



Making a difference...together

BYLAW NO. 2973

CRD ARTS ADVISORY COUNCIL BYLAW, 2002

**Consolidated for Public Convenience
(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED APRIL 24, 2002
(Consolidated with Amending Bylaws 3526, 3620, 4367)

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CAPITAL REGIONAL DISTRICT

BYLAW NO. 2973

A BYLAW TO ESTABLISH A CRD ARTS ADVISORY COUNCIL

WHEREAS under section 176(1)(c) of the *Local Government Act*, the Capital Regional District enacted Bylaw No. 2884 cited as "Arts and Culture Support Establishment By-law No. 1, 2001" on June 27, 2001;

AND WHEREAS the Board of the Capital Regional District has established for the regional district a service to provide for the giving of assistance for the purpose of benefiting the community or an aspect of the community to be known as the "Arts and Cultural Support Service";

AND WHEREAS the participating municipalities of the Arts and Culture Support Service have established an Arts Commission responsible for coordinated policy for support programs and facility development for the arts in the region; *(Bylaw 3526)*

AND WHEREAS the Board of the Capital Regional District has identified the need for an independent community based body to provide advice to the Capital Regional District on these same matters;

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

1. In this by-law, unless the context otherwise requires:
 - (a) "Arts Advisory Council" or "Council" means the CRD Arts Advisory Council established herein;
 - (b) "Arts Commission" means the Arts Commission of the CRD Board *(Bylaw 4367)*
 - (c) "MEMBER MUNICIPALITIES" means collectively the participants in the Arts and Culture Support Service. *(Bylaw 3526)*

2. The Council is hereby established as an advisory body to the CRD Arts Commission and shall consist initially of those twelve (12) persons appointed as members until December 31, 2002 and thereafter shall consist of twelve (12) persons appointed by the CRD Arts Commission.
 - (a) The Chair of the Arts Commission, the Chair of the Council and the Manager of the Arts and Cultural Support Service will together review and make recommendations to the Arts Commission for appointments to the Arts Council.
 - (b) Terms of appointment shall be to a maximum of eight (8) years with
 - (i) The first term to be for one (1) year;
 - (ii) The second term to be for three (3) years; and
 - (iii) Subsequent terms to be for two (2) years
 - (c) All vacancies arising from an expiration of a term must be advertised or posted publicly for at least thirty (30) days.
 - (d) Before the 1st of January every year, the Arts Commission shall appoint or reappoint members to the Council to fill the terms of office of the members whose term expire as of the 31st of December each year.

- (e) A vacancy arising from any cause other than the expiration of the term for which the member was appointed, shall be filled for the unexpired portion of the term only, by an appointment of the member municipalities on recommendation of the Arts Commission. Such recommendation shall not be binding on the Board, but shall be considered.
- (f) A member who fails to attend three successive meetings of the Council, except because of illness or with leave of the Council, shall be deemed to have vacated membership, and the Chair of the Council shall forthwith inform the Arts Commission of the vacancy.
- (g) A person is disqualified from being appointed to, and serving on, the Council who is a member of the board of directors or has a fiduciary duty to an organization applying for funding through the Arts Commission.
- (h) A member who has, directly or indirectly, individually or through any other person, any material interest in a contract with or for an organization applying for funding, shall not adjudicate, influence the vote on a matter, or otherwise lobby for such applications, and must disclose such conflicts and recuse themselves in accordance with the Capital Regional District Board Procedures Bylaw No. 3828, 2012.
- (i) Members of the Council shall serve without remuneration.

(Bylaw 4367)

3. The Council shall at its first meeting after the first day of January each year elect from its own members a Chair and Vice Chair; the Chair shall preside at meetings of the Council and in his or her absence the Vice Chair shall preside. In the absence of both, a Chair may be appointed pro tempore. *(Bylaw 3620)*
4. The Council shall meet at the call of the Chair, who shall cause not less than 24 hours notice of each meeting to be given to each member. A majority of the members shall constitute a quorum. *(Bylaw 3620)*
 - (a) The Capital Regional District shall provide a Secretary of the Council who shall keep minutes of all meetings of the Council, and a copy of such minutes, when approved by the Chair, shall be transmitted to the Secretary of the Arts Commission to be passed to the members of that Commission. *(Bylaw 4367)*
 - (b) All questions that may come before the Council shall be decided by a simple majority vote of the members, including the Chair or Acting Chair, present at the meeting. In the event of a tie-vote the question shall be defeated. *(Bylaw 3620)*
 - (c) The Council may adopt Rules of Procedure to follow at its meetings and they shall not be inconsistent with those of the Regional District.
 - (d) The Council may, from among its members establish such standing or ad hoc committees as it deems necessary for the proper discharge of its responsibilities, and may appoint to any such committee additional persons, not being members of the Council, but possessing qualifications useful to the work of the committee; provided however, that such additional persons shall not constitute a majority of any such committee.
5. The Council shall act as an arm's length adjudicating body for the Arts Development Funding Programs. *(Bylaw 3620)*
6. The Council, shall advise on policies to foster and promote;
 - (a) support of the arts in the community
 - (b) public awareness of and involvement in the arts
 - (c) the creation, exhibition, and performance of artistic works; and

- (d) the development of artistic and other requisite skills, and shall advise the Arts Commission of measures which the Council considers to be conducive to these ends.
(Bylaw 3620)
 - (e) other appropriate duties as assigned by the Arts Commission from time to time.
(Bylaw 3620)
7. The Council shall establish close relationships with the arts and related organizations of the Capital Region, to ensure that their needs and capabilities are recognized in the development of municipal policies for the arts, and to serve as a catalyst in the enlargement and enrichment of the cultural life of the community.
(Bylaw 3620)
8. This Bylaw may be cited for all purposes as the "CRD Arts Advisory Council Bylaw, 2002".
(Bylaw 3620)

READ A FIRST TIME THIS	24 th	day of	April	2002
READ A SECOND TIME THIS	24 th	day of	April	2002
READ A THIRD TIME THIS	24 th	day of	April	2002
ADOPTED THIS	24 th	day of	April	2002

Original Signed by Christopher Causton
CHAIR

Original Signed by Carmen Theil
SECRETARY