



CITY OF PORT ALBERNI

Reserve Fund Establishment Bylaw No. 5086, 2023

(with amendments to March 11, 2024)

Consolidated 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 bylaws of this subject.

This Bylaw has been consolidated for convenience only and includes amendments from:

Bylaw No. 5086-1 – adopted March 11, 2024

CITY OF PORT ALBERNI

BYLAW NO. 5086

RESERVE FUND ESTABLISHMENT BYLAW

WHEREAS Section 188 (2) of the *Community Charter*, S.B.C. 2003, c. 26, as amended, authorizes a local government to establish by bylaw reserve funds for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS Section 189 (1) of the *Community Charter* authorizes the local government to provide for the expenditure of money in a reserve fund and interest earned on it for the purposes specified in the bylaw establishing the reserve fund;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF PORT ALBERNI, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. Title

1.1 This Bylaw may be known and cited for all purposes as "**Reserve Fund Establishment Bylaw No 5086, 2023**".

2. Reserve Fund

2.1 There is hereby established a Reserve Fund pursuant to the provisions of the *Community Charter*, to be known as the "Reserve Fund Establishment Bylaw".

3. Source of Funds

3.1 Ten percent (10%) of Parks and Recreation admissions, registered programs, and facility rentals revenue and 100% of revenues collected from the sale of logs from parks must be placed to the credit of the Parks & Recreation Capital Reserve.

3.2 Money received from the sale of surplus equipment and vehicles shall be placed to the credit of The Equipment Replacement Reserve Fund.

3.3 Except for tax sale proceeds and sale of park lands, money from the sale of land must be placed to the credit of the Land Sale Reserve Fund in accordance to Section 188 of the *Community Charter*.

3.4 Funds from the following sources may be placed to the credit of a reserve fund established in Section 3:

- a) Funds appropriated from capital or operating budgets, or from general revenues, as authorized by the City's Five-Year Financial Plan annually;
- b) Funding contributions from other levels of government, developers and members of the public for the same purpose of the reserve fund in which the money is being placed.

4. Use of Funds

4.1 Subject to Section 189 of the *Community Charter*, money in a reserve fund, and interest earned on it, must only be used for the purpose for which the fund was established.

5. Transfer of Funds

5.1 Money held by the City at the time of the adoption of this Bylaw in reserve fund established for the same purpose as a reserve fund established by this Bylaw, will, on adoption of this Bylaw, be transferred, together with interest earned on it, and placed to the credit of the applicable reserve fund established under Section 3 having the same purpose for which the money was received.

5.2 Despite Section 5, if the amount to the credit of a reserve fund is greater than required for the purpose for which the fund was established, Council may, by bylaw, transfer all or part of the amount to another reserve fund in accordance with Section 189 of the *Community Charter*.

6. Investment of Funds

6.1 Funds held by the City that are not immediately required and placed to the credit of a reserve fund may only be invested or reinvested in accordance with Section 183 of the *Community Charter*.

7. Repeal

The following bylaws, and all amendments, are hereby repealed:

- Expenditure of Land Sale Reserve Bylaw No. 4306, 1996;
- Equipment Replacement Reserve Fund Bylaw No. 3178, 1973;
- City of Port Alberni Capital Works Reserve Fund Bylaw No. 4187, 1994;
- Alberni Valley Community Forest Reserve Fund, Bylaw No. 4854, 2014;
- Parks and Recreation Capital Reserve Bylaw No. 4452, 2000;
- Port Alberni Carbon Fund Bylaw No 4817, 2013

READ A FIRST TIME this 26th day of June, 2023.

READ A SECOND TIME this 26th day of June, 2023.

READ A THIRD TIME this 26th day of June, 2023.

ADOPTED this 10th day of July, 2023

Mayor

Corporate Officer

Bylaw #5086-1 amendment added Schedule "A"

SCHEDULE "A" to Bylaw 5086

Reserve Fund	Purpose
	Statutory Reserves
Park Acquisition Reserve	Funded by the sale of park land or receipt of monies from amounts paid in lieu of provision of park land on subdivision with the intent to acquire park land.
Land Sale Reserve Fund	Funded by revenue generated from the sale of City owned lands. To provide funding for the assembly and marketing of land and related development costs; to purchase lands required for the City's use and, for servicing or upgrading of City owned parcels and facilities.
	Non - Statutory Reserves
Capital Works Reserve	Funded by Taxation. Funding for General Capital projects from taxation are set aside in this reserve. The reserved funds will be used for new capital and the extension or renewal of existing capital infrastructure.
Canada Community - Building Fund Reserve	Funded by reoccurring senior government grants. The reserved funds will be used on projects eligible for the Canada Community - Building Fund Agreement. Projects are limited to the scope set out in the agreement with the Union of British Columbia Municipalities and the Federal Government. Canada Community - Building funds are to be deposited and tracked within the Reserve, inclusive of any interest earned.
Equipment Replacement Reserve Fund	Funded by Taxation and proceeds from the sale of old equipment. Annual contributions are made to offset the cost to replace equipment identified within the equipment replacement renewal program. The intent is to set sufficient funding aside to provide for depreciation and obsolescence of machinery and equipment after useful life.
Parks & Recreation Capital Reserve	Funded by 10% of Parks and Recreation revenues and by 100% of revenues collected from the sale of logs from parks. Expenditures from this reserve are limited to the City's Parks & Recreation properties and facilities.
Alberni Valley Community Forest Reserve	Funded by dividends received from Alberni Valley Community Forest Corporation. The Reserve was established for the purpose of holding dividends received. Use of funds will be at the discretion of Council, following consultation with the AVCF board. Annually, \$10,000 to be

	distributed to support a special community project(s) identified by the Alberni Valley Community Forest Corporation Board.
Carbon Fund Reserve	Funded by taxation and carbon grant revenues provided by senior government. Used to fund eligible projects that are in scope of grant agreements and intended to reduce the City's greenhouse gas emissions.
Loss on Taxation Reserve	Funded by taxation or allocation of surplus. Funds are used to mitigate the risk of significant taxable assessment in the event of loss of major industry tax revenues or assessment appeals of material value. Further funds could be utilized to support purchase of property where a strategic need to act has been identified.
RCMP Surplus Reserve	Funded by RCMP annual contract surplus. Purpose to use as contingency in the event of any major crime investigations. To fund public safety programs and any retroactive RCMP costs that are approved within the Financial Plan.
Sewer Infrastructure Capital Reserve	Funded by Sewer fees and charges. Purpose to fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plans that provide constructing, altering, repairing new and aging sewer equipment and infrastructure including linear assets, and buildings.
Water Infrastructure Capital Reserve	Funded by Water fees and charges. Purpose to fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plans that provide constructing, altering, repairing new and aging water equipment and infrastructure including linear assets, and buildings.
Aquatic Centre Replacement Reserve	Funded by taxation or surplus allocation. Purpose is to fund replacement of the aquatic centre facilities, pool facilities and future costs of repairing, altering, and expanding the future aquatic centre over time.
Asset Management – General Infrastructure Replacement Reserve	Funded by taxation or surplus allocation. To fund capital projects proposed through the annual financial plan process in conjunction with the City's Asset Management Plans that repair, alter, upgrade or replace aging infrastructure in the City including Technological infrastructure (Not including water and sewer service infrastructure).

Strategic Priorities Reserve	Funded by taxation or surplus allocation. Purpose to support strategic priorities and initiatives, including operating initiatives, social issues and/or Council contingency funding.
McLean Mill Projects Reserve	Funded by Taxation, Surplus allocation, and Grant funding. Purpose to fund McLean Mill historic and non-historic infrastructure projects at the McLean Mill National Historic Site.
Museum Reserve	Purpose to fund Museum projects from monies contributed by community donations.