

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2339

A BYLAW TO AMEND THE MAGIC LAKE ESTATES WATER AND SEWER 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:

(a) A standing committee to be known as the "Magic Lake Estates Water and Sewer Committee" is hereby established and shall consist of the Director representing the Electoral Area of the Outer Gulf Islands plus six other persons to be appointed by resolution by the Regional Board. Each person shall have one vote on matters relating to the establishment and operation of the water system as provided for in Bylaw No. 1874. However, only each person resident or owning property within the sewer local service area plus the Director from the Outer Gulf Islands shall have a vote on matters relating to the establishment and operation of the sewer system as provided for in Bylaw No. 1873.

(b) Of the six persons to be appointed by the Regional Board, three shall be residents or property owners of the Magic Lake Estates Water Local Service Area, and three shall be residents or property owners of the Magic Lake Estates Sewer Local Service Area.

2. (a) The term 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 in the initial appointment, three will be for one year.

(b) The committee shall hold an Annual General meeting on or before the last day of September in each year to which the residents or property owners of the Local Service Area shall be invited to attend by written notice at least one 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 November 1. from the residents or property owners present at the Annual General meeting and if more nominations are received than there are positions to fill, the committee shall poll the residents or property owners present at the meeting.

(d) The names of the persons nominated or the results of the poll under subsection (3) 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 November 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 November and before the first of November 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 day of November each year.

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.

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5. The committee shall, at its first meeting in each year, elect a Chairperson from amongst its members.

6. A quorum of the committee is a majority of all members.

7. The rules of procedure which govern the Regional Board shall apply to the committee where applicable.

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 services as authorized by Bylaws No. 1873 and 1874, and without limiting the generality of the foregoing, the committee shall establish policies

governing the provision and operation of the services 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 in November of each year, the committee shall approve an annual budget for the services provided in the local service areas 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 Board of the Regional District.

13. Bylaw No. 2247, being the Magic Lake Estates Water and Sewer Committee bylaw is hereby repealed.

14. This Bylaw may be cited as the "Magic Lake Estates Water and Sewer Committee Bylaw. 1995".

READAFIRSTTIMETHIS 1995	25th	DAYOF	October
READ A SECOND TIME THIS 1995	25th	DAYOF	October
READATHIROTIMETHIS 1995	25th	DAYOF	October

ADOPTED THIS
1995

25th

DAY OF

October