



BYLAW NO. 2339

MAGIC LAKE ESTATES WATER AND SEWER COMMITTEE BYLAW, 1995

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

ORIGINALLY ADOPTED OCTOBER 25, 1995
(Consolidated with Amending Bylaw 4447)

For reference to original bylaws or further details, please contact the Capital Regional District,
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**CAPITAL REGIONAL DISTRICT
BYLAW NO. 2339**

MAGIC LAKE ESTATES WATER AND SEWER COMMITTEE BYLAW

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 "Magic Lake Estates Water and Sewer Committee" is hereby established and shall consist of the Director representing the Electoral Area of the Southern 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) Before January 1 each year, the Regional Board shall appoint or reappoint members to the Committee to fill the terms of office of members whose terms expire as of December 31 in that year.

(b) In order to fill a vacancy on the Committee, the Regional District shall accept nominations or application from qualified persons. All vacancies must be advertised or posted locally for at least thirty (30) days.

(c) The Electoral Area Director shall recommend individuals to the Regional Board for appointment to the Committee. The Regional Board may be guided by recommendations but is not bound by them. Appointments commence January 1 of the upcoming calendar year, or for vacancies, on the date of appointment.

(d) A member who fails to attend three (3) consecutive regular meetings without permission of the Committee may have their appointment to the Committee terminated by the Regional Board.

(e) If there are qualified persons willing to serve on the Committee, those members having served for three (3) consecutive terms may be requested not to seek reappointment for a fourth term.

(f) At the request of the Director and under unique circumstances such as a failure to attract nominations to the commission, the Regional Board may extend a Committee member's term beyond the six (6) year limit.

(g) Qualified persons serving as committee members serve without remuneration.

(Bylaw 4447)

3. The term of office of Committee members, other than the Electoral Area Director, shall be for a two-year period, ending December 31 in the second year of appointment.

(Bylaw 4447)

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.

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 service as authorized by Bylaws No. 1873 and 1874. The Committee shall advise on the overall direction and delivery of the Service, including setting priorities, recommending levels of user charges to be established by bylaw of the Regional Board, recommending the extent of requisition to be collected by way of parcel taxes, advising on community interests, and developing a draft budget. However, the Committee and individual Committee members do not direct or become involved with day-to-day administrative activities, purchasing, awarding of contracts, development of regional policies, or hands-on service delivery. The operational functions of the local service shall be performed by the staff of the Regional District.

(Bylaw 4447)

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. Each year, according to the District budget timetable, the Committee shall recommend a 5-year operating and capital budget for the service provided in the Service Area which shall cover all anticipated costs of development, maintenance, operational and other expenses, including debt charges, and shall submit such expenditure costs, together with estimates for expected revenue, for the approval of the Regional Board and for inclusion in the Regional Board's 5-year plan.

(Bylaw 4447)

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".

READ A FIRST TIME THIS	25th	DAY OF	October	1995
READ A SECOND TIME THIS	25th	DAY OF	October	1995
READ A THIRD TIME THIS	25th	DAY OF	October	1995
ADOPTED THIS	25th	DAY OF	October	1995

Original Signed
CHAIR

Original Signed
CORPORATE OFFICER