RDOS Area "D" Service & Boundary Study
Fact Sheets
December 2021

PROVINCIAL SERVICES

➢ What services are provided?

Roads

As in all unincorporated areas, local roads in Area "D" are owned by the provincial government and managed by the Ministry of Transportation and Infrastructure (MOTI). MOTI's road management function includes regular maintenance of the roads and their associated drainage, plus periodic road resurfacing and rehabilitation works. Specific tasks include:

- road sweeping
- snow clearing and ice control
- ditch clearing
- pothole patching
- gravel road maintenance
- signage maintenance
- crack sealing
- traffic management

The Ministry is responsible for all types of public roads in unincorporated areas, from multi-lane provincial highways to two-lane rural roads, and from paved suburban streets to gravel roads. The only roads the Ministry is not responsible for are strata (i.e., private) roads.

The province is divided into 28 service areas. MOTI engages private contractors in multi-year agreements to undertake routine maintenance, repairs, upkeep of surrounding electrical infrastructure and application of pavement markings in each service area. Area "D" is located within Service Area 8 – South Okanagan. The contractor responsible for Area 8 is Aim Roads. The value of the 10-year contract (signed in 2019) is approximately $17.7 million per year (amounts are adjusted annually for inflation and changes to infrastructure). The contract is scheduled to expire on March 31, 2029.

All MOTI contractors, including Aim Roads, sign a Highway Maintenance Agreement which includes specifications related to maintenance of road surfaces, control of roadside vegetation (including noxious weeds), drainage, winter clearing, traffic signs, etc. The maintenance specifications describe what services are to be provided, and set out minimum standards for completed work as well as performance timelines. Detailed specifications for all aspects of maintenance are available on the MOTI website.

Some MOTI minor capital upgrades were completed in recent years within Area "D" including a bus pullout on Eastside Road, replacement of a paved shoulder for approximately 50 m on Eastside Road, and some culvert replacements on Eastside and McLean Creek are underway. The Ministry also completed a $10 million upgrade to create 1.5 km of passing lanes in both directions on Highway 97 in Area "C" just south of the Area "D" border (and before the Town of Oliver).

Police

Under the *Police Act*, the provincial government must provide policing and law enforcement to all unincorporated areas, and to municipalities with fewer than 5,000 people. Service is delivered by the Royal Canadian Mounted Police (RCMP) pursuant to the province's Provincial Police Service Agreement (PSSA) with the federal government.[1]

[1] The RCMP is designated as BC's Provincial Police Service in the PSSA.

Under the terms of the agreement, the provincial government pays 70% of the base cost; the federal government pays the remaining 30%. The province recovers a portion of its costs from local taxpayers through the Police Tax. This tax covers a portion of the cost required to fund the RCMP Provincial Service's "general duty" and "general investigative" services.

The RCMP Provincial Service can be broken into two main categories:

- *Detachment Policing* — This category delivers local police services to municipalities under 5,000 population and unincorporated areas by means of uniformed patrols, response-to-call duties, investigative services, community-based policing, traffic enforcement, and administrative support to provincial detachments.

- *Provincial Police Infrastructure (PPI)* — PPI provides services to the entire province, including RCMP-policed municipalities and municipalities with their own police departments. The PPI has the capacity and expertise to resolve high risk incidents; target organized crime, gang violence, and serial crimes; respond to existing and emerging crime trends; and provide security and policing services for large scale, community events and emergencies. The PPI also includes capital-intensive items such as boats and aircraft.

Area "D" is served by the Penticton RCMP detachment, which has seven provincially funded rural police officers to serve a population of approximately 12,246 (2019 numbers).

In addition to the provincially funded police officers, the RDOS funds a Crime Stoppers and Community Policing officer working out of the Penticton RCMP detachment. The RDOS also provides subsidies for Victim Services programs, as noted and accounted for in the Emergency Services Fact Sheet.

➢ Who delivers the service?

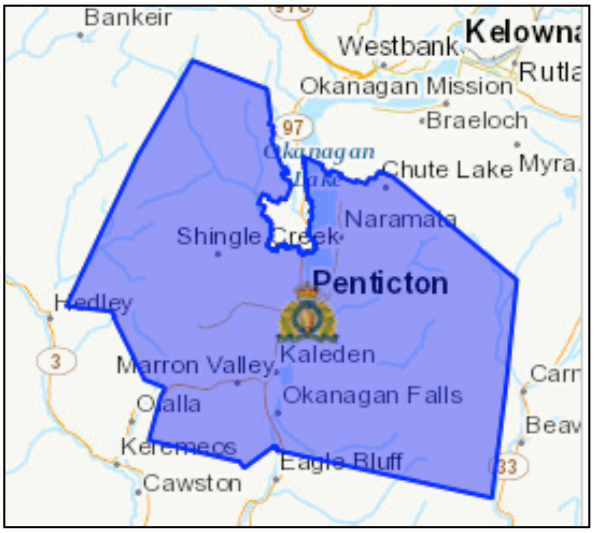
Roads

Under its maintenance contract, Aim Roads is expected to meet defined service obligations and specifications related to maintenance of road surfaces, control of roadside vegetation, drainage maintenance, winter clearing, traffic signs and other items. The specifications describe the services as well as minimum standards and performance timelines. Staff in MOTI's District Office oversee the contract.

Police

The RCMP provides policing personnel. Civilian staff (municipal and federal public employees, and volunteers) support police operations.

Figure 1: Penticton RCMP Detachment Service Area



➢ Who makes decisions?

Roads

Decisions on road maintenance and upgrading are made by MOTI through its District Office. The District Office has some discretion over the allocation of spending, but is constrained by budgetary decisions and priorities set in Victoria. Resurfacing and capital projects are identified at the district level, and then are compared and prioritized across the broader region (the Southern Interior Region is comprised of 5 districts).

Electoral area directors have no authority over the way MOTI allocates its budget. Directors may, however, make representations to the provincial government.

Through its long-range land use planning, the Regional District addresses local transportation needs and preferences in an effort to influence Ministry decisions. Area "D" has not yet updated its official community plan (OCP) since 2013 (prior to when the electoral area was divided into two). Regardless, the OCP identifies objectives and policies as a means of informing MOTI of the RDOS and local interests related to roads. Safety of all transportation modes is a key theme in the OCP. Policies in the OCP include:

- The location of Highway 97, which extends through Okanagan Falls, has a significant impact on local travel safety and pedestrian safety.

- Encouraging the Province to identify and make improvements that will increase the safety at the intersection of 10th Avenue and Highway 97, and the intersection of 9th Avenue and Main Street (Highway 97).

- Encouraging the development of walkways and bicycle routes particularly within Okanagan Falls.

- Rights of Way acquired by the Province for major roads are encouraged to be developed wide enough to accommodate bicycle and pedestrian traffic as well as vehicular traffic.

- Will work with the Province to identify grades, roadway widths, and other road standards that may be more appropriate for this area than the Province-wide standards, while recognizing that roads need to meet standards regarding function, safety, maintenance and emergency vehicle access.

- Encourages the Province to engage with the community when continuing to undertake capital works to improve the safety of Eastside Road and provide adequate paved road widths for bicyclists and pedestrians.

Police

The Officer in Charge (OIC) of Penticton South Okanagan Similkameen regional detachment meets with the RDOS Board of Directors on a quarterly basis, and provides feedback and input on areas of interest in the region. This includes regional statistics and detachment priorities. The OIC provides oversight to the six RCMP detachments within the RDOS.

While the RDOS can lobby for a specific number of Provincial police officers, the Province determines the appropriate number assigned to each detachment.

Decisions about priorities and day-to-day policing

RCMP provincial police services are governed by the *Police Act* and the PPSA. The Solicitor General is responsible for ensuring that adequate and effective policing services are maintained throughout BC. The Solicitor General also has the authority to set overarching priorities, goals and objectives for the Provincial Police Service; the Commanding Officer of the BC RCMP is required to implement them. Day-to-day decisions and operational matters are under the internal management and control of the RCMP.

While the Minister is responsible for setting police priorities, the RCMP is expected to consult with local leaders. Specifically, Detachment Commanders are expected to engage Indigenous and local governments within the detachment service area in establishing local policing priorities.

Decisions about resource levels

Decisions on resource levels and "authorized strength" for unincorporated areas, and for municipalities with fewer than 5,000 people, involve the RCMP and Province, but are driven by the RCMP's analyses of workloads and needs. The RCMP maintains internal processes for local detachments to request adjustments to authorized strength for unincorporated areas, and for municipalities with fewer than 5,000 people. These requests are forwarded to BC RCMP Headquarters to be evaluated and considered by the Province in the broader context of the entire Provincial Police Service. Options available to the RCMP include:

- determining that the provincial detachment is resourced adequately to meet its workload needs

- proposing a re-allocation of resources from within the Provincial Police Service to augment the unit; and,

- proposing an increase to the unit.

Any changes to the organizational structure of the Provincial Police Service, including changes to provincial detachment units, requires agreement between the BC RCMP and the Solicitor General, as per the PPSA.

➢ What is spent on the services?

Roads
MOTI spends approximately $407 million annually on highway contracts throughout the province. The annual figure for the most recent South Okanagan (Area 8) contract — the area in which Electoral Area "D" exists — is $17.7 million for the 2019-2020 fiscal year. This amount is adjusted annually to reflect changes to the infrastructure, as well as inflation. Based on the 2,330 km of roads included in Area 8, the contract equates to approximately $7,600 of maintenance costs per road kilometre. This figure includes maintenance costs for highways through the area, including Highway 97.

Police
The rural Police Tax is set and collected by the Province of British Columbia. The total rural Police Tax collected from RDOS Electoral Area "D" for 2021 was approximately $165,000. In addition, RDOS funds victim services programs, which were outlined in the Emergency Services Fact Sheet.

➢ How are the costs recovered?

Roads
Residents in electoral areas pay a rural area property tax to the province that is not paid by taxpayers in municipalities. While there is no direct relationship between the rural area tax and the funding of roads, the tax is often described as a source of funding for provincial services, including local roads, to residents in unincorporated areas.

Police
The cost of police service for Area "D" is paid 70% by the province and 30% by the federal government. A portion of the provincial funding is recovered through the Police Tax from local property owners, and other portions are recovered from the rural tax. In 2019, the Police Tax raised a total of $31 million province-wide, which accounted for 31% of the province's share of rural and small community costs. The maximum that can be raised through the police tax is 50% of the province's share. Revenues go into the province's Consolidated Revenue Fund.

➢ What is the cost to the typical resident?

Figure 2 shows the cost of the rural tax rate as well as the police tax on a residence within Area "D" valued at $450,000.

Figure 2
Cost Impact on Typical Residence
2021

Service	Area "D" Tax Req.	Res. Rate	Owing[1]
Rural Tax (roads)	$608,225	0.45	$202.50
Police Tax	$164,626	0.1218	$54.81
	Total $772,851		**$257.31**

1 Impact is calculated on a home assessed at $450,000

➢ What impact would incorporation have on these services?

Roads
A decision by local electors to incorporate would result in the transfer of responsibility for, and ownership of, the local road network from the provincial government to the new local government. The transfer would empower the municipal council to:

- change road classifications and maintenance standards

- set priorities for annual and long-term capital road works, and integrate the works with other servicing priorities and projects
- give priority to alternate modes of travel such as walking and cycling
- integrate land-use planning and road planning decisions
- identify commercial truck routes in the municipality (not on the provincial highway)
- develop a strategy for financing growth-related infrastructure (e.g., grants, reserves, capital borrowing, development cost charges)

Based on experiences in past incorporation initiatives, the new council could face pressure to upgrade certain roads, and, in general, increase the level of investment in the local road network. The new municipal council would have considerable discretion over the local roads budget and how it is spent.

Police

For a new municipality within Area "D", little would change regarding the delivery of police services in the short term. Given the current population of the electoral area, regardless of where the municipal boundaries, the municipality would not exceed 5,000 and therefore not be responsible for providing and paying for policing within its municipal boundaries.

With respect to decision-making, the RCMP would be expected to consult the Mayor and Council of the new municipality on the development of the local Annual Performance Plans. The municipality's policing priorities would be reflected in these plans.

Although the RCMP would continue to service the new municipality from the Penticton detachment, the costs of policing would change as a result of incorporation. Specifically, a higher municipal rate for the Police Tax would be applied in place of the rural rate.[2] Depending on the specific boundary, there may also be a slight shift in tax burden in the new municipality because of the weighting of residential vs. non-residential assessment. Incorporation of a portion of Area "D" may also result in an adjustment to the police tax amount paid in the remaining electoral area.

If a proposed municipality was close to a population of 5,000, then a more refined level of assessment of police services and impacts would be conducted as part of the incorporation study. Once a Census determines that a municipality exceeds a population of 5,000, then as of April of the year following the Census, the new municipality would become responsible for paying for police services.

At that time, as per the *Police Act*, the municipality would have the option of providing its own police department, contracting with an adjacent municipality with an existing municipal police department or by entering into an MPUA with the Province to contract the RCMP as the municipal police service.[3] If the municipality chose to enter into the MPUA to contract the RCMP, the federal government would pay 30% of the RCMP cost-base to the municipality's 70%. The impact of the 30% that the community would become responsible for would depend upon the authorized strength and many other factors, but in all instances, exceeding the 5,000 person threshold represents a significant increase over the contributions paid through the police tax prior to that change.

[2] Unincorporated areas receive a $0.10 per $1,000 assessed value reduction in the Police Tax, known colloquially as the "rural dime" tax rate reduction. This reduction reflects the fact that unincorporated areas also pay the provincial rural area tax, some of which could be considered a contribution to rural police services. After incorporation, the new municipality would no longer receive this "rural dime" reduction.

[3] Currently there are no adjacent municipal police departments within the Okanagan Similkameen regions. Outside of Vancouver Island and the Lower Mainland, only Nelson has a municipal police department.