require amending the service establishment bylaw to include the City of Courtenay, Town of Comox, and Village of Cumberland as participants alongside the current participants being Electoral Areas A, B and C and changing the name of the service from Comox Valley Emergency Program Extended Service to Comox Valley Emergency Management Service.

The following describes the approach and legislative steps that have been or will be required to achieve this outcome:

1. Seek Chief Administrative Officer’s feedback following presentations to municipal councils (completed April 18).
2. Develop the amending bylaw (appendix A) to include municipalities in Comox Valley Emergency Management Service.
3. The Comox Valley Regional District Board considers three readings of amending Bylaw No. 1341.
4. Seek written consent from Electoral Area A (Baynes Sound – Denman/Hornby Islands), Electoral Area B (Lazo North), and Electoral Area C (Puntledge – Black Creek) elected representatives;
5. Request and receive council resolutions from Town of Comox, Village of Cumberland, and City of Courtenay to adopt amending Bylaw No. 1341
6. Seek approval from the Inspector of Municipalities to adopt amending the bylaw (could take two to three months).
7. Board considers final adoption of amending the bylaw.

Prepared by:

Concurrence

Concurrence:

H. Siemens

J. Martens

D. DeMarzo

Howie Siemens
 Manager of
 Emergency Programs

Jake Martens
 General Manager of
 Corporate Services

Doug DeMarzo
 General Manager of
 Community Services

Government Partners and Stakeholder Distribution (Upon Agenda Publication)

City of Courtenay	✓
Town of Comox	✓
Village of Cumberland	✓
K’ómoks First Nation	✓

Background/Current Situation

The service helps prepare, educate, coordinate and support the Comox Valley for emergencies. Over the past few years we have seen the importance of collaborating together regionally and how all of us participant in training can lead to building capacity that can support any local Comox Valley Emergency Operations Centre activation and operations.

Attachment: Appendix A: Bylaw No. 1341 Comox Valley Emergency Program Extended Service Establishment Bylaw 1991 (recommended changes included)

REGIONAL DISTRICT OF COMOX-STRATHCONA
BYLAW NO. 1341

**A bylaw to establish an extended service in
Electoral Area A, B and C to provide for preparation for emergencies**

WHEREAS a regional district may, by by-law, establish and operate an extended service under the provisions of Part 24 of the Municipal Act;

AND WHEREAS the Regional Board of the Regional District of Comox-Strathcona wishes to establish an extended service for Electoral Areas A, B, and C to provide for preparation for emergencies ;

AND WHEREAS the Regional Board of the Regional District of Comox-Strathcona has waived the assent requirement of Section 795(2)(a)(i) of the Municipal Act;

NOW THEREFORE, the Regional Board of the Regional District of Comox-Strathcona in open meeting assembled, enacts as follows:

1. The Regional Board hereby establishes an extended service for Electoral Areas A, B, C and K to operate a program in preparation for emergencies and to provide Emergency Programs under the Emergency Program Act.
2. This service shall be known as the Comox Valley Emergency Management Service (the 'service').
3. Electoral Areas A, B, C, the City of Courtenay, the Town of Comox and the Village of Cumberland are the participating areas for this extended service.
4. The annual costs of providing the service established under Section 1 shall be recovered:
 - a. by the requisition of money under Section 805(1)(a) to be collected by a property value tax on land and improvements to be levied and collected under Section 810.1(1).
5. The maximum amount that may be requisitioned annually for the cost of the service is \$0.0375 per \$1,000 of net taxable value of land and improvements included in each Electoral Area.
6. The cost of providing the Services established under Section 1 shall be apportioned on the basis of costs allocated in the annual budget or the annual budget as amended, for each participating Electoral Area.
7. This bylaw may be cited as the "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991".

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 766

A bylaw to amend the service establishing bylaw for the Comox Valley Emergency Program Extended Service to expand the service boundary and participants.

WHEREAS the Comox Valley Emergency Program Extended Service was created by the adoption of Bylaw No. 1341 being “Comox Valley Emergency Program Extended Service Establishment Bylaw 1991” on October 28, 1991;

AND WHEREAS the board wishes to amend the bylaw to expand the service to incorporate the City of Courtenay, Town of Comox, and Village of Cumberland as direct participants within the service;

AND WHEREAS pursuant to the *Local Government Act* (RSBC, 2015, c.1), at least two-thirds of the participants have given consent on behalf of the electors to the adoption of this bylaw;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

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

Amendment

1. Bylaw No. 1341 being “Comox Valley Emergency Program Extended Service Establishment Bylaw 1991” is hereby amended by as follows:

a) Replacing Section 1, which reads as follows:

“The Regional Board hereby establishes an extended service for Electoral Areas A, B, C and K to operate a program in preparation for emergencies and to provide Emergency Programs under the Emergency Program Act.”

with the following:

“The Regional Board hereby establishes an extended service for Electoral Areas A, B, C, the City of Courtenay, the Town of Comox and the Village of Cumberland to operate a program in preparation for emergencies and to provide emergency management.”

- b) Inserting Section 2 as follows:

“This service shall be known as the Comox Valley Emergency Management Service (the ‘service’)”

and renumbering the remainder of the sections.

- c) Replacing Section 2, which reads as follows:

“Electoral Areas A, B, C and K are the participating areas for this extended service.”

with the following:

“Electoral Areas A, B, C, the City of Courtenay, the Town of Comox and the Village of Cumberland are the participating areas for this extended service.”

- d) Replacing Section 4 which reads as follows:

“The maximum amount that may be requisitioned annually for the cost of the service is \$0.0375 per \$1,000 of net taxable value of land and improvements included in each Electoral Area.”

with the following:

“The maximum amount that may be requisitioned annually for the cost of the service is \$0.0375 per \$1,000 of net taxable value of land and improvements.”

- e) Replacing Section 5, which reads:

“The cost of providing the Services established under Section 1 shall be apportioned on the basis of costs allocated in the annual budget or the annual budget as amended, for each participating Electoral Area.”

with the following:

“The annual cost of the service shall be apportioned amongst the participants on the basis of the converted value of land and improvements for hospital purposes in the participating areas.”

Citation

This Bylaw No. 766 may be cited as “Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 4”.

Read a first and second time this 23rd day of May 2023.

Read a third time this 23rd day of May 2023.

**Consented to in writing by the Electoral Area A
(Baynes Sound – Denman/Hornby Islands)
director this** day of 2023.

**Consented to in writing by the Electoral Area B
(Lazo North) director this** day of 2023.

**Consented to in writing by the Electoral Area C
(Puntledge – Black Creek) director this** 23rd day of May 2023.

Consent from the City of Courtenay this day of 2023.

Consent from the Town of Comox this day of 2023.

Consent from the Village of Cumberland this day of 2023.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 766 being "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 4" as read a third time by the Board of the Comox Valley Regional District on the 23rd day of May 2023.

Deputy Corporate Legislative Officer

Approved by the Inspector of Municipalities this day of 2023.

Adopted this day of 2023.

Chair

Deputy Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 766 being "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 4" as adopted by the board of the Comox Valley Regional District on the ____ day of ____ 2023.

Deputy Corporate Legislative Officer