

## Village of New Denver - Denver Siding Boundary Expansion

March 10, 2018 - The Village has received Gas Tax Strategic Priority Fund grant approval to a maximum grant of \$508,171.00 towards the capital costs of upgrading the Denver Siding Water System.

New Denver staff have reviewed the following information: previous studies and reports in the Village's files, relevant Provincial legislation, and the Ministry Guides: *Municipal Boundary Extension Policies Guide and Municipal Boundary Extension Process Guide*.

### Proposal Development and Referrals

Through the referral process, the municipality should identify and resolve concerns with the proposed municipal boundary extension before the municipality submits the proposal. Ministry staff can provide advice for resolving issues.

The municipality's information to property owners and residents in the proposed boundary extension area should include the following:

- the municipality's reasons for considering the boundary extension proposal;
- general property tax implications (a comparison of tax rates inside and outside the municipality or a sample property tax calculation);
- general information about the costs, process and timing of providing the service if municipal water infrastructure service is the reason for the boundary extension;
- other significant changes related to local service delivery and service cost recovery (e.g. fees and charges); and,
- any council policy items relating to the boundary extension proposal (e.g. transitional measures).

### Public Consultation Spring/Summer 2018

- Municipality provides information to property owners and residents
- Municipality holds an open house/public meeting and distributes feedback forms
- If needed a second open house/public meeting is held

Municipality requests individual response forms and/or letters from property owners and residents in the expansion area

### Ministry Review Summer/Fall 2018

The Ministry will acknowledge receipt of the municipal boundary extension proposal and review the submission by preparing an Administrative Report that will provide the municipality with feedback. If further work is required, Ministry staff are available to work with the municipality to complete the proposal.

The Ministry recommends that the municipality wait until the Ministry confirms that all issues are addressed **before seeking elector approval**. This ensures that elector approval is obtained on a

complete municipal boundary extension proposal. Technical changes to the proposal after elector approval is obtained could void the results, requiring the elector approval process to be repeated.

### Elector Approval Fall 2018

The *Local Government Act* requires **municipal elector** approval of proposed boundary extensions. Elector approval may be obtained by the municipality through a referendum or the Alternative Approval Process (AAP) (*Community Charter*, section 85, 86).

If (Village) electors support the municipal boundary extension proposal, the municipality must provide the Ministry with:

- a second council resolution confirming the request to the Minister to extend the boundary of the municipality and confirming the legal description of the parcels to be included within the municipal boundary;
- a declaration that the statutory requirements of section 20 of the *Local Government Act* are met; and,
- the results of the elector approval process

### Provincial Approval

Once the elector approval process is complete, the Ministry prepares Letters Patent implementing the proposed boundary change. Letters Patent describe the properties being included in the municipality, provide for the transfer of services from the regional district/improvement district to the municipality, and if necessary, provide for special or transition features. The Ministry also amends the Letters Patent for the relevant regional district, removing the boundary extension area from the applicable electoral area.

### Implementation – Winter 2018

If the boundary extension proposal is approved by Cabinet, the Ministry notifies the municipality, the regional district and other ministries and agencies, such as BC Assessment and the Land Title and Survey Authority of BC that the municipal boundary extension will be implemented.

The municipality and relevant regional district are responsible for implementing the transfer and coordination of services within the boundary extension area. The municipality and the regional district may choose to establish a transition agreement to assist in this process.

To conclude the municipal boundary extension process, the municipality must confirm to the Ministry the population in the extension area. This information is used to adjust the municipality's population for grant allocations and to determine the number of votes held by the municipality on the regional district board. It is important that the population certification be submitted to the Ministry in a timely fashion

NOTE - Local Government Act, Extension of municipal area, Section 20(6) **The minister may direct that a vote on the question of including an area in a municipality under this section be taken in that area** in the form specified by the minister.

March 2018