

**Capital Regional District**

**BYLAW NO. 3488**

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**A BYLAW FOR THE CONTINUATION OF A JOINT COMMUNITY PARKS AND RECREATION COMMISSION FOR MAYNE ISLAND (SOUTHERN GULF ISLANDS ELECTORAL AREA)**

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**WHEREAS:**

- A. By Supplementary Letters Patent dated the 28<sup>th</sup> day of August 1975 the power to acquire, develop, operate and maintain community parks within the electoral areas was conferred on the Capital Regional District;
- B. By Supplementary Letters Patent dated the 3<sup>rd</sup> day of October 1975, as amended, the power to undertake community recreational programming within the electoral areas was conferred on the Capital Regional District;
- C. The Capital Regional District under Section 176(1)(g) of the *Local Government Act* is authorized to establish a commission and to delegate to the commission any or all of the administrative powers of the Regional Board.

**NOW THEREFORE**, the Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Definitions

In this bylaw unless the context otherwise requires:

“BUDGET” means the 5-year financial plan (operating and capital);

“COMMISSION” means the Mayne Island Parks and Recreation Commission;

“DIRECTOR” means the Electoral Area Director for the Southern Gulf Islands;

“REGIONAL BOARD” means the Capital Regional District Board;

“REGIONAL DISTRICT” means the Capital Regional District;

“SERVICE AREA” means the Mayne Island Community Parks and Recreation Defined Areas as more particularly described in bylaws No. 1602 cited as “Community Parks Participating Electoral Areas Bylaw No. 2, 1988”, and No. 1463 cited as “Community Recreational Programs Participating Electoral Areas Bylaw No. 1, 1986”, as amended.

## 2. Membership

A joint parks and recreation commission established by Capital Regional District Bylaw No. 2969 is hereby continued and known as the "Mayne Island Parks and Recreation Commission" and shall consist of nine (9) members as follows:

- (a) The Director representing the Southern Gulf Islands Electoral Area;
- (b) Eight (8) individuals appointed by resolution of the Regional Board and representing the Service Area.

## 3. Term of Office

The term of office for a member of the Commission, other than the Director representing the Electoral Area of the Southern Gulf Islands, shall be as follows:

- (a) Effective for 2007 and 2008, the term of office for the members of the Commission is extended from October 1 in each year to January 1 in the following year.
- (b) The term of office for all appointments after the initial appointment will be for a two-year period commencing the first day of January following each such appointment or until their successors are appointed.
- (c) Four (4) of the appointees shall hold office from the date of appointment until the 1<sup>st</sup> day of January 2009.
- (d) Four (4) of the appointees shall hold office from the date of appointment until the 1<sup>st</sup> day of January 2010.

## 4. Appointment

- (a) All vacancies on a Commission must be advertised or posted locally for at least thirty (30) days.
- (b) Recommendations for all appointments shall be made to the Director who will then make a recommendation to the Regional Board.
- (c) The Director is guided by but not bound by the Commission's recommendation.
- (d) Before the 1<sup>st</sup> of January every year, the Regional Board shall appoint or re-appoint members to the Commission to fill the terms of office of the members whose term expire as of the 31<sup>st</sup> of December in each year.
- (e) In the event of the death, resignation or disqualification of a member of the Commission, the Board of the Regional District shall appoint a successor for the remainder of such member's term.

- (f) A member who fails to attend three (3) consecutive regular meetings without permission of the Commission may have their appointment to the Commission terminated.
- (g) No appointee may serve more than three (3) consecutive terms.
- (h) At the request of the Electoral Area Director and under unique circumstances, such as a failure to attract nominations after thirty (30) days of appropriate notice of vacancy, the Regional Board may extend a Commission member's term beyond the six (6) year limit.

5. Commission Procedure

- (a) The Commission must, at its first meeting in January of each year, by secret ballot, elect a Chair, Vice Chair and Treasurer from among its members.
- (b) For the conduct of business each member of the Commission shall have one vote.
- (c) The rules and procedures which govern the Regional Board shall apply to the Commission where applicable.
- (d) Meetings are open to the public.
- (e) A quorum of the Commission is a majority of the members.

6. Delegation of Powers and Duties

- (a) The Regional Board hereby delegates to the Commission all of the administrative powers of the Regional Board with respect to the development, maintenance and operation of all community parks and the organization and conduct of recreational programs within the Service Area whether authorized before or after the adoption of this bylaw.
- (b) The Commission maintains a community parks plan and recommends to the Regional Board the acquisition of additional lands for parks purposes that are of community interest.

7. Budget

The Commission shall, on or before the 10<sup>th</sup> day of September in each year prepare 5-year operating and capital budgets covering all anticipated costs of acquisition, development, maintenance and operation of community parks and of the organization and conduct of community recreational programs, together with any estimates of expected revenues.

The budget shall:

- (a) be in a form approved by the Financial Officer of the Regional District;
- (b) be submitted for consideration of the Regional Board;

- (c) if requested by the Regional Board, be altered to the satisfaction of the Board, and the same be resubmitted not later than October 15<sup>th</sup> of that year; and
- (d) At no time provide for the creation of debt.

8. Repeal:

Bylaw No. 2969 cited as “Mayne Island Parks and Recreation Commission Bylaw, 2002”, and any amendments thereto, are repealed upon adoption of this bylaw.

9. Citation:

This bylaw may be cited as “Mayne Island Parks and Recreation Commission Bylaw No.1, 2007.”

READ A FIRST TIME THIS	14 <sup>th</sup>	DAY OF	November	2007.
READ A SECOND TIME THIS	14 <sup>th</sup>	DAY OF	November	2007.
READ A THIRD TIME THIS	14 <sup>th</sup>	DAY OF	November	2007.
ADOPTED THIS	14 <sup>th</sup>	DAY OF	November	2007.

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CHAIR

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SECRETARY