



# GOVERNMENT SERVICES COMMITTEE

MONDAY, JULY 16, 2012

5:00 P.M.

COUNCIL CHAMBERS, CITY HALL

410 ESPLANADE

*Mandate – To advise Council on a broad spectrum of issues related to departmental matters*

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	COUNCILLOR STEVE ARNETT, CHAIR	<u>Page</u>
CALL TO ORDER		
1. AGENDA APPROVAL		
2. MINUTES		
2.1. Minutes of the Government Services Committee Meeting held June 18, 2012		1 – 3
3. DELEGATIONS		
None		
4. STAFF / ADVISORY COMMITTEE REPORTS		
4.1. City Manager's Report		
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**5. MEMBER SUBMISSIONS****6. CORRESPONDENCE**

None

**7. NEW BUSINESS****8. UNFINISHED BUSINESS****8.1. Request for Council Consideration of a Cat Bylaw****27 - 37**

Committee members will recall that in response to a request for a Cat Bylaw as outlined in correspondence from Jill Molnar, staff were requested to obtain a copy of the Cat Bylaw from the Town of Creston for Council's circulation. The Bylaw is attached for Council's consideration.

**ADJOURNMENT**



**TOWN OF LADYSMITH**  
**MINUTES OF A REGULAR SESSION OF**  
**THE GOVERNMENT SERVICES COMMITTEE**  
**MONDAY, JUNE 18, 2012**  
**5:30 P.M.**

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**COUNCIL MEMBERS PRESENT:**

Councillor Steve Arnett, Chair  
Councillor Bill Drysdale  
Councillor Duck Paterson

Councillor Jill Dashwood  
Mayor Rob Hutchins  
Councillor Glenda Patterson

**COUNCIL MEMBERS ABSENT:**

Councillor Gord Horth

**STAFF PRESENT:**

Ruth Malli  
Felicity Adams  
John Manson

Sandy Bowden  
Erin Anderson  
Joanna Winter

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**CALL TO ORDER**

Councillor Arnett called the meeting to order at 5:30 p.m.

**AGENDA APPROVAL**

**GS 2012-056** It was moved, seconded and carried that the agenda for the Government Services Committee meeting of June 18, 2012 be adopted as circulated.

**MINUTES**

**GS 2012-057** It was moved, seconded and carried that the minutes of the Government Services Committee meeting held May 22, 2012 be adopted as circulated.

**DELEGATIONS**

**Geoff Millar, Louise McMurray, Film Cowichan**  
G. Millar and L. McMurray discussed progress made by Film Cowichan in developing guidelines to minimize negative impact of film production on local merchants. Film Cowichan is committed to film and television production as an important contributor to the local economy. Mr. Millar and Ms. McMurray acknowledged that some productions have had significant negative impact on local businesses and that full reparation for the businesses has been difficult to obtain.

Film Cowichan is developing guidelines that could be implemented by all local communities when film production takes place. These will be implemented in the City of Duncan during an upcoming production. G. Millar and L. McMurray will share the draft guidelines with Town staff and work with staff to formalize them.

Committee members requested that G. Millar and L. McMurray provide a written report on the positive and negative financial impact as well as the economic contribution to Ladysmith and the Cowichan Region of the film industry.

**STAFF/ADVISORY  
COMMITTEE REPORTS**

**City Managers Report**

The City Manager and Directors provided a verbal report to the Committee on progress regarding staff work plans and priorities.

**Financial Update to May 31, 2012**

**GS 2012-058** It was moved, seconded and carried that the Financial Plan Update for the Town of Ladysmith to the end of May 2012 be received.

Discussion ensued regarding the declining contribution of the Royal Canadian Mounted Police to the costs of running the Community Policing Station.

**GS 2012-059** It was moved, seconded and carried that the Committee recommend to Council that a letter be written to the Royal Canadian Mounted Police reiterating the importance of the Community Policing Station in supporting the work of and raising community awareness of the role of the Royal Canadian Mounted Police in Ladysmith, and requesting continued financial support of the program at the same levels as over the past 10 years.

**Building Inspector's Report**

**GS 2012-060** It was moved, seconded and carried that the Building Inspector's Report for May 2012 be received

**Trolley Report**

**GS 2012-061** It was moved, seconded and carried that the Trolley Report for May 2012 be received.

**Ladysmith Fire/Rescue Report**

**GS 2012-062** It was moved, seconded and carried that the Ladysmith Fire/Rescue Report for May 2012 be received.

**Coastal Animal Control Services – Pound Report**

**GS 2012-063** It was moved, seconded and carried that the Pound Report from Coastal Animal Control Services for May 2012 be received.

**CORRESPONDENCE**

**GS 2012-064**

Dr. Mary-Lyn Fyfe, Chief Medical Information Officer, Vancouver Island Health Authority

It was moved, seconded and carried that the Committee recommend to Council that Mayor Hutchins meet with Dr. Mary-Lyn Fyfe regarding a Telehealth Program for the Town of Ladysmith, and that the Mayor consult with the Ladysmith Health Advisory Committee and other citizens involved in promoting a Telehealth initiative in Ladysmith prior to that meeting.

**ADJOURNMENT**

**GS 2012-065**

It was moved, seconded and carried that this meeting of the Government Services Committee be adjourned at 6:17 p.m.

**CERTIFIED CORRECT**

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Chair (Councillor S. Arnett)

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Corporate Officer (S. Bowden)



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services and  
Felicity Adams, Director of Development Services  
Date: July 6, 2012

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Re: Revitalization Tax Exemption – Economic Revitalization

RECOMMENDATION(S):

With respect to properties in the Town of Ladysmith that are deemed to be significant economic properties:

- a) Confirm that economic revitalization is a priority and/or;
- b) Designate a property class (classes) to receive this economic revitalization exemption, and/ or;
- c) Designate the area or areas where properties may be eligible for this program, and/or
- d) Specify the value of construction, demolition and reconstruction of the project, as determined on the building permit issued before the considering an exemption.

PURPOSE:

To seek direction from Council on the proposed Revitalization Tax Exemption Program – Economic.

INTRODUCTION/BACKGROUND:

Council will recall that in September of 2011 staff were directed to:

*Prepare amendments to Revitalization Tax Exemption Program Bylaw 2007, No. 1625, to expand the program to include other revitalization categories such as environmental, economic and social revitalization as permitted in the Community Charter, starting in the taxation year 2013.*

Staff are currently working on developing the program and decisions must be made prior to the program being available for participation by October 31, 2012.

Tax Revitalizations are permitted under section 226 of the *Community Charter*. Council can, by bylaw, exempt specific properties from the municipal portion of the property taxes as they are remediated, constructed or renovated. The maximum revitalization period is 10 years.

The Revitalization Tax Exemption program is designed to encourage (a) environmental revitalizations such as brownfields, (b) economic revitalizations, (c) social revitalizations such as affordable housing units, and (d) other revitalizations which include the heritage improvements.

Economic Revitalization

The objective of this Economic Revitalization Tax Exemption is to encourage investment and commercial activity for the community by offering tax relief to property owners who undertake eligible projects.

Many municipalities have established this program recently. It can be used to encourage revitalization in a specific area, target investment in a large employer or entice development for a specific purpose.

Some examples include Nanaimo's intent to encourage the construction or renovation of a Class 6 hotel/motel in the downtown core. The project must have a minimum investment of \$2,000,000. Penticton uses this program to encourage downtown economic investment for projects that have a value in excess of \$100,000. Similarly, Chilliwack uses the value of \$200,000 and Coldstream

uses varying amounts depending on whether it is new construction (\$100,000) or renovation (\$50,000).

North Cowichan created a program to encourage Major Industry (Class 4) and Light Industry (Class 5) investment into that municipality. To be eligible, the project must have a minimum investment of \$50,000.

The Town of Ladysmith, by Council policy in the Financial Plan, has instituted a similar program already; the slight difference is all Class 4 property owners received this benefit versus a Revitalization Tax Exemption is specific to an individual property. A tax revitalization program would provide certainty for 10 years for a property owner, though a significant tax increase could be seen in the eleventh year. Council's current policy maintains a current tax levy (same actual dollars); a revitalization would see the pre-investment assessment amount fluctuate with changes in property tax rates.

The Town of Ladysmith currently has a heritage revitalization bylaw which encourages investment to heritage buildings in the downtown core. There have been 4 property owners who have taken advantage of this program.

There are currently established Commercial and Industrial land use designations in the Town's Official Community Plan (OCP). These areas include the Downtown Core, Downtown Mixed Use, General Commercial, Highway Commercial and Local Commercial as the areas where investment could occur for Class 6 – Business. Major Industry (Class 4) and Light Industry (Class 5) properties would follow the OCP's Industrial land use designation as areas for development. In addition, there is the potential for hotel and other commercial development within the Mixed-Use Waterfront designated lands.

Of the municipalities surveyed, there was not been a situation where the municipality granted an exemption for construction that has taken place without a prior agreement in place. The premise of the exemption is to provide an incentive to encourage investment; if the construction has already taken place, there is no need for incentive.

#### SCOPE OF WORK:

Once all of the Revitalization criteria are decided by Council, the Staff will draft the bylaw to establish the program. The bylaw will include an agreement and exemption certificate. Eligible property owners will then be invited to make application and qualified applicants will be presented in a bylaw to Council in late September to be adopted prior to October 31<sup>st</sup>.

This is a time sensitive project. The program bylaw must be established to ensure participation by at least September in order to make the October 31 deadline established by the *Community Charter*.

#### ALTERNATIVES:

Direction is being sought. Council could choose not to proceed with a Revitalization Tax Exemption.

#### FINANCIAL IMPLICATIONS:

Revitalization Tax Exemptions is essentially a shifting of taxes. The other property owners in the Town will be absorbing any tax exemption.

The exemption only applies to municipal taxes so the property owner will still be responsible for the school, hospital and regional taxes which will be based on the old and new assessments.

The exemption assessment will be determined by BC Assessment. The intention of the program is to "freeze" the assessment at the pre-construction amounts. This means that the non-revitalization assessment amounts will be subject to any changes to the property tax rate as if construction work was not done.

LEGAL IMPLICATIONS:

A bylaw containing all the tax revitalization recommendations will be presented to Council at a later date for consideration. The bylaw will also be reviewed by the Town's solicitor.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There are prescribed legislative advertisements necessary once the bylaw is presented to Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

No additional staff are required, though it will require additional work between all departments.

RESOURCE IMPLICATIONS:

This process is being led by the Finance Department. It will involve a great deal of time to establish the program, review the bylaw with the Town solicitor, and manage the agreements and exemptions.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This vision supports the Strategy # 4 - Multi-use open space and Strategy # 8 - Local, Diverse Economy.

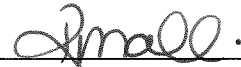
ALIGNMENT WITH STRATEGIC PRIORITIES:

This issue aligns with Strategic Direction B - "Effective Land Use Planning & Community Design"

SUMMARY:

Staff are requesting that Council provide direction regarding the establishing of a Revitalization Tax Exemption - Economic program.

I concur with the recommendation.



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Ruth Malli, City Manager

ATTACHMENTS:

None





## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services  
Date: July 6, 2012  
File No:

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**Re: Revitalization Tax Exemption - Brownfields**

**RECOMMENDATION(S):**

With respect to properties in the Town of Ladysmith that meet the conditions of 'brownfields' as determined by council, that Council provide direction to Staff regarding the following:

1. Designate specific properties registered on the Province's Contaminated Sites Registry as the only properties eligible for this exemption Brownfield, and/or;
2. Specify the value of the Preliminary Site Investigation or Detailed Site Investigation necessary before the considering an exemption, and/or;
3. Establish an area or areas where properties may be eligible for this program.

**PURPOSE:**

To seek direction from Council on the Revitalization Tax Exemption Program – Brownfields.

**INTRODUCTION/BACKGROUND:**

Council will recall that in September 2011 staff were directed to:

Prepare amendments to Revitalization Tax Exemption Program Bylaw 2007, No. 1625, to expand the program to include other revitalization categories such as environmental, economic and social revitalization as permitted in the Community Charter, starting in the taxation year 2013.

Staff are currently working on developing the program and decisions must be made prior to the program being available for participation by October 31, 2012.

Tax Revitalizations are permitted under section 226 of the *Community Charter*. Council can, by bylaw, exempt specific properties from the municipal portion of the property taxes as they are remediated, constructed or renovated. The maximum revitalization period is 10 years.

The Revitalization Tax Exemption program is designed to encourage (a) environmental revitalizations such as brownfields, (b) economic revitalizations, (c) social revitalizations such as affordable housing units, and (d) other revitalizations which include the heritage improvements.

**Environment Revitalization**

This program is designed to encourage remediation of brownfield lands. According to the Province, brownfields are defined as "abandoned, vacant, derelict or underutilized commercial or industrial properties where past actions have resulted in actual or perceived contamination and where there is an active potential for redevelopment". Currently, there are several brownfield properties within Ladysmith which are under investigation for potential redevelopment. The provincial Environmental Management Act establishes the

framework for site identification, assessment, and clean-up. This process involves hiring qualified professionals to investigate the property and determine if it is contaminated and whether it is a brownfield site (i.e. has a redevelopment potential).

Due to Ladysmith's industrial past, there are several brownfield sites. The Town is undertaking the required investigations for Town-owned lands and would encourage other property owners to do the same. This revitalization exemption could provide the property tax assistance necessary for a property owner of a designated brownfield to begin work to ultimately remediate their property. Most of privately owned brownfield properties within the Town boundaries would be related to petroleum sales and vehicle repair and maintenance.

Brownfields require Preliminary Site Inspection (PSI) and Detailed Site Inspection (DSI) studies prior to initiating a clean-up. These studies can cost between anywhere from \$10,000 to hundreds of thousands of dollars, depending on the property size, specific contaminants and prior use of the property. The Province has a Brownfield renewal grant program that is open to private land owners which subsidizes up to 85% of the cost of the study. Ladysmith has been fortunate to receive this funding for the investigation of some of the Town lands.

#### SCOPE OF WORK:

Once the Revitalization criteria are decided by Council, staff will draft the bylaw to establish the program. The bylaw will include an agreement and exemption certificate. Eligible property owners are then invited to make application and qualified applicants will be presented in a bylaw to Council in late September to be adopted prior to October 31<sup>st</sup>.

#### ALTERNATIVES:

Direction is being sought. Council could choose not to proceed with a Brownfield Revitalization Exemption program.

Property owners have the option of going through BC Assessment to get a reduction in assessment for contaminated sites. The property owner must have a Stage 3 Contamination Study completed which would reduce the value of the property from market value to the contaminated value based on the cost to remediate. This study is expensive depending on the size and use of the property. Please note that this study differs from the PSI or DSI studies.

According to BC Assessment, a gas station is still valued at "highest and best use" based on the profit the gas station earns, unless a Stage 3 Contamination Study is submitted to BC Assessment. Once this study is submitted, the property assessment will be reduced. This assessment reduction can remain indefinitely and it applies to all assessment bases (municipal, hospital school etc.).

#### FINANCIAL IMPLICATIONS:

Revitalization Tax Exemptions are essentially a shifting of taxes. The other property owners in the Town will be absorbing any tax exemption.

The exemption only applies to municipal taxes so the property owner will still be responsible for the school, hospital and regional taxes which will be based on the old and new assessments.

The exemption assessment will be determined by BC Assessment. The intention of the program is to “freeze” the assessment at the pre-construction amounts. This means that the non-revitalization assessment amounts will be subject to any changes to the property tax rate as if construction work was not done.

LEGAL IMPLICATIONS:

A bylaw containing all of the tax revitalization recommendations will be presented to Council at a later date for consideration. The bylaw will also be reviewed by the Town’s solicitor.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There are prescribed legislative advertisements necessary once the bylaw is presented to Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

No additional staff are required.

RESOURCE IMPLICATIONS:

This process is being led by the Finance Department. It will involve a great deal of time to establish the program, review the bylaw with the Town solicitor, and manage the agreements and exemptions.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This vision supports the Strategy # 4 – Multi-use open space and Strategy # 8 – Local, Diverse Economy.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This issue aligns with Strategic Direction B – “Effective Land Use Planning & Community Design”.

SUMMARY:

Staff are requesting that Council provide direction with respect to establishing a Revitalization Tax Exemption – Brownfields program.

I concur with the recommendation.



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Ruth Malli, City Manager

ATTACHMENTS:

None



Town of Ladysmith

**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services  
Date: July 6, 2012  
File No:

Re: Revitalization Tax Exemption – Social Revitalization

RECOMMENDATION(S):

With respect to properties in the Town of Ladysmith meeting the conditions of ‘social’ as specified by Council, that Council

1. Confirm that it wishes to pursue a Revitalization Tax Exemption for Social Revitalization, and/or;
2. Designate a geographic area to receive this exemption, and/ or;
3. Determine the value of the construction or renovation.

PURPOSE:

To seek direction from Council on a proposed Revitalization Tax Exemption Program – Social Revitalization.

INTRODUCTION/BACKGROUND:

Council may recall that in September 2011 staff were directed to:

*Prepare amendments to Revitalization Tax Exemption Program Bylaw 2007, No. 1625, to expand the program to include other revitalization categories such as environmental, economic and social revitalization as permitted in the Community Charter, starting in the taxation year 2013.*

Staff are currently working on developing the program and decisions must be made prior to the program being available for participation by October 31, 2012.

Tax Revitalizations are permitted under section 226 of the *Community Charter*. Council can, by bylaw, exempt specific properties from the municipal portion of the property taxes as they are remediated, constructed or renovated. The maximum revitalization period is 10 years.

The Revitalization Tax Exemption program is designed to encourage (a) environmental revitalizations such as brownfields, (b) economic revitalizations, (c) social revitalizations such as affordable housing units, and (d) other revitalizations which include the heritage improvements.

There is an existing heritage program in Ladysmith that limits the exemption program to commercial buildings or building used primarily for commercial use. There must be a minimum of \$15,000 of construction to start the exemption. The exemption is based on a formula to determine the number of years the exemption may qualify to a maximum of 10 years. The formula is as follows:

$$\# \text{ of years of exemption} = \frac{\text{Cost of seismic/ building code/ sprinkler / façade upgrade}}{\text{Estimated increase in Municipal Taxes due to Revitalization}}$$

From there, the exemption is calculated each year.

### Social Revitalization

This program encourages affordable housing construction and as well as conversion of existing units to affordable housing.

The Town currently offers a Development Cost Charges – Not for Profit program (see attachment). This program waives the Development Cost Charges (DCC's) for any not-for-profit rental housing that is constructed. There is a formula to determine what is considered low-cost housing. If Council wishes to pursue a Social Revitalization Tax Exemption, the same formula would be used to determine if the property qualifies.

If this Social Revitalization program was offered on new construction, essentially a developer would not pay for the long-term DCC projects with the waiving of the DCC's, addition, as the developer would pay significantly less for the current operations of the Town through reduced property taxes; it is the other property owners absorbing the tax burden.

It is stressed that not-for-profit housing must be owned by a non-for-profit organization. Council currently permits any not-for-profit organization to apply for a Permissive Tax Exemption. A Permissive Tax Exemption (PTE) differs from a Revitalization Tax Exemption as a PTE permits all the taxes (municipal, school, hospital and other) to be exempted versus a Revitalization Tax Exemption only exempts the municipal taxes. Not-for-profit organizations would benefit more from a PTE versus a Revitalization Exemption.

### SCOPE OF WORK:

Once the Revitalization criteria are decided by Council, staff will draft the bylaw to establish the program. The bylaw will include an agreement and exemption certificate. Eligible property owners are then invited to make application and qualified applicants will be presented in a bylaw to Council in late September to be adopted prior to October 31<sup>st</sup>.

### ALTERNATIVES:

Direction is being sought. Council could choose not to proceed with a Revitalization Tax Exemption for social properties.

### FINANCIAL IMPLICATIONS:

There is currently an incentive existing to construct not-for-profit housing through the DCC Not-for-Profit Housing bylaw. Any construction of this type would not pay for long-term sewer, water, parks, roads and storm projects. For a multi-family dwelling, this is a savings of \$7,617.33 per unit.

Revitalization Tax Exemptions are essentially a shifting of taxes. The other property owners in the Town will be absorbing any tax exemption.

The exemption only applies to municipal taxes so the property owner will still be responsible for the school, hospital and regional taxes which will be based on the old and new assessments.

The exemption assessment will be determined by BC Assessment. The intention of the program is to “freeze” the assessment at pre-construction amounts. This means that the non-revitalization assessment amounts will be subject to any changes to the property tax rate as if construction work was not done.

### LEGAL IMPLICATIONS:

A bylaw containing the all the tax revitalization recommendations will be presented to Council at a later date for consideration. The bylaw will also be reviewed by the Town's solicitor.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There are prescribed legislative advertisements necessary once the bylaw is presented to Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

No additional staff are required.

RESOURCE IMPLICATIONS:

This process is being led by the Finance Department. It will involve a great deal of time to establish the program, review the bylaw with the Town solicitor, and manage the agreements and exemptions.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This vision supports the Strategy # 4 - Multi-use open space and Strategy # 8 - Local, Diverse Economy.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This issue aligns with Strategic Direction B - "Effective Land Use Planning & Community Design"

SUMMARY:

Staff is requesting that Council provide direction regarding the establishing of a Revitalization Tax Exemption - Social program.

I concur with the recommendation.

  
\_\_\_\_\_  
Ruth Malli, City Manager

ATTACHMENTS:

Reduce Development Cost Charges for Not-for-Profit Rental House 2012 Bylaw 1804.

**TOWN OF LADYSMITH**

**BYLAW NO. 1804**

**A Bylaw to Reduce Development Cost Charges for Not-for-Profit Rental Housing**

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**WHEREAS** Council is permitted by section 933.1 of the Local Government Act to waive or reduce a development cost charge by bylaw for not-for-profit rental housing, including supportive living housing;

**WHEREAS** Council wishes to provide for a reduction of a development cost charge where the monthly rent for a not-for-profit rental housing unit is equal to or less than the figure calculated by multiplying the median housing income of the Town of Ladysmith by 2%, which is the equivalent of households within 80% of the median household income paying 30% of their household income annually toward the cost of housing;

**NOW THEREFORE** the Council of the Town of Ladysmith in open meeting assembled, enacts as follows:

**DEFINITIONS**

1. In this Bylaw:

*'Eligible Development Housing Agreement'* means an Agreement under section 905 of the *Local Government Act* between the Town of Ladysmith and an owner of land seeking a reduction in development cost charges.

*'Not-for-profit rental housing'* means one or more rental dwelling units:

- (a) that are operated as rental housing for tenants who are capable of independent living and meet eligibility criteria related to income, health or other similar criteria;
- (b) that are subsidized by the Province of British Columbia or by an incorporated not-for-profit organization; and,
- (c) that are publicly owned or owned and operated by an incorporated not-for-profit organization.

including, but not limited to, units within a development assessed as Class 3 for purposes of the *Assessment Act*.

**ELIGIBLE DEVELOPMENT**

2. For the purposes of this Bylaw, not-for-profit rental housing that meets the conditions in section 3 constitutes a class of eligible development.
3. To be eligible for the reduction in development cost charges, the not-for-profit rental housing shall meet the following conditions:
  - (a) there is an Eligible Development Housing Agreement for a period of not less than 20 years, requiring that the monthly rent charged for each individual dwelling unit shall not exceed the figure calculated by multiplying the median household income for the Town of Ladysmith, as reported by Statistics Canada in the most recent census, by 2%; and
  - (b) the owner submits an annual report to the Town of Ladysmith no later than January 15 of each year the Eligible Development Housing Agreement is in effect, confirming that each individual dwelling unit met the definition of not-for-profit rental housing as well as the eligibility criteria in section 3(a) for the previous calendar year.
4. A reduction of development cost charges granted under this Bylaw is subject to the condition that if at any time during the period of the Eligible Development Housing

Agreement referenced in section 3, a dwelling unit no longer meets the definition of not-for-profit rental housing or no longer fulfills the conditions in section 3:

- (a) it shall no longer be an eligible development under this Bylaw, and
- (b) the owner of the land shall be liable for repayment of development cost charges in accordance with section 6.

**REDUCTION**

- 5. The Town of Ladysmith development cost charge will be reduced by 100% in respect of a dwelling unit that meets the definition of not-for-profit rental housing in this Bylaw and is an eligible development as defined in section 3.

**REPAYMENT**

- 6. The full amount of development cost charges that would have been payable on the date the building permit was approved, had the reduction not applied, plus interest at the rate of 3% per year calculated monthly since the date of the waiver compounded annually, shall immediately become due and payable to the Town for a dwelling unit that no longer qualifies as an eligible development under this Bylaw, as referenced in section 3.

**PERPETUAL WAIVER**

- 7. Once the period of the Eligible Development Housing Agreement has concluded, being a period of not less than 20 years, the development cost charges that would have applied to the original construction of the dwelling units that were part of the eligible development are thereafter waived in perpetuity and unconditionally.

**FURTHER DCCS PAYABLE**

- 8. Despite section 7, an applicant for further or additional development of the land in respect of which development cost charges have been waived under this Bylaw shall pay development cost charges that may be payable under a bylaw, as a result of such further or additional development during or after the term of the Eligible Development Housing Agreement, calculated in accordance with the bylaws applicable at the time of application for a development approval.

**SEVERABILITY**

- 9. If any part, paragraph or phrase in this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed and the remainder of this Bylaw shall continue in force.

**CITATION**

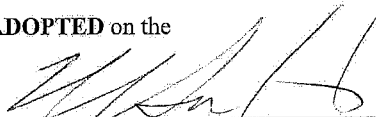
- 10. This Bylaw may be cited as "Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw, 2012, No. 1804".

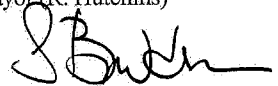
**READ A FIRST TIME** on the 7<sup>th</sup> day of May, 2012

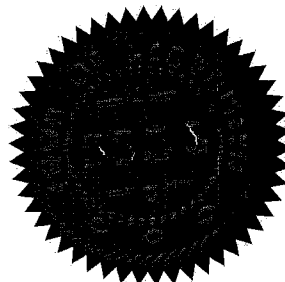
**READ A SECOND TIME** on the 7<sup>th</sup> day of May, 2012

**READ A THIRD TIME** on the 7<sup>th</sup> day of May, 2012

**ADOPTED** on the 22<sup>nd</sup> day of May, 2012

  
 \_\_\_\_\_  
 Mayor (R. Hutchins)

  
 \_\_\_\_\_  
 Director of Corporate Services (S. Bowden)







## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services  
Date: June 12, 2012  
File No:

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Re: Financial Update – June 2012

RECOMMENDATION(S):

That the Committee receive this report.

PURPOSE:

To inform the Government Service Committee on the finances for the first 6 months of 2012.

INTRODUCTION/BACKGROUND:

The purposed of this report is to provide financial information on a regular basis.

SCOPE OF WORK:

Notes & Trends

- As of the June 30<sup>th</sup>, 49% of the taxes were collected which is slightly higher than the 46% collected by this time last year. As of the July 3<sup>rd</sup> due date, 92% was received which was similar to 2011. The on-line payment option was well received with over \$2.75m being via online banking.
- At budget time, the Grants-in-Aid budget was set with a reserve of \$2,000 with a discussion that this money was to be potentially used for a shelter for scooter parking at High Street. Since that meeting, three additional Grants-in-Aid requests have been approved \$750 to Cowichan Family Caregivers Support and \$1,000 to National Sport Trust Fund (Stz'mainus Canoe) and \$200 to the Chamber of Commerce, leaving \$50 remaining in the budget.
- Staffing in a few areas is being monitored due to unusual circumstances.
- Lights, Power & Hydro at FJCC are projected to be over budget by year end. Staff is looking into ways to offset these costs.
- The Town leases various space to many organizations and companies. The Machine shop is the most notable location on Oyster Bay Road which is leased out to not-for profit organizations such as the Ladysmith Maritime Society and Ladysmith Arts Councils and other commercial business. Two of the major commercial lessees are behind in their lease payments; one of these lessees has vacated the property. After exhausting all other means, the Town has commenced Collection action on these properties. Further action may be required.

Capital:

- Bayview Connector. This grant portion of this construction project is complete. There is additional cosmetic work to be completed, which is funded out of parks operations and a grant from BC Hydro (on tonight's Council agenda).

- The Sustainability Implementation continues to progress. This project is paid for through Gas Tax and grants.
- The Brown Drive Park Phase 3: The Kinsmen have, again, successfully fundraised to construct this last phase of this playground.
- Land sales agent continues to work on selling the Town owned properties. There have been no sales to date. This is being funded from the Real Property Reserve. This reserve must be replenished in order for additional projects to proceed.
- Work continues on the various waterworks & sewer projects.

ALTERNATIVES:

Not applicable.

FINANCIAL IMPLICATIONS:

Keeping Council informed of the financial state of the organization.

LEGAL IMPLICATIONS:

This is a snap-shot of the Town finances for a point in time. No accruals have been made. Payments and deposits continue to be received which will change the financial figures. These statements are not audited.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The public is encouraged to review the report and provide comment.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Coordination among the various departments to ensure all information is coded properly and received by the Finance Department.

RESOURCE IMPLICATIONS:

The majority of this work is done by the Finance Department.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

This is within the Town strategy of "Wise Financial Management".

SUMMARY:

I concur with the recommendation.




---

Ruth Malli, City Manager

ATTACHMENTS:

Consolidated Statement of Operations – June 2012

Town of Ladysmith  
 Consolidated Statement of Operations  
 For the period ending May 31, 2012

	<u>June '12</u>	<u>Budget</u>
<b>Revenues</b>		
Taxes	\$ (8,122,623)	\$ (8,116,230)
Fees & Charges	(1,090,355)	(2,988,581)
Return on Investment	(39,717)	(60,000)
Penalty & Interest	(4,955)	(120,000)
Grants	(768,320)	(2,253,968)
Donations & Contributions	(66,368)	(21,000)
Development Fees	(156,063)	(363,680)
Local Improvement	(8,922)	(8,920)
<b>Total Revenue</b>	<u>(10,257,322)</u>	<u>(13,932,379)</u>
<b>Expenses</b>		
General Government	1,006,595	2,118,064
Library	143,118	286,234
Protective Services	502,399	1,478,705
Transportation Services	505,147	1,146,300
Environmental Health	204,177	446,230
Public Health	18,531	38,580
Development Services	249,682	714,401
Recreation & Culture	1,029,202	2,038,445
Parks	308,362	617,630
Sewer	253,773	625,300
Water	271,098	482,970
Interest	112,269	451,065
<b>Total Expenses</b>	<u>4,604,352</u>	<u>10,443,924</u>
<b>Surplus (-)/ Deficit</b>	<b>(5,652,970)</b>	<b>( 3,488,455)</b>
<b>Capital</b>		
Capital	1,016,816	9,840,676
Proceeds from New Debt	(990,000)	(5,454,309)
Principal Payments	80,315	338,509
Internal Funding	79,170	(1,236,421)
<b>BALANCE</b>	<u><b>(5,466,669)</b></u>	<u><b>-</b></u>

Town of Ladysmith  
Consolidated Statement of Financial Position  
As at May 31, 2012

	<u>May '12</u>
Cash & Short Term Deposits	\$ 7,660,507
Accounts Receivable	13,698,280
Accounts Payable	- 4,599,225
Post Employment Benefits	- 225,834
Deferred Revenue	- 640,507
Restricted Revenue	- 2,322,189
Refundable Deposits	- 507,879
Long Term Debt	- 1,928,507
Tangible Capital Assets	77,883,934
Prepays	6,574
Inventory	92,270
	<hr style="border-top: 1px solid black;"/> \$ 89,117,423 <hr style="border-top: 1px solid black;"/>

Reserve Balances:

Non Restricted Reserves	June '12	Budgeted Commitment & Funding	Balance
Tax Sale	24,708		24,708
Safety	12,296		12,296
Real Property	282,647	(1,278)	281,369
Amenity	79,320	(10,000)	69,320
<b>Total Non Restricted</b>	<hr style="border-top: 1px solid black;"/> 398,972	<hr style="border-top: 1px solid black;"/> (11,278)	<hr style="border-top: 1px solid black;"/> 387,694
<b>Restricted</b>			
Parking	73,668		73,668
Gas Tax	425,827	159,883	585,710
Greent St	1,385		1,385
Amphitheatre	12,618		12,618
Agency Capital	372,387	7,158	379,545
<b>Total Restricted</b>	<hr style="border-top: 1px solid black;"/> 885,885	<hr style="border-top: 1px solid black;"/> 167,041	<hr style="border-top: 1px solid black;"/> 1,052,926
<b>DCC's</b>			
Sewer	91,856		91,856
Water	182,956		182,956
Roads	516,940		516,940
Parks	214,708		214,708
Storm	323,578	(167,500)	156,078
<b>Total DCC's</b>	<hr style="border-top: 1px solid black;"/> 1,330,038	<hr style="border-top: 1px solid black;"/> (167,500)	<hr style="border-top: 1px solid black;"/> 1,162,538



**TOWN OF LADYSMITH**  
 Building Permit Summary - June, 2012

Month	Commercial		Industrial		Institutional		Residential (NEW)		Residential Adds, Renos, Other		Dwelling Units	Total Permits	Blg & Pibg Permit Fees This Month	Permit Values This Month	Permit Values Year to Date 2012
	No. of Permits	Values	No. of Permits	Values	No. of Permits	Values	No. of Permits (new res)	Values	No. of Permits	Values					
June	1	\$42,000	0	\$0	0	\$0	10	\$1,694,395	2	\$10,879	10	13	\$12,957	\$1,747,274	\$6,752,438

**Year to Date**

Month	Commercial	Industrial	Institutional	Residential (NEW)	Residential Adds, Renos, Other	Dwelling Units	Total Permits	Blg & Pibg Permit Fees This Month	Permit Values This Month	Permit Values Year to Date 2012	
JAN	1	\$488,275	0	\$0	2	\$857,315	2	\$48,140	4	\$11,573	\$893,730
FEB	0	\$0	1	\$5,000	4	\$1,184,697	4	\$8,936	7	\$8,936	\$1,315,672
MAR	0	\$0	0	\$0	3	\$530,461	3	\$4,251	3	\$4,251	\$556,433
APR	1	\$965,520	0	\$0	3	\$706,337	7	\$11,742	3	\$11,742	\$1,825,530
MAY	0	\$0	0	\$0	2	\$349,444	6	\$3,237	2	\$3,237	\$413,799
JUN	1	\$42,000	0	\$0	10	\$1,694,395	2	\$12,957	10	\$12,957	\$1,747,274
JUL											
AUG											
SEP											
OCT											
NOV											
DEC											
<b>TOTAL</b>	<b>3</b>	<b>\$1,495,795</b>	<b>0</b>	<b>\$5,000</b>	<b>24</b>	<b>\$4,822,649</b>	<b>24</b>	<b>\$52,696</b>	<b>29</b>	<b>\$52,696</b>	<b>\$6,752,438</b>

Demos Mth	#DU	Value	#BP	Value
YTD 2012	29	\$4,822,649	52	\$6,752,438
YTD 2011	28	\$4,031,688	81	\$4,882,852
YTD 2010	45	\$7,300,032	79	\$8,928,174

*Tom Skarvig*  
 Tom Skarvig, Building Inspector



Town of Ladysmith  
**Trolley Summary Report**  
 June 2012

Stats	June			Mar-Apr-May (Previous 3 Months)			YTD (Jan-June)		
	2012	2011	2010	2012	2011	2010	2012	2011	2010
Ridership Count	1390	2390	2450	3847	6446	7030	7459	12611	13821
Days in Operation	26	26	26	76	75	76	153	150	149
Avg. Daily Ridership	53	92	94	151	258	277	153	150	149
Wheel Chairs	11	17	4	12	20	10	27	47	12
Service Dogs	1	10	11	6	41	21	11	86	25
Bikes	18	59	61	34	93	103	67	216	181

**Fares\***

Single Fares	\$706	*	*	\$2,660	*	*	\$4,609	*	*
Monthly Passes	\$182	*	*	\$456	*	*	\$1,095	*	*
Rentals**		**	**	\$1,350	**	**	\$1,350	**	**
Donations	*	\$1,057	\$611	*	\$1,837	\$1,673	*	\$3,962	\$3,800
<b>Total</b>	<b>\$888</b>	<b>\$1,057</b>	<b>\$611</b>	<b>\$4,466</b>	<b>\$1,837</b>	<b>\$1,673</b>	<b>\$7,054</b>	<b>\$3,962</b>	<b>\$3,800</b>

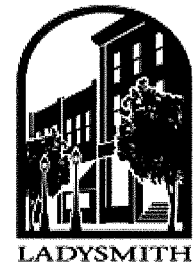
\* From launch to September, 2011 trolley riders made donations in lieu of fares; as of October, 2011 to date, fares have been collected on board the trolley in the form of single rides, and pre-purchased monthly passes.

\*\* There were no rentals in 2010 or 2011



# Ladysmith Fire /Rescue

P.O. Box 760 Ladysmith, B.C. V9G 1A5  
 Phone: 250-245-6436 · Fax: 250-245-0917



## FIRE CHIEF'S REPORT

MONTH: **June , 2012**

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YEAR'S TOTALS
Alarms Activated: Pulled Station			1			1							2
By mistake	1			1	1								3
Electrical problem		1	2			2							5
Due to cooking			1		3	1							5
Assistance		2				1							3
Burning Complaint		2	2			2							6
Fire: Structure		1			1	3							5
Chimney	4	3	1										8
Interface / Bush					1	2							3
Vehicle	1	1	2										4
Other	1	3											4
Hazardous Materials			1			1							2
Hydro Lines: Down / Fire				1	1								2
Medical Aid				1		3							4
MVI	3	1	5	2	3	5							19
Rescue				1		1							2
Mutual Aid provided by Ladysmith to outside areas	1		1										2
<b>MONTH TOTALS (not incl. Practises)</b>	<b>11</b>	<b>14</b>	<b>16</b>	<b>6</b>	<b>10</b>	<b>22</b>							<b>79</b>
Practises (Totals for each Month)	5	4	4	4	5	4							26
Mutual Aid, requested by Ladysmith from outside areas	1	0	0	0	0	0							1

### ALARMS ACTIVATED (location/owner):

1. Faulty sensor – Carlos Plc 440-4<sup>th</sup> Ave.
2. Faulty sensor – 1117 – 4<sup>th</sup> Ave, BCAS
3. Pulled station – 370 TCH, Coronation Mall (accidental)
4. Burnt Toast - 840 Esplanade

### COMPARISONS:

Year to Date / 12 79 (excl. practises)  
 Year to Date / 11 95 (excl. practises)  
 Year to Date / 10 80 (excl. practises)

APPROVED:

*Ray Delcourt*  
 Fire Chief

**COASTAL ANIMAL CONTROL SERVICES OF BC LTD**

2202 Herd Rd. Duncan, BC. V9L 6A6

(250) 748-3395

**TOWN OF LADYSMITH POUND REPORT**

June 2012

<b>Disposition of Impounded Dogs</b>	<b>Current Month</b>	<b>2012 Totals</b>	
Stray dogs impounded	2	14	
Stray dogs claimed	2	13	
Stray dogs put up for adoption	0	0	
Stray dogs euthanized	0	0	
Stray livestock / cats	0	0	
Other	0	1	
<b>Calls Received and Investigated</b>	<b>10</b>	<b>52</b>	
Aggressive dogs	1	5	
Dogs at large	1	11	
Confined dog	2	15	
Noise (barking) complaints	5	12	
Other non specific dog related calls	1	8	
Wildlife / livestock / cats	0	1	
<b>After hour call outs</b>	<b>1</b>	<b>4</b>	
<b>Monthly Pound and Board Fees Collected</b>	<b>\$225.00</b>	<b>\$1520.00</b>	
Impound fees	\$150.00	\$1150.00	
Daily board fees	\$75.00	\$370.00	
<b>Tickets issued</b>	<b>0</b>	<b>0</b>	
Unlicenced dog	\$00.00	\$00.00	
Dog at large	\$00.00	\$00.00	
Dangerous dog not muzzled (12e)	\$0	\$00.00	
Habitually noisy	\$0	\$0	
<b>Licencing Statistics</b>	Tags	4	19
	Revenue	\$120.00	\$525.00

Judi Burnett



# CAS Summary of Service Calls, Ladysmith

10 calls in total

01-Jun-12 to 30-Jun-12

Issue	Call #	Received	Type	Completed
<b>Aggressive</b>		<b>1</b>		
	980	20-Jun-12	Dog	04-Jul-12
<b>At large</b>		<b>1</b>		
	978	22-Jun-12	Dog	22-Jun-12
<b>Confined</b>		<b>2</b>		
	982	30-Jun-12	Dog	03-Jul-12
	972	02-Jun-12	Dog	04-Jun-12
<b>Noisy</b>		<b>5</b>		
	979	25-Jun-12	Dog	
	977	22-Jun-12	Dog	03-Jul-12
	976	19-Jun-12	Dog	22-Jun-12
	975	15-Jun-12	Dog	19-Jun-12
	974	11-Jun-12	Dog	14-Jun-12
<b>Other</b>		<b>1</b>		
	981	26-Jun-12	Dog	04-Jul-12

ID

**Visitor Centre Network Statistics Program 2012**

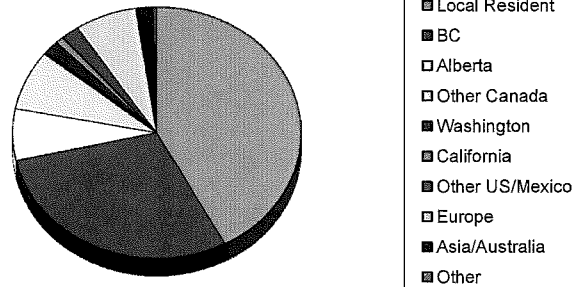
**Ladysmith**

**Start Date: 01/01/2012**

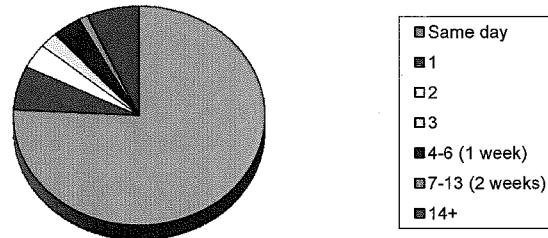
**End Date: 31/12/2012**

<b>Visitor Origin</b>	<b>2,281</b>
Local Resident	962
BC	668
Alberta	151
Other Canada	176
Washington	46
California	19
Other US/Mexico	47
Europe	160
Asia/Australia	44
Other	8
<b>Nights in Community</b>	<b>906</b>
Same day	687
1	59
2	33
3	21
4-6 (1 week)	35
7-13 (2 weeks)	10
14+	61
<b>Information Requested</b>	<b>3,179</b>
Accommodation	169
Adventure Recreation	194
Attractions	213
Events / Conferences	693
Food / Beverage	190
Transportation	249
Shopping	171
Parks	99
First Nations	220
Community Services	16
Investment/Moving	186
Site Facilities (e.g. Washroom)	55
Other	724

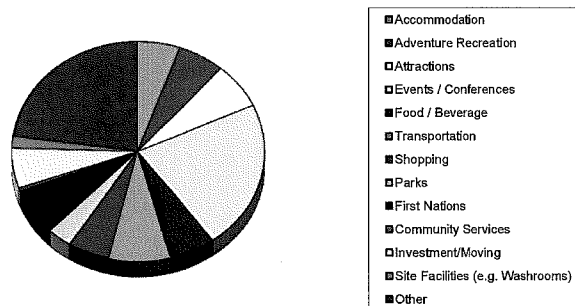
**Visitor Origin**



**Nights in Community**



**Information Requested**



YEAR TO DATE TOTAL	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
<b>Administration Parties/Hour</b>	1,80	1,78	1,91	1,83	2,45	2,98	3,53	3,04	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	2,50
# of hours	144,50	147,00	154,00	445,50	137,00	207,00	201,50	545,50	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	991,00
# of phone calls	128	150	168	446	130	152	104	386	0	0	0	0	0	0	0	0	832
# of mail/fax/email enquiries	34	84	74	192	68	85	52	205	0	0	0	0	0	0	0	0	397
# of parties	260	261	294	815	335	613	712	1,660	0	0	0	0	0	0	0	0	2,475
# of visitors	340	359	391	1,090	449	980	1,222	2,951	0	0	0	0	0	0	0	0	3,741
# of buses	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1
<b>Visitor Origin</b>	210	237	284	711	297	577	698	1,570	0	0	0	0	0	0	0	0	2,281
Local Resident	110	125	133	368	140	232	222	594	0	0	0	0	0	0	0	0	962
BC	55	62	84	201	76	186	205	467	0	0	0	0	0	0	0	0	688
Alberta	12	14	22	48	26	32	45	103	0	0	0	0	0	0	0	0	151
Other Canada	20	23	12	55	23	33	65	121	0	0	0	0	0	0	0	0	176
Washington	1	6	4	11	4	13	18	35	0	0	0	0	0	0	0	0	46
California	0	0	1	1	1	5	12	18	0	0	0	0	0	0	0	0	19
Other US/Mexico	0	1	2	3	4	14	26	44	0	0	0	0	0	0	0	0	47
Europe	3	4	3	10	18	39	93	150	0	0	0	0	0	0	0	0	160
Asia/Australia	6	1	3	10	5	21	8	34	0	0	0	0	0	0	0	0	44
Other	3	1	0	4	0	2	2	4	0	0	0	0	0	0	0	0	8
<b>Nights in Community</b>	90	86	115	291	127	219	269	615	0	0	0	0	0	0	0	0	906
Same day	65	61	89	215	90	154	218	472	0	0	0	0	0	0	0	0	687
1	4	3	6	13	2	29	15	46	0	0	0	0	0	0	0	0	59
2	2	3	0	5	12	7	9	28	0	0	0	0	0	0	0	0	33
3	1	3	6	10	7	3	1	11	0	0	0	0	0	0	0	0	21
4	3	4	2	9	5	7	14	26	0	0	0	0	0	0	0	0	35
4-6 (1 week)	1	2	3	6	2	1	4	4	0	0	0	0	0	0	0	0	10
7-13 (2 weeks)	14	10	9	33	9	8	11	26	0	0	0	0	0	0	0	0	61
14+	280	347	408	1,035	454	847	1,097	2,398	0	0	0	0	0	0	0	0	3,433
<b>Information Requested</b>	19	17	21	57	26	31	55	112	0	0	0	0	0	0	0	0	169
Accommodation	8	16	16	40	36	52	66	154	0	0	0	0	0	0	0	0	194
Adventure Recreation	10	12	31	53	30	62	68	160	0	0	0	0	0	0	0	0	213
Attractions / Tours	60	68	76	204	92	197	200	489	0	0	0	0	0	0	0	0	693
Maps / Directions	19	32	43	94	28	39	29	96	0	0	0	0	0	0	0	0	190
Events / Conferences	18	36	27	81	36	59	73	168	0	0	0	0	0	0	0	0	249
Food / Beverage	17	24	20	61	31	40	39	110	0	0	0	0	0	0	0	0	171
Transportation	12	10	14	36	18	14	31	63	0	0	0	0	0	0	0	0	99
Shopping	3	14	12	29	18	52	121	191	0	0	0	0	0	0	0	0	220
Parks	1	1	2	4	3	7	2	12	0	0	0	0	0	0	0	0	16
First Nations	32	25	19	76	18	47	45	110	0	0	0	0	0	0	0	0	186
Community Services	8	8	9	25	8	7	15	30	0	0	0	0	0	0	0	0	55
Investment/Moving	57	66	90	213	73	177	261	511	0	0	0	0	0	0	0	0	724
Site Facilities (e.g. Washrooms)	16	18	28	62	37	63	92	192	0	0	0	0	0	0	0	0	254
Other	200	266	292	758	311	624	797	1,642	0	0	0	0	0	0	0	0	2,400
<b>Community Specific Info</b>	22	44	56	122	33	69	56	158	0	0	0	0	0	0	0	0	280
Events Information	17	23	17	57	22	48	41	111	0	0	0	0	0	0	0	0	179
Town Services/Inquiries	28	21	18	67	32	31	43	106	0	0	0	0	0	0	0	0	161
Relocation/Visitor Packages	16	51	56	145	56	112	156	324	0	0	0	0	0	0	0	0	459
Local Business/Shopping/Accommodation/Dining	54	57	70	181	86	198	205	489	0	0	0	0	0	0	0	0	670
Maps: Trails/Artisans/Roads/Transportation	20	30	32	82	42	52	50	144	0	0	0	0	0	0	0	0	226
Trolley	7	17	8	32	16	30	24	70	0	0	0	0	0	0	0	0	102
Cycling	0	9	3	12	1	16	13	30	0	0	0	0	0	0	0	0	42
Accommodation	7	7	15	29	10	22	38	70	0	0	0	0	0	0	0	0	99
Heritage	8	13	11	32	13	46	81	140	0	0	0	0	0	0	0	0	172

Visitor Centre Network Statistics Program Year Over Year Report 2012

LADYSMITH

Start Date: 01/01/2011

End Date: 31/12/2012

Parties Per Hour	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
2012	1.80	1.78	1.91	1.83	2.45	2.96	3.53	3.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.50
% change 2012 - 2011	87.1%	53.0%	47.1%	59.0%	54.9%	30.9%	13.9%	26.5%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-2.9%
2011	0.96	1.16	1.30	1.15	1.58	2.26	3.10	2.40	3.64	4.77	3.53	4.03	2.21	1.78	2.04	2.00	2.57

Total Hours	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
2012	144.50	147.00	154.00	445.50	137.00	207.00	201.50	545.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	991.00
% change 2012 - 2011	-0.7%	4.3%	-10.7%	-2.9%	-9.0%	0.2%	-8.8%	-5.6%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-53.1%
2011	145.50	141.00	172.50	459.00	150.50	206.50	221.00	578.00	248.00	248.00	177.00	673.00	140.00	150.00	115.00	405.00	2,115.00

Total Phone Calls	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
2012	128	150	168	446	130	152	104	386	0	0	0	0	0	0	0	0	832
% change 2012 - 2011	7.6%	44.2%	-1.8%	13.2%	38.3%	58.3%	7.2%	34.5%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-46.2%
2011	119	104	171	394	94	96	97	287	128	157	146	431	159	175	100	434	1,546

Total Mails/Fax/Email Enquiries	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
2012	34	84	74	192	68	85	52	205	0	0	0	0	0	0	0	0	397
% change 2012 - 2011	3.0%	0.0%	5.7%	2.7%	240.0%	214.8%	1633.3%	310.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-28.3%
2011	33	84	70	187	20	27	3	50	12	10	51	73	85	105	54	244	554

Total Parties	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
2012	260	261	294	815	335	613	712	1,660	0	0	0	0	0	0	0	0	2,475
% change 2012 - 2011	85.7%	59.1%	31.3%	54.4%	40.8%	31.3%	3.9%	19.4%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-54.5%
2011	140	164	224	528	238	467	685	1,380	903	1,182	624	2,709	309	267	235	811	5,439

Total Visitors	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
2012	340	359	391	1,090	449	980	1,222	2,651	0	0	0	0	0	0	0	0	3,741
% change 2012 - 2011	89.9%	68.5%	24.9%	54.6%	34.0%	21.9%	10.8%	18.2%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-56.7%
2011	179	213	313	705	335	804	1,103	2,242	1,488	2,027	997	4,510	458	375	347	1,180	8,637

Total Buses	January	February	March	Q1 Total	April	May	June	Q2 Total	July	August	September	Q3 Total	October	November	December	Q4 Total	TOTAL
2012	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1
% change 2012 - 2011	0	0	0	0	0	-100.0%	0	0.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-100.0%	-50.0%
2011	0	0	0	0	0	1	0	1	0	1	0	1	0	0	0	0	2

# TOWN OF CRESTON

## BYLAW NO. 1704

A bylaw for the control, regulation and licencing of cats.

WHEREAS pursuant to the Community Charter, Council may, by bylaw, regulate, prohibit and impose requirements in relation to animals within the Town of Creston;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

### SECTION 1 CITATION

1.1 This Bylaw may be cited as “Cat Control and Regulation Bylaw No. 1704, 2009”

#### Table of Contents

1.0	CITATION
2.0	DEFINITIONS
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### SECTION 2 DEFINITIONS

2.1 In this bylaw, unless the context otherwise requires:

“Animal Control Officer” means a Bylaw Enforcement Officer appointed by Council or a person retained under contract by the Town to administer and enforce this Bylaw.

“At large, run at large, or running at large” means being elsewhere than on the premises of the owner of the cat, including public or other private property and not being under the care and control of the owner, either by being securely leashed, tethered or penned, or confined within a building or other enclosure.

“Cat” means an animal of the species *Felis domesticus* that is apparently over the age of six months.

“Collector” means the Director of Finance and Corporate Services, or his designate.

“Council” means the Council of the Town of Creston.

“Day” means a continuous period of 24 hours.

“Dog” means an animal of the species *Canine* apparently over the age of six months.

“Kennel” means a property where four or more cats are kept, trained, cared for, bred or boarded for personal enjoyment, remuneration or the purpose of sale.

“Licence” means a cat licence issued and valid for the current licencing year.

“Licencing Year” shall mean January 1<sup>st</sup> to December 31<sup>st</sup> in any year.

“Owner” means a person who has possession or custody of any cat, either temporarily or permanently, or keeps, houses or harbours the cat, or suffers the cat to remain on his land or premises.

“Pound” means the facilities used by the municipality from time to time to harbour and maintain cats pursuant to this bylaw.

“Poundkeeper” means a person who operates the facilities used by the Town as a Pound.

“Senior Animal Control Officer” means the person appointed as the Senior Animal Control Officer by Council, or his designate.

“Town” means, in accordance with the context, either the area incorporated as the Town of Creston or the said Town.

### **SECTION 3            GENERAL REGULATIONS**

- 3.1 No Person shall keep any cat except in accordance with the provisions of this bylaw.
- 3.2 No Person shall keep, harbour or have a number of cats or combination of cats and dogs per dwelling unit on any parcel or lot within the Town greater than:
  - (a) 4 cats;
  - (b) 3 cats and 1 dog;
  - (c) 2 cats and 2 dogs.
- 3.3 Section 11.2 of this bylaw shall not apply to a person lawfully operating a veterinary clinic, animal hospital, kennel, or Pound facility.

### **SECTION 4            RUNNING AT LARGE**

- 4.1 Every person who owns, harbours or possesses a cat shall ensure that the cat is not running at large.
- 4.2 No cat shall be allowed off the premises of its owner except on a leash or contained within a carrier designed for the transportation of animals.
- 4.3 If the owner or occupant of property on which a cat is running at large makes a complaint to the Animal Control Officer, the Animal Control Officer may capture and impound the cat found running at large about which the complaint had been made.

### **SECTION 5            LICENCES**

- 5.1 The owner of any cat over the age of six (6) months shall acquire a valid and subsisting licence for the cat pursuant to the provisions of this bylaw.
- 5.2 Every person who owns, possesses or harbours a cat shall obtain an annual licence before the first day of February in each year; and if a person becomes the owner, possessor or harbourer of a cat after that date, he shall forthwith obtain a licence.
- 5.3 Every licence issued under this bylaw shall expire on the thirty first (31<sup>st</sup>) day of December next following the date on which the licence was issued.
- 5.4 No person shall give false information on an application for a licence.
- 5.5 A licence for a neutered male cat or a spayed female cat shall not be issued until the applicant has produced a written certificate from a veterinarian indicating that the cat has been spayed or neutered.

- 5.6 The annual fee for a licence shall be as per Schedule "A" of this bylaw.
- 5.7 Each person, having paid the prescribed fee for a licence shall receive a licence tag for the cat. No person other than the owner shall remove a licence from any collar or harness.
- 5.8 Proof of licencing may be established by the placement of a licence tag securely fastened to a collar or harness worn by the cat at all times when it is off the property of its owner; or by providing the Animal Control Officer with a traceable tattoo or traceable microchip number.
- 5.9 Where the owner of a cat has purchased a licence for an unsprayed or unneutered cat, the amount equal to the difference between the licence fee for spayed or neutered cats and unsprayed or unneutered cats, will be refunded if the owner provides proof that the cat has been spayed or neutered within 3 months of the date of licence issuance.
- 5.10 The licence fee specified in Section 5.6 shall be reduced by fifty percent (50%) for any cat acquired and/or brought into the Town after the thirty first (31<sup>st</sup>) day of August in any year.
- 5.11 Where the licence tag becomes lost or damaged, the owner may, upon application and payment of two dollars (\$2), receive a replacement tag.
- 5.12 No person shall be entitled to a rebate of the fee paid for a licence, except as noted in Section 5.9.

**SECTION 6 IMPOUNDMENT**

- 6.1 An Animal Control Officer may seize and impound any cat found at large, if a complaint about the cat being at large has been received by the Town:
- 6.2 No person, other than an Animal Control Officer or owner of a cat, may use a live trap or otherwise capture a cat.
- 6.3 An Animal Control Officer may place a live trap on private property to capture cats that are at large, subject to the following:
  - a) The Animal Control Officer has received a complaint from the owner or occupant of property about the cat being at large on that property.
  - b) The Animal Control Officer has received written consent to enter property and place a trap as per Schedule "D" of this bylaw.

**SECTION 7 NOTIFICATION**

- 7.1 If the Animal Control Officer knows, by way of a licence, the name an owner of an impounded cat, he shall, within the first twenty four (24) hours of impoundment, serve the owner with a copy of the Notice set out in Schedule "E" of this Bylaw, either personally or by leaving it the last known address of the owner.
- 7.2 Where the owner of an impounded cat is unknown, Notice of Impoundment shall be posted at Town Hall, and may be advertised in any other manner the Animal Control Officer deems appropriate.
- 7.3 It shall be the duty of the Poundkeeper to keep a book in which shall be recorded:
  - 1) A description of each impounded cat.
  - 2) The name of the Animal Control Officer who impounded the cat.
  - 3) The day and hour on which the cat was impounded.
  - 4) The day and hour which the cat was reclaimed, sold, adopted, or destroyed.

## **SECTION 8 RECLAIMING**

- 8.1 The owner of an impounded cat may reclaim it from the Pound by:
- 1) Paying to the Collector the fines, fees and penalties set out in Schedules “B” and “C” as applicable, and
  - 2) Producing a copy of the receipt issued by the Collector and presenting it to the Poundkeeper, and
  - 3) Obtaining a licence for the cat as per Schedule “A”, should it be unlicensed.
- 8.2 Where the day is a Saturday or Statutory Holiday on which the Pound is open, and the owner proves to the Poundkeeper his ownership of the impounded cat, the boarding charges for the Saturday, Sunday or the Statutory Holiday shall be waived by the Town. Notwithstanding, the owner may not reclaim the cat until he has paid the applicable fines and fees on the next business day.

## **SECTION 9 ADOPTION OR DESTRUCTION**

- 9.1 After a cat has been held in the Pound for:
- 1) Five (5) calendar days, excluding Sunday and Statutory holidays, when the name of the owner of the impounded cat is known, or
  - 2) Three (3) calendar days, excluding Sundays and Statutory Holidays, when the name of the owner of an impounded cat is unknown;

and the conditions in section 8.1 are not satisfied the Senior Animal Control Officer, at his discretion, may cause the cat to be available for adoption or for destruction in a humane manner.

- 9.2 The Senior Animal Control Officer is empowered to authorize the adoption of unclaimed cats at his discretion. He shall however, consider the adoption guidelines attached to and forming part of this bylaw as Schedule “F” prior to destroying any cat.
- 9.3 Despite section 9.1, the Animal Control Officer or Poundkeeper may seize and immediately destroy a cat suffering from an injury, illness or condition that cannot be otherwise reasonably addressed.

## **SECTION 10 ENFORCEMENT, FINES AND PENALTIES**

- 10.1 Every person who contravenes this bylaw commits an offence punishable on a Summary conviction and is liable to a fine of not more than \$10,000.00.
- 10.2 If an Animal Control Officer believes that an offence has been committed under this bylaw, he may issue:
- 1) A Bylaw Violation Notice
  - 2) A Summons issued under the provisions of the Offence Act;
- in respect of the alleged offence.
- 10.3 If a Bylaw Violation Notice is issued in respect to an offence, the Notice shall specify:
- 1) The fine amount specified under this Bylaw for the offence, and
  - 2) A deadline for voluntary payment.
- 10.4 Voluntary payment of the amount specified on a Bylaw Violation Notice shall constitute an absolute defense to Summary conviction.



10.5 Notwithstanding the preceding sections, nothing shall limit or remove the right of the Town to prosecute an offence by way of an Information being laid and a Summons being issued in accordance with the provisions of the Offence Act.

READ A FIRST TIME by title and SECOND TIME by content this 21<sup>st</sup> day of April, 2009.

READ A THIRD TIME by title this 28<sup>th</sup> day of April, 2009

ADOPTED this 12<sup>th</sup> day of May, 2009

“Ron Toyota”  
Mayor Ron Toyota

“Bev Caldwell”  
Bev Caldwell, Executive Assistant

Schedule "A" to  
TOWN OF CRESTON  
BYLAW NO. 1704

1) Cat Licence Fees

The fee for a licence in the Town shall be as follows:

Male cat – unneutered	\$100.00
Male cat – neutered	\$15.00
Female cat – unspayed	\$100.00
Female cat – spayed	\$15.00

2) 2009 Transitional Licence Fee Schedule

For the 2009 licence year only, the fee for cat licences shall be as follows:

Male cat – unneutered	\$65.00
Male cat – neutered	\$10.00
Female cat – unspayed	\$65.00
Female cat – spayed	\$10.00

Schedule "B" to  
TOWN OF CRESTON  
BYLAW NO. 1704

VOLUNTARY FINES FOR OFFENCES

A record of violations shall be kept for each licencing year, and the first Violation Notice served upon an owner in the current licencing year shall be considered to be the first violation regardless of any violations accumulated in a previous licencing year.

- |    |   |          |
|----|---|----------|
| 1. | Cat at Large:                               |          |
|    | For the first violation                     | \$50.00  |
|    | For the second violation                    | \$100.00 |
|    | For the third and each subsequent violation | \$150.00 |
| 2. | Unlicenced cat                              | \$50.00  |

SCHEDULE "C" to  
TOWN OF CRESTON  
BYLAW NO. 1704

Boarding Fees:

For the first day of impoundment or portion thereof	\$50.00
For each subsequent day or portion thereof	\$14.90

Schedule "D" to  
TOWN OF CRESTON  
BYLAW NO. 1704

**CONSENT TO PLACE CAT TRAP ON PRIVATE PROPERTY**

I, \_\_\_\_\_ the owner or lawful occupier  
(Print Name)

of \_\_\_\_\_ Creston, BC, hereby

consent to placement of a cat trap on the above noted property.

It is understood that the trap will be placed by an Animal Control Officer of the Town of Creston for the purposes of resolving a neighborhood complaint regarding a cat(s) running at large.

I consent to the placement of this trap, impound of any cats trapped within it, and routine entry onto the above noted property by Animal Control Officers or their designates. The Town of Creston assumes all liability for the trap itself and any officers of the municipality that enter the property.

This agreement shall become effective immediately and shall remain in effect until:

\_\_\_\_\_  
(specify date)

FOR THE TOWN OF CRESTON

\_\_\_\_\_  
(print name and title)

\_\_\_\_\_  
(sign)

FOR THE PROPERTY OWNER/ LAWFUL OCCUPIER

\_\_\_\_\_  
(print full name)

\_\_\_\_\_  
(sign)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Schedule "E" to  
TOWN OF CRESTON  
BYLAW NO. 1704

**NOTICE OF IMPOUNDMENT**

TO:

\_\_\_\_\_  
(NAME OF CAT OWNER)

OF

\_\_\_\_\_  
(ADDRESS OF OWNER)

You are hereby notified that a cat bearing Licence number \_\_\_\_\_  
which identifies you as the registered owner of the animal, was impounded on  
\_\_\_\_\_, 20\_\_\_\_ pursuant to the provisions of  
Cat Control and Regulations Bylaw 1704.

**You are hereby advised that unless the cat is reclaimed and all penalties, licences  
and impoundment charges are paid before:**

\_\_\_\_\_  
(date)

that the cat will be adopted out to a new owner, destroyed, or otherwise disposed of.

\_\_\_\_\_  
Animal Control Officer

\_\_\_\_\_  
Date and time

Schedule "F" of  
TOWN OF CRESTON  
BYLAW NO. 1704

**Adoption Guidelines**

The Senior Animal Control Officer, prior to authorizing the euthanasia of any impounded and unclaimed cat, shall consider the following items:

Is the cat feral?

What is the apparent age of the cat? Under 6 months?

Is the cat healthy or does it require medical treatment?

Does the temperament of the cat make it unsuitable for adoption?

Do sufficient financial resources exist to allow extension of the holding period?

Do sufficient staff and kennel resources exist to allow the extension of the holding period?

Was the cat impounded in a TNR program area?

Is there a TNR program active in the area where the cat was impounded?