

# 16 Regional Districts

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## Background

Legislation enabling creation of regional districts was introduced in 1965. There are currently 27 regional districts, covering the majority of the province, except for the Stikine region in the northwest and the Northern Rockies Regional Municipality in the northeast. Legislative powers and requirements for regional districts are set out mainly in the *Local Government Act*.

Regional districts are made up of municipalities, unincorporated areas (electoral areas), and treaty First Nations where applicable. The only exception is the Central Coast Regional District, which consists entirely of electoral areas. The individual jurisdictions that comprise a regional district work together to enable the organization to fulfill its purposes as service provider, administrative agency, and federation.

Northern Rockies Regional Municipality is incorporated under exceptional provisions, with a governance structure tailored to its unique geography. Covering a vast area, it includes the former Town of Fort Nelson, small rural communities, and significant dispersed resource extraction industries. The regional municipality performs a hybrid of functions normally held by regional districts and municipalities.

## Service Providers

First and foremost, regional districts are local government service providers. They exist to play three important service-related roles:

- (a) **Local:** They are the local governments for their electoral areas, responsible for providing basic local services such as community planning, water supply, fire protection and nuisance regulation.
- (b) **Inter-jurisdictional:** They are inter-jurisdictional service bodies that provide local government sub-regional services across jurisdictional boundaries to different combinations of municipalities and electoral areas.
- (c) **Regional:** They are regional service bodies, responsible for providing important regional services to their entire regional communities.

Regional districts establish and provide their local, sub-regional and regional services in direct response to the expressed needs, desires and instructions of the municipalities and electoral areas that comprise the region. The regional district board of directors, on which all electoral areas and member municipalities are represented, serves as the political forum in which these needs, desires and instructions are expressed.

There are certain services that every regional district is required by provincial law to deliver—general government administration, electoral area planning, and solid waste management planning are perhaps the most notable. The number of required services, however, is small, both in absolute terms and relative to the voluntary services most regional districts choose to provide, in keeping with the wishes of their members.

The range of voluntary services provided by different regional districts is vast. It includes water and sewer utilities, recreation programs and facilities, community and regional parks, libraries, regulatory services such as animal control and building inspection, emergency planning and fire protection, economic development and film industry promotion, regional growth management, airports and even television rebroadcasting. Some of these services are provided locally to individual jurisdictions, while others are provided to, and on behalf of, groups of municipalities and electoral areas that jointly choose to receive the services. Still others are provided regionally to every municipality and electoral area in the regional district. Any member jurisdiction or combination of jurisdictions can choose to provide services through their regional district.

## Administrative Agencies

The provision of services to, and on behalf of, their members is, as noted, the primary purpose of regional districts. In addition to service provision, regional districts are called upon by the Province to manage certain administrative functions. Two key examples are the processing of local government debt, and the collection of capital funds for hospital projects.

### Debt

In 1971, the provincial government created the Municipal Finance Authority (MFA) as the central borrowing agency for municipalities and regional districts. By law, all local governments, with the exception of the City of Vancouver, are required to borrow funds for capital projects through the MFA. Regional districts function as a critical part of the MFA system. All capital borrowing requests from member municipalities and from the regional district corporation itself must be coordinated and processed by the regional district before being forwarded to the MFA.

### Hospital Funding

All, or portions of, regional districts are designated under provincial law as regional hospital districts (RHDs) for the purpose of raising capital funds for hospital facilities in their areas. RHDs provide the local share (about 40%) of funding for capital costs associated with construction, acquisition and maintenance of hospital facilities and major equipment. These capital costs are shared with the health authorities according to criteria established by legislation. RHD boards are comprised of municipal and electoral area directors who are members of the corresponding regional district. There are 23 RHDs, some of which overlap regional district boundaries. Note that due to provisions in the South Coast British Columbia *Transportation Authority Act*, the Greater Vancouver Regional District no longer has a RHD (see Fact Sheet #19).

## Federations

Regional districts are federations of the various municipalities and electoral areas that exist within the regional district boundaries. With the exception of certain provincially-mandated duties, regional districts derive their authority to act from the municipalities and electoral areas that make up the region. These jurisdictions collectively decide what their regional districts should and should not do.

It is this reliance on their member jurisdictions for authority to act that makes regional districts distinct from regional governments in other provinces. Regional governments elsewhere are typically set up with exclusive legislated powers to provide specific services or take certain actions. In BC, the provincial government does mandate regional districts to undertake certain functions. On the whole, however, regional districts act only in response to the expressed needs and instructions of the individual jurisdictions – municipalities and electoral areas – that comprise them.

As noted, regional districts were first introduced in the mid-1960s. Numerous legislative changes that have occurred since that time have modified the way in which regional districts act, and the range of requirements placed on regional districts by the provincial government. The changes that have taken place, however, have not fundamentally altered the basic nature of regional districts. They continue to function as federations of member jurisdictions, in place to serve the needs and interests of their members.

### Regional Board Votes

The board of directors in every regional district is a collective decision-making body that acts through resolutions and bylaws. Before a resolution can be made, or a bylaw adopted, voting must occur. In municipalities, voting is a relatively straightforward matter: every member of council votes on every issue, and every member receives one vote. In regional districts, voting is not always so simple.

The general rule for voting on regional board issues is “one director, one vote”. However, there are circumstances where a “weighted vote” is employed. The weighted vote allows directors to have up to 5 votes and it is based on the population of the municipality or electoral area and the voting unit established for the regional district.

An example of how this works is shown in the example below, where a regional district has a voting unit of 2000. Note that in this example, the number of directors that a municipality or electoral area is entitled to is determined by dividing the number of votes by five. Therefore, municipality “A” is entitled to two directors. The available votes must be divided as evenly as possible between the directors. In this case, each director for municipality “A” will have five votes for issues that require a weighted vote.

	Population	No. of Votes	No. of Directors
Municipality “A”	20,000	10	2
Municipality “B”	4,000	2	1
Municipality “C”	1,500	1	1
Electoral Area “D”	500	1	1
Electoral Area “E”	3,900	2	1

Examples of situations where the one director, one vote is used include:

- Bylaws establishing new services
- Regulatory bylaws in relation to a service
- Regional board meeting procedures bylaw
- Election of chair

Examples of situations where the weighted vote is used are:

- Five-year financial plans
- Borrowing
- Acquisition, expropriation and disposal of property
- Liabilities under agreements

## Meetings

The timing of regular regional board meetings and procedures to be followed at meetings are established in a meeting procedure bylaw. Special meetings can be called by the chair or any two directors, by following the procedures in the legislation. All regional board meetings must be open to the public except for those specific situations outlined in the legislation where the public can be excluded.

Note that provisions relating to the conduct of local elected officials and some of the council procedure rules under the *Community Charter* apply also to regional districts. These provisions include open meeting rules, as well as ethical standards, disclosure of confidential information; disqualification of elected officials and elector approval processes, including the alternate approval process.

## Five Year Financial Plan

Regional districts are required to adopt a five-year financial plan by bylaw before March 31 in each year. A regional district is not authorized to make expenditures other than those included in the financial plan unless there is an emergency situation. Regional districts must not propose expenditures that exceed the proposed funding sources. Any actual deficit in a service must be included in the following year's financial plan as expenditure for the service. The regional board must undertake a process of public consultation regarding a proposed financial plan before it is adopted.

## Regional District Toolkit

The first and only edition of the Regional District Tool Kit was published in the fall of 2005.

It is a resource developed by UBCM in cooperation with the Ministry of Community, Sport and Cultural Development and the Local Government Management Association of BC to promote a better understanding of regional districts in British Columbia. It contains fact sheets, effective practices guides, discussion guides, a PowerPoint presentation and basic information booklet on regional districts. The Regional District Tool Kit is available from the UBCM office and can be accessed from the website.

## Islands Trust

In recognition of the special planning needs of the Gulf Islands, the Province created the Islands Trust in 1974. It is a federation of 13 islands with responsibility for land use planning in the Trust Area. The Islands Trust includes a conservation land trust called the Islands Trust Fund.

The Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and islands as far north as Comox. The area is approximately 5200 square kilometers in size and includes 13 major islands and over 450 smaller islands.

The Islands Trust is unique in that it operates under a provincial mandate (from the *Islands Trust Act*) to preserve and protect the natural environment and unique amenities of the Trust Area not only for residents, but for all British Columbians.

Like other communities in British Columbia, each of the 13 island communities elect their local representatives every four years. There are two Local Trustees elected for each major island group. Together with an appointed chair, they form a Local Trust Committee, responsible for land use planning within their respective Local Trust Area. This includes the adoption and administration of Official Community Plans, and of zoning and subdivision regulations. Within a Local Trust Area, the Local Trust Committee has all the power and authority of a regional district board for land use planning purposes. Permits, bylaws and works of regional district boards within the Islands Trust Area must be consistent with Local Trust Committee bylaws.

Bowen Island Municipality is the only island municipality within the Islands Trust Area and is responsible for all municipal functions, including land use planning. The *Islands Trust Act* states that the council of a municipality in the trust area must have regard to the object of the trust in adopting a bylaw or issuing a permit or license. The electors of the Bowen Island Municipality select which councillors will represent the Island on the Trust Council as part of the general local government election.

The 24 Local Trustees and two Municipal Trustees (from Bowen Island) form the Islands Trust Council, which makes decisions about overall policy, staff resources and budget.

The Trust Fund Board is a separate body of the Islands Trust, comprised of three elected trustees and up to three ministerial appointees. As an agent of the Crown, it acquires and manages land for conservation, holds conservation covenants and accepts donations to preserve places of natural significance or cultural value in the Trust Area.

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