



District of West Vancouver

Capital Facilities Fund Bylaw No. 4641, 2010

Effective Date – May 3, 2010

Consolidated for Convenience Only

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Amendment Bylaw
Bylaw No. 4883, 2016

Effective Date
March 7, 2016

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Capital Facilities Fund Bylaw No. 4641, 2010). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

District of West Vancouver

Capital Facilities Fund Bylaw No. 4641, 2010

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District of West Vancouver

Capital Facilities Fund Bylaw No. 4641, 2010

A bylaw to establish a reserve fund to be known as the
Capital Facilities Fund.

Previous amendments: *Amendment Bylaws 4883.*

WHEREAS under the *Community Charter* Council may, by bylaw, establish a reserve fund for a specified purpose and direct that money be placed to the credit of that reserve fund;

AND WHEREAS Council wishes to establish a reserve fund for the specified purpose of depositing and using money received from general revenue for the purposes of paying for future capital works;

AND WHEREAS Council wishes to continue the capital facilities fund by enacting a new bylaw that is updated under existing municipal legislation, and by transferring the amount to the credit of the former reserve fund to the new capital reserve fund established under this bylaw;

AND WHEREAS Council considers that as of the date of adoption of this bylaw, the amount to the credit of the former reserve fund is greater than required for the purpose for which the former fund was established;

NOW THEREFORE the Council of the District of West Vancouver enacts as follows:

Part 1 Citation

1.1 This bylaw may be cited for all purposes as "Capital Facilities Fund Bylaw No. 4641, 2010".

Part 2 Severability

2.1 If a portion of this bylaw is held invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Definitions

3.1 In this bylaw:

“Annual Financial Plan” means, in each calendar year, the Financial Plan as adopted by, or amended by, the Council of the District under the *Community Charter*;

“Director of Financial Services” means that member of District staff assigned the responsibility of financial administration under the *Community Charter*;

"District" means the District of West Vancouver;

“District Asset Levy” means that portion of the annual property value tax designated by Council in the Annual Financial Plan as the District Asset Levy;

“Facilities” means:

- (a) civic buildings, including the civic centre, municipal hall, library, operations centre, public safety building, fire halls, ice arenas, activity centres, park washrooms, other parks buildings, arts facilities, community centres, daycares;
- (b) any other buildings or structures owned or occupied by the District or for which the District accepts responsibility.

“Facilities Works” means works required to be provided for the creation, enhancement, or maintenance of Facilities in order to deliver services in the District, including, but not limited to:

- (a) works for the creation and maintenance of Facilities, including roofing, structural works, flooring, hvac systems, windows, doors, lighting, gutters, electrical or other power systems, plumbing, sanitary waste facilities, pumps, stairs, exterior finishes, washrooms, park washrooms, picnic shelters, concession buildings and fixtures, security systems, and any other building maintenance works that become necessary to deliver municipal services in the District or to maintain Facilities;
- (b) planning works, including planning processes, architectural renderings, public processes, studies, and any other work or service necessary for designing or enhancing a building owned by the District, or that is proposed, once constructed, to be owned or occupied by the District;
- (c) acquisition of land and improvements for use in delivering services in the District.

“Fund” means the Capital Facilities Fund;

“Prevailing Rate” means, in any given year, the average annual rate of interest earned by the funds invested by the Director of Financial Services on behalf of the District.

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Part 4 Reserve Fund Established

4.1 There is established a reserve fund to be known as the “Capital Facilities Fund” for the specified purpose of paying for Facilities Works.

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Part 5 Terms of the Capital Facilities Fund

5.1 The Capital Facilities Fund will consist of:

- (a) the existing balance in the Capital Facilities Fund as of December 31, 2015;
- (b) that portion of the annual District Asset Levy designated by Council in the Annual Financial Plan as the Capital Facilities Fund contribution;
- (c) interest earned at the Prevailing Rate on the average annual balance in the Fund; and
- (d) any other amounts designated by Council as contributions to the Fund, including proceeds of disposition of land if Council so directs at the time of disposition.

5.2 Use of the Fund

The Fund may be used to:

- (a) finance Facilities Works,
- (b) repay debt and the interest on such debt incurred in order to finance Facilities Works.

5.3 Funding of Services

- (a) annual expenditures projected to be financed from the Fund shall form part of the Annual Financial Plan of the District, and no expenditures shall be made from the Fund that have not previously been included in the Annual Financial Plan as adopted or amended.
- (b) monies from the Fund may be expended by Council resolution.

Part 6 Transfer

6.1 Council transfers to the Capital Facilities Fund the amount to the credit of the reserve created under Bylaw No. 3698, 1991.

Part 7 Repeal

7.1 Capital Facilities Fund Bylaw No. 3698, 1991 is repealed.

READ A FIRST TIME on April 26, 2010.

READ A SECOND TIME on April 26, 2010.

READ A THIRD TIME on April 26, 2010.

ADOPTED on May 3, 2010.

Mayor

Municipal Clerk