



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 2483

A Bylaw to establish the Cowichan Lake Recreation Commission.

WHEREAS the Cowichan Valley Regional District Board of Directors may, by bylaw, establish Recreation Commissions and may delegate to the Recreation Commissions any or all of the administrative powers of the Cowichan Valley Regional District Board of Directors with respect to the development, operation and maintenance of recreation facilities.

AND WHEREAS it is considered desirable to establish a Recreation Commission within Electoral Area F – Cowichan Lake South/Skutz Falls, Electoral Area I – Youbou/Meade Creek, and the Town of Lake Cowichan;

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

1. **CITATION**

This bylaw may be cited for all purposes as “**CVRD Bylaw No. 2483 – Cowichan Lake Recreation Commission Establishment Bylaw, 2003**”.

2. **DEFINITIONS**

In this bylaw:

“**Commission**” means the Cowichan Lake Recreation Commission as established by this bylaw;

“**Regional Board**” means the Board of Directors of the Cowichan Valley Regional District.

3. **COMMISSION**

The Cowichan Lake Recreation Commission is hereby established.

4. MEMBERSHIP

The Commission shall consist of 9 members as follows:

- (a) The Electoral Area Directors from Electoral Areas F – Cowichan Lake South/Skutz Falls and I – Youbou/Meade Creek, and the Mayor or a Municipal Councillor representing the Town of Lake Cowichan.
- (b) An additional six members, who reside in Electoral Areas F – Cowichan Lake South/Skutz Falls and I – Youbou/Meade Creek and/or the Town of Lake Cowichan, appointed by the Regional Board as jointly recommended by the three members noted above in 4(a). The recommendation will also include a term of office.

5. TERM OF OFFICE

- (a) The term of office for members appointed under 4 (b) shall be 1-3 years, effective from January to December. All appointments under 4 (b) shall expire on December 31 in the year of a General Local Election.
- (b) In the event of vacancy of office, a replacement appointee shall hold office for the otherwise unexpired term of office.
- (c) Appointed members may be re-appointed for a further term or terms.
- (d) The Board may make replacement appointments:
 - (i) if a member fails to attend three consecutive meetings, or fails to attend 75% of all meetings in any calendar year without good cause;
 - (ii) upon resignation of a member; or
 - (iii) upon other joint recommendation of the members noted above in 4(a).

6. PROCEDURE

- (a) At the first meeting of each year, the Commission shall elect from amongst its own members, a Chair and a Vice Chair, who shall hold office until a successor is elected.
- (b) In the absence of the Chair and Vice Chair, the Commission shall elect from the members present a temporary Chair for the purpose of that meeting alone.
- (c) A quorum is five members of the Commission.
- (d) All recommendations of the Commission shall be made by a majority of the members present at the meeting, with each member having one vote.

- (e) Where not otherwise covered in the Bylaw, the rules of procedure governing Commission meetings shall be those of the current Procedural Bylaw of the Cowichan Valley Regional District.
- (f) Minutes shall be kept for all meetings of the Commission and a copy of such minutes shall be forwarded to the Secretary of the Cowichan Valley Regional District as soon as possible after each meeting.

7. **POWERS AND RESPONSIBILITIES**

- (a) The powers delegated to the Commission shall, except as otherwise provided by Bylaw or resolution of the Regional Board, include only those administrative powers of the Regional Board specifically assigned by this Bylaw with respect to the development, operation and maintenance of Cowichan Lake recreation facilities.
- (b) Subject to the provisions otherwise contained in this Bylaw, the Commission is empowered to exercise any of the administrative powers of the Regional Board in respect to the following:
 - (i) The management, policies, operation and control of the Cowichan Lake recreation facilities and activities related thereto.
 - (ii) The custodianship, care and maintenance of all premises owned, leased or rented for the use of the operations noted above in (i).
 - (iii) To contract for materials and services in accordance with the Cowichan Valley Regional District policy.
 - (iv) To solicit and accept, for the purposes of the operations of the forementioned facilities, any gifts, grants, bequests, or unconditional sources of money whatsoever.
 - (v) To perform any act, or other matter or thing incidental to the operation of the Cowichan Lake recreation facilities, provided that such act, matter or thing is not otherwise inconsistent with the provisions and intent of this Bylaw.
- (c) The title to any real property, equipment or chattels, or leases and agreements of any kind, shall be registered in the name of the Cowichan Valley Regional District.
- (d) The Commission may be required annually to cause to be prepared and submitted to the Regional Board, detailed estimates of its receipts from every source and expenditures for every purpose for the following year, and such estimate shall be considered by the Regional Board and accepted in whole or in part.
- (e) The Commission shall not make any disbursements unless authorized by the Regional Board, or enter in to any undertaking, obligation or liability, which would cause the annual budget as approved by the Regional Board to be exceeded.

- (f) The Commission shall initiate such controls and authorization procedures over revenues and expenditures as may from time to time, be deemed necessary the Treasurer of the Cowichan Valley Regional District. All monies received by the Commission from any source whatsoever shall be conveyed and reported to the Treasurer of the Cowichan Valley Regional District without delay and the Commission shall retain no funds or bank account in its own name.
- (g) The Commission shall be responsible on its own initiative to advise the Regional Board on all or any matters which may legally or financially bind or commit the Regional Board.
- (h) The Commission shall advise the Regional Board of all public liability insurances required covering the operations of the Commission, and custodianship of the Cowichan Lake Recreation facilities, in order to ensure that adequate insurance is in effect at all times.
- (i) All official business to be transacted and all contracts to be entered into by the Commission which may legally, financially or otherwise commit the Regional Board shall, unless otherwise previously authorized by the Regional Board, be made or carried out by the Regional Board.

8. GENERAL

All members of the Commission shall serve without remuneration, except for such "out of pocket" expenditures as may have received prior authorization by the Regional Board.

9. REPEAL

The following Bylaws and amendments thereto are hereby repealed:

- (a) "CVRD Bylaw No. 2059 – Electoral Area I – Youbou/Meade Creek Parks and Recreation Commission Establishment Bylaw, 2000".
- (b) "CVRD Bylaw No. 2405, 2003 – Cowichan Lake Sports Arena Commission".

10. FORCE AND EFFECT


This Bylaw shall come into force and effect on January 1, 2004.

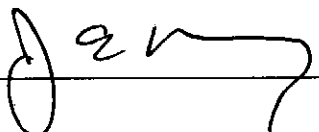
READ A FIRST TIME this 10th day of December , 2003.

READ A SECOND TIME this 10th day of December , 2003.

READ A THIRD TIME this 10th day of December , 2003.

ADOPTED this 10th day of December , 2003.


Chairperson


Secretary