

... / ... we need this on a Council agenda?

CITY OF KELOWNA

DEC 18 2007

ADMINISTRATION  
DEPARTMENT



Office of the Administrator

1450 K.L.O. Road  
Kelowna, B.C. V1W 3Z4

Telephone: (250) 763-4918  
Fax: (250) 763-0606  
www.regionaldistrict.com

December 13, 2007  
File No: 0110-02

Mayor Sharon Shepherd  
City of Kelowna

Mayor James Baker & Council  
District of Lake Country

Mayor Graham Reid & Council  
District of Peachland

Mayor Rosalind Neis & Council  
Westside District Municipality

Original to: ☒ Communications

Copied: ☒ Mayor

☒ City Manager

☒ Councillors

File Number: 0482-01

Initials: *jm* Date: Dec 18/07

Dear Mayor & Council:

Re: Regional District of Central Okanagan Insect Release Program Extended Service  
Amendment Bylaw No. 1201, 2007 and Regional District of Central Okanagan Insect Release  
Program Extended Service Amendment Bylaw No. 1225, 2007

The Regional Board has given third reading to the above bylaws for the Sterile Insect Release Program. Before moving forward with adoption of the bylaw consent is required from the participating partners within the Regional District of Central Okanagan.

As you will note, Bylaw No. 1201 redefines the participating Regional Districts as the Regional District of Central Kootenay has chosen not to continue participation in the program. Bylaw No. 1225 is necessary to increase the representation from the Regional District of Central Okanagan from one representative to two representatives, as well as recognizes three representatives from the BC Fruit Growers' Association as voting members of the Sterile Insect Release Board.

Please have Council review the amendment bylaws and provide written consent to the Regional District.

Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,

W.B. d'Easum,  
Chief Administrative Officer

Encl. Bylaw No. 406 (original)  
Bylaw No. 1201  
Bylaw No. 1225

## REGIONAL DISTRICT OF CENTRAL OKANAGAN

### BYLAW NO. 1201

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Being a bylaw to amend the Regional District of Central Okanagan Sterile Insect Release Extended Service Establishment Bylaw No. 406, 1989 to provide for additional voting members of the Sterile Insect Release Board and recognize that the Regional District of Central Kootenay no longer participates in the SIR Program.

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WHEREAS, it is necessary to recognize a representative from the BC Fruit Growers' Association as a voting member of the Sterile Insect Release Board;

AND WHEREAS the Regional District of Central Kootenay has chosen to not continue participation in the Sterile Insect Release Program.

NOW THEREFORE THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. Bylaw No. 406 being "The Regional District of Central Okanagan Sterile Insect Release Extended Service Establishment Bylaw No. 406, 1989" is hereby amended as follows:

- a) The fourth paragraph of the preamble to the bylaw is hereby deleted in its entirety and the following substituted therefore:

"AND WHEREAS the Regional Districts of Okanagan-Similkameen, Central Okanagan, North Okanagan, and Columbia Shuswap shall participate and share in this service;"

- b) Section 2 of the bylaw is hereby deleted in its entirety and the following substituted therefore:

"2. The Regional District of Central Okanagan in conjunction with the Regional Districts of Okanagan-Similkameen, North Okanagan and Columbia Shuswap hereby establish the Okanagan-Kootenay Sterile Insect Release Board (SIR Board) which as agent for the participating regional districts will provide the Sterile Insect Release Program."

- c) Section 3 (a) of the bylaw is hereby deleted in its entirety and the following substituted therefore:

"3. (a) The SIR Board will be comprised of:

- i) One member appointed annually by each participating Regional District from its participating municipal/electoral area Directors or Alternate Directors. The Regional District may, from the same group of Directors or Alternate Directors, designate an alternate to its appointed member to take the place of, vote and generally act in all matters for the absent member.

- ii) Three members of the BC Fruit Grower's Association, one of whom shall be entitled to vote at meetings of the Sterile Insect Release Board and any committee of that Board that person may be appointed to. The BC Fruit Grower's Association may also appoint an alternate to take the place of, vote and generally act in all matters for the voting representative who may be absent."

2. This bylaw may be cited as the "Regional District of Central Okanagan Sterile Insect Release Program Extended Service Amendment Bylaw No. 1201, 2007".

READ A FIRST TIME THIS 12th DAY OF March 2007.

READ A SECOND TIME THIS 12th DAY OF March 2007.

READ A THIRD TIME THIS 14th DAY OF May 2007.

Approved by the Inspector of Municipalities this Day of 2007.

RECONSIDERED AND ADOPTED THIS Day of 2007.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1201 cited as the "Regional District of Central Okanagan Sterile Insect Release Program Extended Service Amendment Bylaw No. 1201, 2007" as read a third time by the Regional Board on the 14<sup>th</sup> day of May, 2007.

Dated at Kelowna, B.C. this  
15<sup>th</sup> day of May, 2007.

  
\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1201 cited as the "Regional District of Central Okanagan Sterile Insect Release Program Extended Service Amendment Bylaw No. 1201, 2007" as adopted by the Regional Board on the day of , 2007.

Dated at Kelowna, B.C. this  
day of 2007.

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

## REGIONAL DISTRICT OF CENTRAL OKANAGAN

### BYLAW NO. 1225

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Being a bylaw to amend the Regional District of Central Okanagan Sterile Insect Release Extended Service Establishment Bylaw No. 406, 1989 to provide for additional voting members of the Sterile Insect Release Board.

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WHEREAS the Regional District of Central Okanagan has established an Extended Service Area for the purpose of participating in the Okanagan Kootenay Sterile Insect Release Program under the direction of the Okanagan Kootenay Sterile Insect Release Board, with the City of Kelowna, District of Peachland, District of Lake Country, Central Okanagan East Electoral Area and Central Okanagan West Electoral Area as participating jurisdictions;

AND WHEREAS it is necessary to recognize three representatives nominated by the BC Fruit Growers' Association as voting members of the Sterile Insect Release Board;

AND WHEREAS it is necessary to increase the representation from the Regional District of Central Okanagan from one representative to two representatives on the Sterile Insect Release Board.

AND WHEREAS Section 802 of the *Local Government Act* provides that a bylaw establishing an extended service may be amended with the consent of at least 2/3 of the participants;

NOW THEREFORE THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. The Regional District of Central Okanagan Sterile Insect Release Extended Service Establishment Bylaw No. 406, 1989 is hereby amended as follows:
  - a) Section 3.(a) is hereby deleted in its entirety and replaced with the following:

"3. (a) The Sterile Insect Release Board will be comprised of:

    - i) One member appointed annually by each of the Regional District of Okanagan-Similkameen, Regional District of North Okanagan and Columbia Shuswap Regional District from its Directors or Alternate Directors. Two members appointed annually by the Regional District of Central Okanagan from its Directors or Alternate Directors. The Regional Districts may, from the same group of Directors or Alternate Directors, designate an alternate to its appointed members to take the place of, vote and generally act in all matters for the absent member.
    - ii) The BC Fruit Growers' Association shall nominate three grower three grower representatives for appointment to the Sterile Insect Release Board by the Regional District Partners. The BC Fruit Growers' Association shall determine the method used to make the nominations. Grower representatives must be nominated from each of the original three program zone areas and one grower must be a certified organic grower. All three nominated growers

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1225 cited as the "Regional District of Central Okanagan Sterile Insect Release Program Extended Service Amendment Bylaw No. 1225, 2007" as read a third time by the Regional Board on the 10th day of December, 2007.

Dated at Kelowna, B.C. this  
12th day of December, 2007.

  
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DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1225 cited as the "Regional District of Central Okanagan Sterile Insect Release Program Extended Service Amendment Bylaw No. 1225, 2007" as adopted by the Regional Board on the \_\_\_\_\_ day of \_\_\_\_\_

Dated at Kelowna, B.C. this  
\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 406

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Being a bylaw to establish and operate the extended service of a Sterile Insect Release Program for all areas of the Regional District of Central Okanagan

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WHEREAS Section 789 of the Municipal Act provides for the establishment and operation of extended services within a regional district;

AND WHEREAS section 283 of the Municipalities Enabling and Validating Act, R.S.B.C. 1960 provides for the establishment of the Okanagan Kootenay Sterile Insect Release Board for the purpose of providing a Sterile Insect Release Service;

AND WHEREAS the Sterile Insect Release Service is designed to control destructive insect pests by means of a program that includes the release of sterile insects;

AND WHEREAS the Regional Districts of Okanagan-Similkameen, Central Okanagan, North Okanagan, Columbia-Shuswap and Central Kootenay shall participate and share in the service;

AND WHEREAS the Okanagan Kootenay Sterile Insect Release Board shall act as agent for the participating Regional Districts for the provision of this service;

AND WHEREAS the assent of the City of Kelowna, the District Municipality of Peachland, the Electoral Areas 'A', 'G', 'H' and 'I' has been waived and consent has been given pursuant to the authority of Section 283(3) of the Municipalities Enabling and Validating Act;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. In this bylaw, unless the context otherwise requires
  - a) "Regional District of Central Okanagan" shall mean the Regional District of Central Okanagan as described in the Letters Patent or subsequent amendments thereto incorporating the said regional district including the municipality of the City of Kelowna and the Corporation of the District Municipality of Peachland.
  - b) "Regional Board" means the Regional Board of the Regional District of Central Okanagan.
2. Pursuant to Section 283(2) of the Municipalities Enabling and Validating Act, the Regional District of Central Okanagan in conjunction with the Okanagan-Similkameen, North Okanagan, Columbia Shuswap and Central Kootenay Regional Districts, hereby establishes the Okanagan-Kootenay Sterile Insect Release Board (SIR Board) which, as agent for the participating regional districts, will provide the sterile insect release program.



3. The SIR Board will be comprised of one member appointed annually by each participating regional district from its elected directors. The Minister of Agriculture and Fisheries, the Minister of Agriculture Canada and The British Columbia Fruit Growers' Association may each appoint one person as a non-voting member of the SIR Board.
4. That the Regional District of Central Okanagan shall participate and share in the costs of this extended service with the Electoral Areas 'A', 'G', 'H' and 'I', the City of Kelowna, the District Municipality of Peachland as participating areas.
5. The Sterile Insect Release Board shall not -
  - a) borrow money
  - b) without the approval of the participating Regional Districts, incur liabilities.
6. The annual operating and debt servicing costs shall be recovered in the following manner:
  - Firstly, the Regional District of Central Okanagan and all other participating regional districts shall levy a parcel tax imposed in accordance with the Municipal Act and Section 283 of the Municipalities Enabling and Validating Act and accompanying regulations.
  - Secondly, the amount of the annual operating and debt servicing costs that are apportioned to the Regional District of Central Okanagan in accordance with section 8 shall be raised by a property value tax on land only. The property value tax shall not exceed 34 cents per \$1,000. of the net taxable values for land only within the participating areas for Regional Hospital District purposes.
7. That the participating Regional Districts shall borrow necessary funds and incur debt to implement and operate the extended service of the Sterile Insect Release Program.
8. The SIR Board shall apportion net annual operating and debt servicing costs among participating regional districts on the basis of converted land value assessment within the participating areas for the current year for Regional Hospital District purposes. Net annual operating and debt servicing costs means total costs net of or after the amounts raised by all participating regional districts through the parcel tax noted in Section 6 and any other revenue.
 

The Regional District of Central Okanagan shall apportion its share of the net annual operating and debt servicing costs among the participating areas on the basis of converted land value assessment within the participating areas for the current year for Regional Hospital District purposes.
9. The long term debt incurred by the Regional District for this function shall not exceed in the aggregate the sum of two million dollars (\$2,000,000.).

10. This bylaw may be cited as the "The Regional District of Central Okanagan Sterile Insect Release Extended Service Establishment Bylaw No. 406 , 1989.

READ A FIRST TIME THIS 4th DAY OF DECEMBER 1989.

READ A SECOND TIME THIS 4th DAY OF DECEMBER 1989.

READ A THIRD TIME THIS 4th DAY OF DECEMBER 1989.

Received the approval of the Inspector of Municipalities the 16th day of February, 1990.

RECONSIDERED AND ADOPTED THIS 19th DAY OF February 1990.

James H. [Signature]  
CHAIRPERSON

[Signature]  
SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 406 , cited as "The Regional District of Central Okanagan Sterile Insect Release Extended Service Establishment Bylaw No. 406 , 1989" as read a third time by the Regional Board this 4th day of December, 1989.

Dated at Kelowna, B.C. this

8th day of December  
1989.

[Signature]  
Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 406 , cited as "The Regional District of Central Okanagan Sterile Insect Release Extended Service Establishment Bylaw No. 406 , 1989" as adopted by the Regional Board this 19th day of February, 1990.

Dated at Kelowna, B.C. this

21st day of February  
1990.

[Signature]  
Secretary