

CAPITAL REGIONAL DISTRICT

BYLAW NO. 1875

A BYLAW FOR THE ESTABLISHMENT OF THE LYALL HARBOUR/BOOT COVE
WATER LOCAL SERVICES COMMITTEE


WHEREAS the Regional Board of the Capital Regional District has the authority to establish a committee, as a standing committee of the Board, to which it may delegate any or all of the administrative powers of the Regional Board by bylaw adopted by at least two thirds of the votes cast.

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

1. (a) A standing committee to be known as the "Lyll Harbour/Boot Cove Water Local Services Committee" is hereby established and shall consist of the Director representing the Electoral Area of the Outer Gulf Islands plus four other persons to be appointed by resolution by the Regional Board, plus the current holder or representative of the holder of Conditional Water License No. 26480.
- (b) Of the four persons to be appointed by the Regional Board, all shall be owners or residents of the area as defined in Schedule "A" annexed to Bylaw 513 and they, as well as the holder of Conditional Water License No. 26480, shall each have one vote on all matters coming before the Committee.
2. (a) The terms of office of those members of the Committee, other than the Director representing the Electoral Area of the Outer Gulf Islands, shall be for a two year period, except that the initial appointment of two will be for 1 year.
- (b) The Committee shall hold an Annual General Meeting on or before the last day of November in each year to which the resident electors of the Local Service Area shall be invited to attend by written notice sent by ordinary mail at least on month prior to the date of the Annual General Meeting.
- (c) The Committee shall accept nominations for the members of the Committee to be appointed effective the following January 1st, from the resident electors present at the Annual General Meeting, and if more nominations are received that there are positions to fill, the Committee shall poll the resident electors present at the meeting.
- (d) The name of the persons nominated or the results of the poll under subsection (c) shall be forwarded forthwith after the Annual General Meeting to the Regional Board Secretary, and in any event, before the date when the agendas for the first meeting of the Regional Board in December of that year is distributed to the Regional Directors.
3. The Regional Board shall immediately, upon enactment of this bylaw, appoint persons to act as members of the Committee as provided above. Such appointments to be effective the first day of January 1991, and before the first of January every year thereafter appoint or re-appoint members to the Committee to fill the term of office of those members whose terms expire as of the first of January in each year. The term of office for all appointments after the initial appointment shall be for a two year period commencing the first day of January following each such appointment or until their successors are appointed.
4. In the event of death, resignation, or disqualification of a member of the Committee, the Regional Board shall appoint a successor for the remainder of the term. The holder of the Conditional Water License shall be a continuous member of the Committee.
5. The Committee shall, each year, elect a Chairperson from amongst its members.

- 6. A quorum of the Committee is a majority of all members.
- 7. Rules of Procedure for the Committee shall not be inconsistent with the procedures governing the Regional Board.
- 8. The Regional Board hereby delegates to the Committee all of the administrative powers of the Regional Board with respect to the provision of the local service as authorized by Bylaw No. 513 and, without limiting the generality of the foregoing, the Committee shall establish policies governing the provision and operation of the service including the recommendation of levels of user charges, frontage taxes or parcel taxes to be established by bylaw of the Regional Board. The operational functions of the local service shall be performed by the staff of the Regional District.
- 9. Notwithstanding the provisions of Clause 8, of this Bylaw, the Regional Board retains the right of approval of operational rules, procedures, and policies and the levels of taxes, fees and other charges to be established by Bylaw of the Regional Board.
- 10. Upon its establishment, and on or before December of each year, the Committee shall approve an annual budget for the services provided in the local service area which shall include estimates for the administrative, development, maintenance, operational and other expenses, including debt charges, and shall submit such expenditure estimates, together with estimates for expected revenue, in a form approved by the Treasurer of the Regional Board for the approval of the Regional Board and for inclusion in the Regional Board's provisional and annual budgets.
- 11. No expenditures, other than those provided for in the approved budgets of the Committee as included in the approved budget of the Regional Board, shall be made by the Committee.
- 12. Any facilities or equipment acquired by the Committee in their administrative capacity shall be acquired in the name of the Regional District, shall be the property of the Regional District and shall not be disposed of without the approval of the Chief Engineer of the Regional District.
- 13. This Bylaw may be cited as the "Lyal Harbour/Boot Cove Water Local Services Committee Bylaw, 1990".

READ A FIRST TIME THIS	12th	DAY OF	December	1990
READ A SECOND TIME THIS	12th	DAY OF	December	1990
READ A THIRD TIME THIS	12th	DAY OF	December	1990
RECONSIDERED AND FINALLY ADOPTED THIS	12th	DAY OF	December	1990



 CHAIRPERSON



 SECRETARY