

Capital Regional District

BYLAW NO. 3450

.....
**A BYLAW TO ESTABLISH A COMMUNITY TRANSIT AND TRANSPORTATION
COMMISSION FOR THE SALT SPRING ISLAND ELECTORAL AREA**
.....

WHEREAS:

- A. By Bylaw No. 3438 cited as the “Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No, 1, 2007” a community transit and transportation service was established on Salt Spring Island;
- B. 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);

“COMMISSION” means the Salt Spring Island Community Transit and Transportation Commission appointed under Section 5;

“DIRECTOR” means the Electoral Area Director for Salt Spring Island;

“REGIONAL BOARD” means the Capital Regional District Board;

“REGIONAL DISTRICT” means the Capital Regional District;

“SERVICE AREA” means the Salt Spring Island Electoral Area.

2. Membership

The Commission to be known as the “Salt Spring Island Community Transit and Transportation Commission” is hereby established and shall consist of up to 9 members as follows:

- (a) The Director representing the Salt Spring Island Electoral Area;
- (b) 8 individuals appointed by resolution of the Regional Board and representing the Service Area.

3. Term of Office

Subject to subsection 5(a), the term of office for a member of the Commission, other than the Director representing the Electoral Area of Salt Spring Island, shall be for a two-year period except that of the initial appointees, of whom two shall hold office from the date of appointment until the 31st of December 2007 and two shall hold office from the date of appointment until the 31st of December 2008.

4. Nominations

- (a) The Regional Board shall appoint the initial Commission members based on written notice or advertisements posted for at least 30 days prior to the Capital Regional District Board meeting in December.
- (b) For subsequent appointees, the Commission must accept nominations for the members of the Commission to be appointed effective the following 1st of January on the basis of written notice or advertisements posted for at least 30 days prior to the Capital Regional District Board meeting in December.
- (c) The names of the persons nominated under subsection (b) must be forwarded immediately to the Electoral Area Director and in any event, before the date when the agenda for the first meeting of the Capital Regional District Board in December of that year is distributed to the regional directors.
- (d) The Commission may establish a nominating committee comprised of the Commission Chair, Vice-Chair and the Director to consider nominations.
- (e) The Director is guided by but not bound by the Commission's recommendation.

5. Appointment

- (a) The Regional Board shall within two months from the date of enactment of this bylaw appoint persons to act as members of the Commission as provided in section 4 above, such initial appointments to be effective immediately.
- (b) Before the 1st of January every year, the Regional Board through the Chair of 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 31st of December in each year. 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) 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, as provided in section 4 above.
- (d) A member who fails to attend three (3) consecutive regular meetings without permission of the Commission may have their appointment to the Commission terminated.
- (e) No appointee may serve more than three (3) consecutive terms.

- (f) At the request of the Electoral Area Director and under unique circumstances, such as a failure to attract nominations after 30 days of appropriate notice of vacancy, the Regional Board may extend a Commission member's term beyond the limit.

6. 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.

7. Duties

The Regional Board hereby delegates to the Commission the duty to advise the Director and the Regional Board with respect to the organization and conduct of transit and transportation services within the said Service Area whether authorized before or after the adoption of this bylaw.

8. Budget

The Commission shall, on or before the 1st day of September in each year prepare a 5-year operating budget covering all anticipated costs of the organization and conduct of transit and transportation 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 15th of that year; and
- (d) at no time provide for the creation of debt.

9. The Board of the Regional District

- (a) may advance sums required under the approved budget for an expenditure in relation to the organization and conduct of community transit and transportation services pending collection of any rate, tax or charge levied for the purpose of raising the necessary funds to meet the expenses set out in the approved budget; and

(b) requisition the necessary funds under the provision of Section 806.1 of the *Local Government Act* within the Service Area as authorized by Bylaw No. 3438.

10. Citation

This bylaw may be cited as "Salt Spring Island Community Transit and Transportation Commission Bylaw No.1, 2007."

READ A FIRST TIME THIS	8th	DAY OF	August	2007
READ A SECOND TIME THIS	8th	DAY OF	August	2007
READ A THIRD TIME THIS	8th	DAY OF	August	2007
ADOPTED THIS	8th	DAY OF	August	2007

CHAIR

SECRETARY