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BYLAW NO. 2540

JUAN DE FUCA WATER DISTRIBUTION COMMISSION BYLAW NO. 1, 1997

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

ORIGINALLY ADOPTED SEPTEMBER 10, 1997
(Consolidated with Amending Bylaws 3374, 4211)

For reference to original bylaws or further details, please contact the Capital Regional District,
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CAPITAL REGIONAL DISTRICT

BYLAW NO. 2540

A BYLAW FOR THE ESTABLISHMENT AND OPERATION OF
THE JUAN DE FUCA WATER DISTRIBUTION COMMISSION

WHEREAS

A. Section 3 of the Capital Region Water Supply and Sooke Hills Protection Act (the "Act") requires the Regional District to establish by bylaw a water distribution local service of the regional district with the following participating areas:

District of Metchosin, City of Colwood, Town of View Royal, District of Langford and Sooke Electoral Area.

B. Section 6 of the Capital Region Water Supply and Sooke Hills Protection Regulation requires the Regional District Board to establish by bylaw by September 30, 1997 a standing committee of the Regional Board known as the Juan de Fuca Water Distribution Commission to develop a plan for rationalization of the water distribution system in the Western Community municipal participating areas and the Sooke Electoral Area.

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

- 1. A standing committee of the Regional Board known as the Juan de Fuca Water Distribution Commission (hereinafter called the "Water Distribution Commission") is hereby established.
2. The membership of the Juan de Fuca Water Distribution Commission is comprised of participants from each participating area as defined in Bylaw No. 2538, "Water Distribution Local Service Area Establishment Bylaw", as amended. The participating member is defined as follows:
(a) The council of each municipal participating area must appoint members of council equivalent to the number of council members that municipality has on the Regional Board; and
(b) The Director of the Electoral Participating Area.
3. The council of each participating area must appoint members of council equivalent to the number of council members that municipality has on the Regional Board.
4. The Director for the Sooke Electoral Area is a member of the Water Distribution Commission.
5. The number of votes that each member is entitled to, and which may be used to decide all resolutions before the Water Distribution Commission, must be in accordance with Section 783 of the Municipal Act.
6. Appointments to the Water Distribution Commission will be made in accordance with procedures as established by provincial regulation.
7. The members representing a municipality on the Water Distribution Commission may be members of council other than the members serving as Directors on the Regional Board.

(Bylaw 3374)

8. A quorum of the Water Distribution Commission is a majority of the members.
9. In the event that a position on the Water Distribution Commission becomes vacant, a new member must be appointed by council within thirty days of the vacancy occurring. In the case where the position becoming vacant is the Electoral Area Director, the vacancy is filled at the time of the successor's election.
10. Alternate members on the Water Distribution Commission may be appointed to act in the absence of the member and the alternates must be appointed in the same manner as alternate municipal or electoral area directors are appointed and Section 786 and 787 of the *Municipal Act* apply.
11. The term for members on the Water Distribution Commission ends immediately before the first Monday following December 1 in the year of the general local elections.
12. The Chair of the Water Distribution Commission will be elected in accordance with the Juan de Fuca Water Distribution Commission Procedural Bylaw No. 1, 2001, as amended. (Bylaw 4211)
13. The Water Distribution Commission at its meetings shall observe the rules of procedure for the Regional District, as far as they are applicable.
14. The Water Distribution Commission, prior to December 31, 1999, must prepare for the approval of the Board a water distribution plan for the Western Community which includes the following:
 - (a) a plan for the rationalization of the water distribution system in the Western Community municipal participating areas and the Sooke Electoral Area; and
 - (b) a determination whether the water distribution system within the Western Community municipal participating areas should continue to be owned and operated by the Regional District or whether it should be transferred to the Western Community municipal participating areas.
15. In October of each and every year the Water Distribution Commission shall prepare an annual budget for the water distribution service which shall include estimates for the administration, development, maintenance, operational and other expenses, including debt charges, together with estimates for expected revenues, and shall submit such budget for the approval of the Regional Board and for inclusion in the Regional Board's provisional and annual budgets.
16. In January of each and every year, the Water Distribution Commission shall provide the Regional District Board with estimates relating to the regional water distribution local service for the purpose of the Capital Regional District capital expenditure program bylaw.
17. This bylaw may be cited as the "Juan de Fuca Water Distribution Commission Bylaw No. 1, 1997".

READ A FIRST TIME THIS	10th	day of	September	1997
READ A SECOND TIME THIS	10th	day of	September	1997
READ A THIRD TIME THIS	10th	day of	September	1997
ADOPTED THIS	10th	day of	September	1997

Chair

Secretary