



**REGIONAL DISTRICT
of Fraser-Fort George**

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ITEM NO. 10.3 GM: “DMM”

REPORT FOR CONSIDERATION

TO: Chair and Directors File No.: TET 1.2

FROM: Carina Hanson, Community/Public Safety Assistant

DATE: July 6, 2012

SUBJECT SUMMARY: Item: Tete Jaune Community Cemetery Service Establishment Bylaw No. 2757, 2012 and Tete Jaune Community Cemetery Service Loan Authorization Bylaw No. 2758, 2012
Purpose: Consider Bylaws and Process for Participating Area Approval

PREVIOUS STAFF REPORTS: Item #10.2, June 2012 (see Agenda for link)

ATTACHMENT(S): Bylaws No. 2757 and 2758

RECOMMENDATION(S):	<u>ENTITLEMENT</u>	<u>HOW VOTE COUNTED</u>
1. THAT the staff report be received.	All 1 Director/1 vote	Majority
2. THAT Tete Jaune Community Cemetery Service Establishment Bylaw No. 2757, 2012 be now introduced and read a first time.	All 1 Director/1 vote	Majority
3. THAT the rules be suspended and Bylaw No. 2757 be given second and third readings.	All 1 Director/1 vote	Majority
4. THAT Tete Jaune Community Cemetery Service Loan Authorization Bylaw No. 2758, 2012 be now introduced and read a first time.	All 1 Director/1 vote	Majority
5. THAT participating area approval for Bylaws No. 2757 and 2758 be obtained by assent of the electors.	All 1 Director/1 vote	Majority
6. THAT Board authorize the expenditure of up to \$6,000 from the Feasibility Study Reserve Fund to cover costs associated with the vote on Bylaws No. 2757 and 2758.	All Weighted	Majority

ISSUE(S):

At the June 2012 meeting, the Regional Board was presented with a letter of support from the Tete Jaune Community Cemetery Steering Committee, a feasibility study for the proposed Tete Jaune Community Cemetery and the results of a survey that gauged community support. Board authorized staff to prepare the bylaws necessary to obtain participating area approval for the proposed Tete Jaune Community Cemetery.

The Board is being asked to consider first three readings of Tete Jaune Community Cemetery Establishment Bylaw No. 2757, 2012 and Tete Jaune Community Cemetery Loan Authorization Bylaw No. 2758, 2012, as well as to authorize participating area approval by assent of electors (referendum).

RELEVANT POLICIES:

1. *Local Government Act*, s. 796
 - allows for the establishment of a service that is considered necessary or desirable
2. *Local Government Act*, s. 801 and 801.2
 - requirements for approval of service establishment bylaw
3. *Cremation, Interment and Funeral Services Act*
 - outlines the processes for the establishment and operation of cemeteries and crematoria including licensing requirements
4. Election and Voting Procedure Bylaw No. 2468, 2008
 - Establishes procedures to facilitate the participation and registration of electors, and the orderly conduct of voting

SERVICE RELEVANCE:

N/A

FINANCIAL CONSIDERATION(S):

If the Tete Jaune Community Cemetery Service is established, an estimated residential tax rate of .1482 per \$1,000 of net taxable land and improvements assessment would be implemented to pay the cost of capital borrowing and operations.

The Feasibility Study Reserve Fund was established to cover expenditures for the costs of undertaking feasibility studies. If Board supports proceeding to a referendum, the estimated cost of \$6,000, would be covered by the Feasibility Study Reserve Fund. If a service is successfully established, the money spent from the Feasibility Study Reserve Fund will be repaid by the new service.

OTHER CONSIDERATION(S):

The Tete Jaune Community Cemetery Steering Committee supports obtaining participating area approval by holding a referendum. As the referendum would not be held in conjunction with a General Local Election or By-Election, mail in ballots would not be accepted.

DECISION OPTIONS:

1. Approve staff recommendations.
 - staff will forward bylaws to the Ministry of Community and Rural Development for approval
 - once approved, the referendum must be held within 80 days of Ministry approval

Other Options:

- a. postpone proceeding with staff recommendations if additional information is required
- b. do not continue with the consideration of a community cemetery for Tete Jaune

COMMENTS:

If the Board is supportive of the Tete Jaune Community Cemetery Service, the bylaws will be forwarded to the Ministry of Community and Rural Development for approval. If approved, a referendum will be held within 80 days of the Ministry's approval. If not approved, staff will report to the Regional Board.

Respectfully submitted,

"Carina Hanson"

Carina Hanson
Community/Public Safety Assistant

CH:cp



**REGIONAL DISTRICT
of Fraser-Fort George**

BYLAW NO. 2757

A BYLAW TO ESTABLISH A COMMUNITY CEMETERY SERVICE WITHIN ELECTORAL AREA H OF THE REGIONAL DISTRICT OF FRASER-FORT GEORGE

WHEREAS the Regional District may, pursuant to Section 796 of the *Local Government Act*, establish a service that it considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Regional District has been requested to establish a community cemetery service within and for the purpose of funding a cemetery service;

AND WHEREAS the approval of the electors of the proposed Tete Jaune Community Cemetery Service Area has been obtained pursuant to Section 797.5 of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Regional District of Fraser-Fort George, in open meeting assembled, enacts as follows:

Service Establishment

1. There is hereby established the Tete Jaune Community Cemetery Service within the participating area of Electoral Area H.

Service Area

2. The service area for the Tete Jaune Community Cemetery shall constitute those portions of Electoral Area H shown outlined in bold on Appendix A, attached hereto and forming part of this bylaw.

Service Defined

3. The Regional District may undertake and carry out, or cause to be carried out, cemetery services in and for the said service area and do all things necessary or convenient in connection therewith.

Cost Recovery

4. The annual net cost of the service shall be recovered by a property value tax levied against the net taxable value of land and improvements and user fees.

Taxation Limit

- 5. The maximum amount which may be requisitioned annually for the purpose of funding a cemetery service within the Tete Jaune Community Cemetery Service Area shall be \$15,970 (Fifteen Thousand, Nine Hundred and Seventy Dollars).
- 6. This bylaw may be cited for all purposes as "Tete Jaune Community Cemetery Service Establishment Bylaw No. 2757, 2012"

READ A FIRST TIME ON THE DAY OF , 2012

READ A SECOND TIME ON THE DAY OF , 2012

READ A THIRD TIME ON THE DAY OF , 2012

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS DAY OF , 2012

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE DAY OF , 2012

Chair

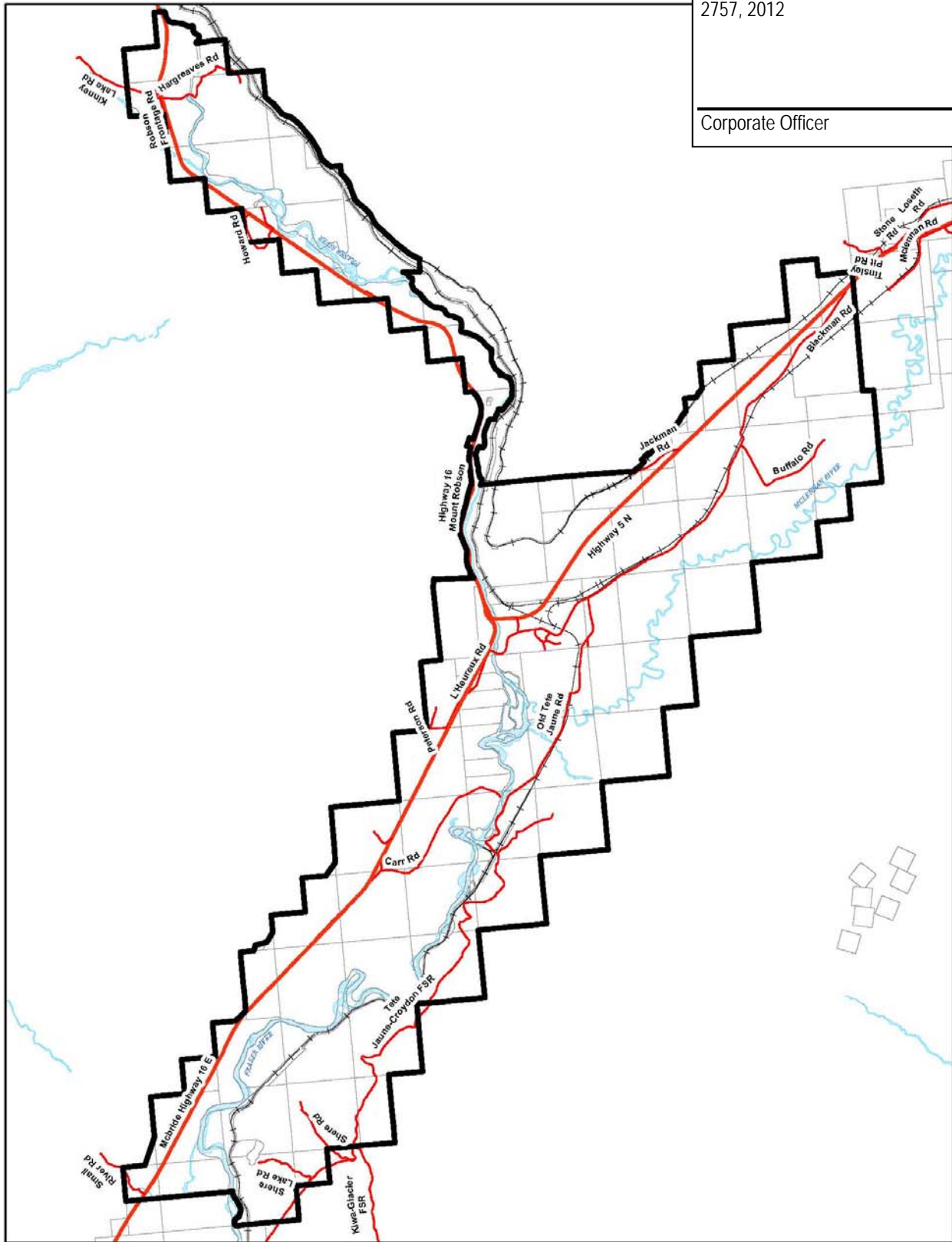
Corporate Officer

APPENDIX A



Certified as Appendix "A" to Bylaw No. 2757, 2012

Corporate Officer





REGIONAL DISTRICT
of Fraser-Fort George

BYLAW NO. 2758

A BYLAW TO AUTHORIZE THE BORROWING OF FUNDS FOR THE PURPOSE OF PROVIDING A LOCAL CEMETERY SERVICE WITHIN THE TETE JAUNE COMMUNITY CEMETERY SERVICE AREA

WHEREAS the Regional District has, by Bylaw No. 2757, established the Tete Jaune Community Cemetery Service;

AND WHEREAS the Regional District may, with the approval of the Inspector of Municipalities, incur a liability for any purpose of a capital nature;

AND WHEREAS to provide cemetery services for the Tete Jaune area, it is necessary to construct a cemetery, the estimated cost of which, including expenses incidental thereto, is the sum of \$83,280 (Eighty-Three Thousand, Two Hundred and Eighty Dollars) which is the amount of debt intended to be created by this bylaw;

AND WHEREAS approval of the electors has been obtained pursuant to Section 797.5 of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Regional District of Fraser-Fort George, in open meeting assembled, enacts as follows:

1. The Regional District is hereby authorized and empowered to borrow upon credit of the Regional District a sum not exceeding \$83,280 (Eighty-Three Thousand, Two Hundred and Eighty Dollars) for the purpose of constructing a cemetery within the Tete Jaune Community Cemetery service area.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 10 (Ten) years.

3. This bylaw may be cited for all purposes as "Tete Jaune Community Cemetery Loan Authorization Bylaw No. 2758, 2012".

READ A FIRST TIME ON THE DAY OF , 2012

READ A SECOND TIME ON THE DAY OF , 2012

READ A THIRD TIME ON THE DAY OF , 2012

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS DAY OF , 2012

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE DAY OF , 2012

Chair

Corporate Officer