

Capital Regional District

BYLAW NO. 3450

A BYLAW TO ESTABLISH A COMMUNITY TRANSIT COMMISSION FOR THE SALT SPRING ISLAND ELECTORAL AREA

WHEREAS:

- A. By Bylaw No. 3438 cited as the "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw" a community transit service was established on Salt Spring Island.
- B. The Capital Regional District under Section 219 of the *Local Government Act* is authorized to establish a commission to exercise, in whole or in part, the administrative powers of the Regional Board.

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

1. Definitions

In this bylaw, unless the context otherwise requires:

"BUDGET" means the budget of the Capital Regional District;

"COMMISSION" means the Salt Spring Island Community Transit and Transportation Commission;

"DIRECTOR" means the Regional Director for Salt Spring Island;

"DISTRICT BOARD" means the Capital Regional District Board;

"DISTRICT" means the Capital Regional District;

"ELECTORAL AREA" means the Salt Spring Island Electoral Area.

2. Membership

The Commission to be known as the “Salt Spring Island Community Transit and Transportation Commission” is hereby established and shall consist of (x) members as follows:

- (a) The Director representing the Salt Spring Island Electoral Area;
- (b) (x) individuals appointed by resolution of the [REDACTED] representing the Service Area.

3. Term of Office

Subject to subsection 5(a), the term of office of the Commission, other than the Director representing the Electoral Area, shall be for a two-year period except that of the initial appointment shall be from the date of appointment until the 31<sup>st</sup> of December of the following year.

4. Nominations

(a) The Commission shall hold an Annual General Meeting on or before the 15th of November in each year. At least 10% of the residents in the service area shall be present at the meeting. Nominations shall be received at least 30 days prior to the date of the Annual General Meeting.

(b) The Commission shall receive nominations for members of the Commission to be presented at the Annual General Meeting, and if more nominations are received than the number of seats on the Commission must poll the owners and residents of the service area.

The results of the poll under subsection (b) shall be forwarded immediately after the Annual General Meeting to the Director and in any event, before the date when the agenda for the meeting of the Capital Regional District Board in December of that year is prepared for the regional directors.

The regional directors shall be guided by but not bound by the Commission's recommendation.

5. Appointment

- (a) The Regional Board shall within two months from the date of enactment of this bylaw appoint persons to act as members of the Commission as provided above, such initial appointments to be effective immediately. The interim appointments are not required to be nominated at an Annual General Meeting.
- (b) Before the 1<sup>st</sup> of January every year, the Regional Board through the Chair of the Regional Board shall appoint or re-appoint members to the Commission to fill the terms of office of the members whose term expires on the 31<sup>st</sup> of December in each year. The term of office for all appointments by the Regional Board shall be for a two-year period commencing the first of January of each such appointment or until their successors are appointed.
- (c) In the event of the death, resignation or removal of any member of the Commission, the Board of the Region shall appoint a member for the remainder of such member's term.
- (d) A member who fails to attend three (3) consecutive meetings without permission of the Commission may be removed from the Commission and his or her term terminated.
- (e) No appointee may serve more than two consecutive terms.
- (f) At the request of the Executive Director, the Regional Board may, in unique circumstances, such as a failure to attend meetings, suspend a member from the Commission for a period of 30 days of appropriate notice of vacation. The Regional Board may extend a member's term beyond the end of his or her term.

6. Commission Meetings

- (a) The Commission shall meet at its first meeting in January of each year, by secret ballot, to elect a Chair and a Treasurer from among its members.
- (b) Each member of the Commission shall have one vote.
- (c) The procedures which govern the Regional Board shall apply to the Commission, unless otherwise applicable.
- (d) The Commission shall be open to the public.
- (e) A quorum of the Commission is a majority of the members.
- (f) At least annually the Commission shall meet with and discuss matters of common interest and responsibility with the Pender Islands Parks Commission.

7. Duties

The Regional Board hereby delegates to the Commission the duty to advise the Regional Board with respect to the organization and conduct of transit services within the said Service Area whether authorized before or after the adoption of this bylaw.

8. Budget

The Commission shall, on or before the 1<sup>st</sup> day of September in each year prepare a 5-year operating budget covering all anticipated costs and revenues for the conduct of community recreational programs, together with any other revenues.

The budget shall:

- (a) be in a form approved by the Finance Committee of the Regional Board;
- (b) be submitted for consideration of the Regional Board;
- (c) if requested by the Regional Board, be amended by the Board, and the same be resubmitted not more than 30 days before the start of that year; and
- (d) at no time provide for the creation of a deficit.

9. The Board of the Regional District

- (a) may, in order to meet the requirements of the approved budget for an expenditure in relation to the provision of community transit services pending collection of the necessary funds for the purpose of raising the necessary funds to meet the approved budget; and

request the necessary funds to be made under the provision of Section 806.1 of the *Local Government Act* in the Service Area as authorized by Bylaw No. 3438.

10.

shall be known as "Salt Spring Island Community Transit and Transportation Bylaw No. 3438, 2007."

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ .

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ .

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ .

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ .

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CHAIR

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SECRETARY

