

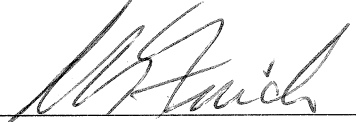
**PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. ---

956

, Approved and Ordered

SEP 30 2004



Lieutenant Governor

Administrator

~~Administrator~~

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~, by and with the advice and consent of the Executive Council, orders that, effective October 1, 2004, the Park and Recreation Area Regulation, B.C. Reg. 180/90, is amended according to the attached appendix.



Minister of Water, Land and Air Protection



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- *Park Act*, R.S.B.C. 1996, c. 344, s. 29

Other (specify):-order in council 867/90

April 14, 2004

APPENDIX

1 Section 53 of the Park and Recreation Area Regulation, B.C. Reg. 180/90, is repealed and the following substituted:

Park use permit and resource use permit fees

- 53**
- (1) A person applying for a park use permit or resource use permit for a purpose listed in Schedule K, Part 1, Column 1, must pay to the minister the application fee set out opposite that purpose in Column 2.
 - (2) A permit holder must, for a request or requirement listed in Schedule K, Part 2, Column 1, pay to the minister the fee set out in Column 2 opposite that request or requirement.
 - (3) A person to whom a permit listed in Schedule K, Part 3, Column 1 is issued must pay to the minister the fee set out opposite that permit type in Column 2
 - (a) in the case of a permit issued for a term of one year or less, when the permit is issued, and
 - (b) in the case of a permit issued for a term of more than one year, when the permit is issued and, annually thereafter, before the anniversary date of the issue of the permit, until the end of the term.
 - (4) No fee is payable under this section for a park use permit or resource use permit issued
 - (a) to British Columbia or to Canada,
 - (b) for the purposes of research,
 - (c) for public telephones,
 - (d) for recreation service delivery permits,
 - (e) for exploration and development work authorized by an approved reclamation permit issued under the *Mines Act*, being undertaken on a mineral claim in good standing in a recreation area designated under section 23 of the *Mineral Tenure Act*,
 - (f) for a use for which, prior to April 1, 1988, no fee was payable, or
 - (g) if the minister directs that payment is not required.
 - (5) Subject to subsections (4) and (6), the fees payable under this section are in addition to and not instead of any other amount payable by an applicant or permit holder under the Act, this regulation, or another enactment.
 - (6) No fee listed in Parts 3 and 4 of Schedule K for a park use permit or resource use permit is payable if the permit is issued to a non-profit organization.

2 Schedule K is repealed and the following substituted:

SCHEDULE K

FEES FOR PARK USE PERMITS AND RESOURCE USE PERMITS

(Section 53)

GST applies to all fees in this schedule but is not included in the listed amounts.

Part 1 – Application Fees for Park Use Permits and Resource Use Permits

Column 1	Column 2
<i>Use applied for</i>	<i>Fee payable by applicant</i>
1 <i>Commercial recreation, one year or longer term – minor/low impact, non-motorized use; multiple trips</i>	\$250
2 <i>Commercial recreation, less than one year term – minor/low impact, non-motorized use; single or multiple trips</i>	Actual costs based on \$50/hour staff time, with a 2-hour minimum and \$250 maximum,
3 <i>Commercial services, general – vendors and client services including: equipment rentals, food concessions and provision of access transportation</i>	\$250
4 <i>Commercial recreation, motorized – major/high impact: heli-ski operations, use of tracked vehicles, helicopters to guide ski excursions, boat tours</i>	\$3 300
5 <i>Minor ski areas – compact/small, minimal use of mechanized lifts, moderate impact</i>	\$1 000
6 <i>Major resorts – alpine ski facilities with multiple mechanized lifts, lodges, resorts or tourism developments</i>	Actual costs based on \$50/hour staff time or \$3 300, whichever is greater
7 <i>Communication sites– transmission/receiving structures; radio, microwave, repeater, satellite, cellular phones</i>	\$1 000
8 <i>Roadways – public</i>	\$250
9 <i>Roadways – industrial or private access</i>	\$1 000
10 <i>Rights-of-way (utilities) less than 25 km long – including hydro lines, gas, fibre optics, oil, water</i>	\$1 000
11 <i>Rights-of-way (utilities) longer than 25 km – including hydro lines, gas, fibre optics, oil, water</i>	Actual costs based on \$50/hour staff time or \$1 000, whichever is greater
12 <i>Agriculture or grazing</i>	\$250
13 <i>Residential – institutional or community use of private or Crown-owned structures, with or without adjacent area; cottages, cabins, huts</i>	\$250
14 <i>Non-profit organizations – use of private or Crown-owned structures; with or without adjacent area</i>	\$250
15 <i>Private moorage – foreshore facilities; docks, wharves</i>	\$250
16 <i>Aquaculture – shellfish, molluscs, finfish</i>	\$4 925
17 <i>Quarrying – rock or aggregate removal</i>	\$1 000
18 <i>Log handling – log storage, log sorts</i>	\$1 000
19 <i>Alternative power projects – includes water and wind power</i>	\$3 300
20 <i>Energy and mining</i>	\$500
21 <i>Film production</i>	\$500

Part 2 – Administration Fees for Park Use Permits

Column 1	Column 2
<i>Administrative request or requirement</i>	<i>Fee payable by permit holder</i>
1 <i>Permit renewal</i>	50% of new application fee
2 <i>Minor amendments to permit</i>	\$100
3 <i>Major amendments to permit</i>	\$500
4 <i>Assignment and sub-tenure or transfer</i>	\$250
5 <i>Preparation of a certified true copy of a document</i>	\$50

6	Information from ministry records	\$50/hour of staff time, \$25 minimum charge
7	Reinstatement of a cancelled permit	\$300
8	Photocopying	first 20 pages free, then each page (single-sided) is \$0.25 if more than 20 pages copied
9	Map prints/copies	\$10 each

Part 3 – General Fees

Item	Column 1	Column 2	Column 3
	<i>Types of permits classified according to the use permitted</i>	<i>Fees payable by an individual, group, company or local government for use of Park Act lands</i>	<i>Fees payable by an individual or company for industrial use of Park Act lands</i>
1	<i>Privately-owned structures</i> The exclusive use of a structure or structures not supplied by the Province (a) without a defined adjacent area (site only), or (b) with a defined adjacent area.	\$500 per year and \$50 per structure per year \$500 per year and \$250 per hectare per year plus \$50 per structure per year.	\$1 000 per year \$1 000 per year or \$500 per hectare per year plus \$100 per structure per year, whichever is greater. <i>Satellite Facilities</i> \$200 per site per year <i>Tent/Spike Camp</i> \$100 per site per year
2	<i>Provincially-owned structures</i> The exclusive use of a structure or structures supplied in whole or in part by the Province, with or without a defined adjacent area.	\$500 per year, or, if occupying a defined adjacent area, \$25 per m ² of structure per year plus \$250 per hectare per year, whichever is greater.	\$1 000 per year, or, if occupying a defined adjacent area, \$50 per m ² of structure per year plus \$500 per hectare per year, whichever is greater.
3	<i>Access</i> The use of a defined area for a road, chairlift, trail, ski run or ski trail.	<i>Individual or group:</i> \$500 per year or \$60 per hectare per year, whichever is greater. <i>Company or local government:</i> \$500 per year or 2% of gross revenues per year, whichever is greater.	\$500 per year or \$60 per hectare per year, whichever is greater.
4	<i>Rights of way and miscellaneous land use without structures</i> The use of a defined area for a powerline, telephone line, pipeline or other service or utility right of way and other miscellaneous land use without structures.	<i>Individual or group:</i> \$60 per hectare per year <i>Company or local government:</i> \$500 per year or \$60 per hectare per year, whichever is greater.	\$1 000 per year or \$60 per hectare per year, whichever is greater.

Part 4 – Miscellaneous Fees

Item	Column 1	Column 2
	<i>Types of park use permits and resource use permits classified according to the use permitted</i>	<i>Fee</i>
1	<i>Commercial recreation – major resorts</i> The use of a defined area to operate alpine ski facilities or large-scale lodges and resorts.	\$500 per year and a percentage of gross revenues as identified in the park use permit or resource use permit.

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| 2 | <p><i>Commercial use/activity</i>
The use of a defined area to carry on, for compensation received or promised, a commercial activity not referred to in any other item of this schedule, whether or not the right to use the area or conduct the activity is exclusive.</p> <p>(a) <i>Non-motorized activity and no use of structures</i></p> <p>(b) <i>Motorized activity</i></p> | <p>For six consecutive months or less, \$125 or \$1 per client day, whichever is greater.
For six consecutive months to one year, \$250 or \$1 per client day, whichever is greater.</p> <p>\$500 per year or \$1 per client day plus \$50 per structure plus, if occupying a defined adjacent area, \$250 per hectare per year, whichever is greater</p> |
| 3 | <p><i>Commercial mechanized ski guiding</i>
The use of a defined area to carry on commercial activities in which tracked vehicles, fixed wing planes or helicopters are used to guide or conduct ski excursions.</p> | <p>\$1 000 per year or \$4 per user day, whichever is greater.</p> |
| 4 | <p><i>Grazing</i>
The use of a defined area for the grazing of animals.</p> | <p>\$100 per year or the total ground rent plus, if the permittee held a licence or permit under the <i>Range Act</i>, the grazing fee that would be payable each year under section 10 of the Range Regulation, B.C. Reg. 199/2000, in respect of the territory and animals to which the permit relates, whichever is greater.</p> |
| 5 | <p><i>Oysters, other molluscs and finfish</i>
The use of a defined area for the purpose of seeding, raising and harvesting oysters, other molluscs and finfish.</p> | <p>\$500 per year or \$100 per hectare per year, whichever is greater.</p> |
| 6 | <p><i>Communications site</i>
The use and occupancy of a defined area for a television, radio, microwave or other communication structure.</p> | <p>\$1 000 per year or \$500 per hectare per year plus \$100 per facility per year, whichever is greater.</p> |
| 7 | <p><i>Sand/gravel and quarry site</i>
The use of a defined area for the purpose of removing sand, gravel, rock or other material.</p> | <p>\$1 000 per year or \$500 per hectare per year plus \$100 per facility per year, whichever is greater.</p> |
| 8 | <p><i>Trapping and trapping cabins</i>
The use, by the holder of a registered trapline under the <i>Wildlife Act</i>, of a territory allocated for trapping purposes and of cabins, without an adjacent area, for purposes incidental to the seasonal operation of a trapline.</p> | <p><i>Trapping</i>
\$100 per year.
<i>Trapping Cabins</i>
\$10 per cabin per year to a maximum of \$25 per year.</p> |
| 9 | <p><i>Commercial filming</i>
The use of a defined area to carry on, with the intent of monetary return, commercial filming using still or motion photography.</p> | <p><i>Major Shoot</i>
\$500 or \$100 per day, whichever is greater.
<i>Minor Shoot</i>
\$100.</p> |
| 10 | <p><i>Guide outfitters and angling guides licensed pursuant to the Wildlife Act</i>
(a) The use, by a guide outfitter or angling guide, of a territory allocated in conjunction with the activity of a guide outfitter or angling guide.</p> | <p>For six consecutive months or less, \$125 or \$1 per client day, whichever is greater.
For six consecutive months to one year, \$250 or \$1 per client day, whichever is greater.</p> |

- (b) The exclusive use of a structure or structures not supplied by the Province but used in conjunction with the activity of a guide outfitter or angling guide:
- (i) without a defined adjacent area (site only), or \$500 per year
 - (ii) with a defined adjacent area.
 - Base Facilities*
\$500 per year or \$1 per client day plus \$250 per hectare per year plus \$50 per structure per year, whichever is greater.
 - Satellite Facility*
\$50 per year
 - Tent/Spike Camp*
\$25 per year

Part 5 – Interpretation

- 1 (1) For the purposes of this Schedule,
- (a) measurements expressed in hectares must be rounded upwards to the next whole hectare and measurements expressed in square metres or cubic metres are rounded upwards to the next whole square metre or cubic metre, and
 - (b) measurements expressed in square metres of any structure must be based on the outside dimensions including verandahs or porches.
- (2) In this Schedule:
- “**base facility**” means a facility that is the main location or one of the main locations for a commercial or industrial operation;
- “**defined**” means an area specified in the park use permit or resource use permit for which the fee is payable;
- “**minor shoot**” means commercial filming taking one day at one location with no disturbance of park users or natural resources;
- “**non-profit organization**” means a club or association incorporated pursuant to the *Society Act* or a school board incorporated under the *School Act*, in which the use or activity undertaken is
- (a) of demonstrable benefit to the whole community, and
 - (b) consistent with the approved objectives of the park or recreation area;
- “**satellite facility**” means a facility with one permanent structure, excluding pit toilets, that is used for temporary accommodation, storage of supplies or fuel, or as an emergency shelter or an improved helicopter landing site;
- “**structure**” means any building or permanent improvement constructed, placed or established on *Park Act* lands, excluding pit toilets;
- “**tent/spike camp**” means a site with no permanent improvements or structures used on a non-exclusive basis for temporary tenting accommodation or the storage of supplies;
- “**trapping cabin**” means a cabin used for shelter and for storage of trapping supplies on a periodic but temporary basis in conjunction with the operation of a trapline.