

POWELL RIVER REGIONAL DISTRICT

BYLAW NO. 502

A Bylaw to establish a recreation commission for Texada Island, Electoral Area 'D'

This document is a consolidated version of the "Texada Island Recreation Commission Bylaw No. 502, 2015" and amendments thereto as set out in Bylaw No. 502.1, 2016, consolidated under the authority of Section 139 of the *Community Charter* S.B.C. 2003, c.26 and Powell River Regional District Bylaw No. 309, 1998.

WHEREAS pursuant to Section 176 of the *Local Government Act* a regional board may establish commissions;

The Board of the Powell River Regional District, in open meeting assembled, enacts as follows:

DEFINITIONS

- 1. In this bylaw
 - "Board" means the Board of the Powell River Regional District.
 - "Commission" means the Texada Island (Electoral Area "D") Recreation Commission constituted under this bylaw.
 - "Regional District" means the Powell River Regional District.
 - "Texada Island Recreation Assets" means property, including land, structures, and equipment, or an interest in property held by the Regional District under the authority of the Texada Island Recreational Specified Area.

MEMBERSHIP AND TERM

- 2. The Commission shall consist of the following members
 - a) six (6) or eight (8) members at large who shall be residents of Texada Island (electoral area 'D');
 - and
 - b) electoral area "D" director on the Board.
- 3. The availability of vacant positions on the Commission shall be advertised in the Texada Island newspaper.
- 4. The Texada Island Recreation Commission will advertise, review applicants and recommend candidates for appointment to the Commission to the Rural Services Committee.
- 5. The Texada Island Recreation Commission shall endeavour to maintain Commission membership that is broadly representative of the Texada Island community at large.

6. All Commission members shall be appointed by resolution of the Board. All members at large will be appointed for staggered two-year terms with one-half of the Commission ending on an odd numbered year and one-half ending on an even numbered year based on historical record.
7. The Board shall appoint the electoral area “D” director to the Commission annually “as a non-voting member”. **(Bylaw No. 502.1 added the text in quotes)**
8. A member’s term ends when the member no longer meets the Commission membership qualification under section 2(a).
9. An appointment to fill a vacancy on the Commission shall be for the remainder of the term of the member being replaced.
10. Members may be re-appointed at the discretion of the Board.
11. The Board shall have the power, by affirmative vote of the majority of its members, to remove a member of the Commission at any time, and any Commission member may resign at any time upon sending written notice to the Commission Chair.
12. A member of the Commission who misses two consecutive meetings without the approval of the Chair or without reason satisfactory to the Commission shall be deemed to have resigned, at which time the Commission shall notify the Board in writing in order that a new appointment can be made.
13. Members of the Commission shall serve without remuneration.
14. A Regional District staff member will serve as a liaison between the Commission and the Board and will provide advice and technical support as required. The staff liaison will not be a member of the Commission and will not participate in voting and will not be included when determining a quorum.

MEETINGS AND PROCEDURES

15. At its first meeting each year, the Commission shall elect from among its members, other than the electoral area “D” director, a
 - a) Chair who will preside over meetings of the Commission, and
 - b) Secretarywho shall carry out the responsibilities described herein and other tasks as the Commission may prescribe.
16. In the absence of the Chair, the members present shall appoint a member to act as Chair for that meeting or until the elected Chair arrives.
17. A majority of the Commission shall constitute a quorum.
18. All acts authorized or required to be done by the Commission under this bylaw shall be decided by a majority vote of those members present at a meeting.

19. All Commission members, including the presiding member, may vote on questions before it, and in all cases where the votes of the members present are equal for and against the questions, the question shall be negated. Any member who abstains from voting shall be deemed to have voted in the affirmative.
20. The Commission shall hold meetings as required but will hold a minimum of four (4) meetings a year.
21. Notice of Commission meetings will be posted on the Regional District website. Meeting notices will also be advertised in a local Texada Island newspaper whenever meetings are scheduled sufficiently in advance to suit the newspaper publication schedule.
22. Unless otherwise authorized by Section 90 of the *Community Charter*, all Commission meetings will be open to the public and held in a location accessible to the public.
23. Prior to each Commission meeting, the Chair, shall prepare an agenda which shall be circulated to the Commission members at least 24 hours in advance. The Commission may waive the requirement for advance notice of the agenda in emergency situations requiring a special meeting.
24. The Secretary shall prepare the minutes of Commission meetings. Copies of minutes shall be circulated to Commission members and forwarded to the Regional District staff liaison who shall carry out any actions required by the Regional District, including presenting to the Board or its committees any resolutions requiring ratification.
25. The Commission may adopt rules of procedure which are consistent with the *Local Government Act*, the *Community Charter* and the Regional Board Procedure Bylaw or this bylaw, as necessary.
26. Commission members shall abide by the conflict of interest provisions of the *Local Government Act*. Members who have a direct or indirect pecuniary interest in a matter under discussion shall not participate in the discussion of the matter or vote on a question on the matter. Where members believe they are in a conflict, they must declare the conflict and state the general nature of the conflict, and leave that part of the meeting where the matter is under discussion. The member's declaration shall be recorded in the minutes. The member shall not attempt before, during or after the meeting to influence the voting on any question in respect of the matter.

SCOPE AND DUTIES

27. The Commission shall act as an advisory body to the Board regarding the needs and use of public recreational facilities, programs and services in electoral area "D."
28. The Commission shall make recommendations to the Board regarding the acquisition of lands and facilities deemed necessary or desirable for the provision of recreational services in electoral area "D".
29. The Commission shall make recommendations to the Board regarding the following matters pertaining to Texada Island Recreation Assets:
 - a) long term planning, management and maintenance, and regular operation;
 - b) fees for use;
 - c) bylaws and policies for the operation and regulation of the assets and of Commission programs;
30. The Commission shall

- a) Manage the use of Texada Island Recreation Assets;
- b) Work in cooperation with other community organizations;
- c) Hear and consider representations by individuals, organizations or delegations of citizens with respect to recreation properties, facilities and activities, and with Board approval, act on such recommendations as the Commission deems to be in the best interest of all Texada Island citizens;
- d) Seek public input and assistance in the development of community recreation plans.

31. The Commission may

- a) Organize and conduct recreation programs for the benefit of electoral area “D” as provided for in the annual budget;
- b) With the approval of the Board, conduct surveys of recreational programs, facilities and properties and make recommendations and provide advice to the Board;
- c) Appoint advisory committees to deal with any special matters that fall within the scope and jurisdiction of the Commission. Such committees must include one Commission member and must report back to the Commission;
- d) Provide financial support for community groups and events as provided for in the annual budget.

32. The Commission shall annually recommend to the Board revenues and expenditures for inclusion in the Financial Plan of the Regional District for the Texada Island Recreation Commission. The recommendations shall be considered by the Board and accepted in whole or in part.

33. The Commission shall prepare, in consultation with Regional District staff, a long term capital plan to be reviewed and updated annually.

34. Acting in accordance with the financial procedures of the Regional District, the Commission may authorize expenditures provided for in its annual operating budget, as approved by the Board, but shall not otherwise have the authority to incur any expense, debt or obligation to the RD without the prior approval of the Board or its designated committee.

35. All monies received by the Commission shall be immediately provided to the Regional District for deposit and all such monies shall be recorded as revenue to the Texada Island Recreation Commission budget.

36. All items of revenue and expenditure relating to the activities of the Commission shall be accounted for in the financial records of the Regional District.

37. The Commission shall undertake other matters referred by the Board and shall provide reports as required by the Board.

SEVERABILITY

38. If any section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

TITLE

39. This bylaw may be cited for all purposes as “Texada Island Recreation Commission Bylaw No. 502, 2015.
40. Texada Island Recreation Commission Bylaw No. 437, 2010, is hereby repealed.

READ A FIRST TIME the 22nd day of October, 2015.

READ A SECOND TIME the 22nd day of October, 2015.

READ A THIRD TIME the 22nd day of October, 2015.

RECONSIDERED and ADOPTED the 22nd day of October, 2015.

Chair

Corporate Officer

I hereby certify the above to be a true and correct copy of Bylaw No. 502 cited as the “Texada Island Recreation Commission Bylaw No. 502, 2015” as RECONSIDERED and ADOPTED by the Board of the Powell River Regional District at its meeting dated the 22nd day of October, 2015.

Corporate Officer

Dated at Powell River, B.C. this 23rd day of October 2015.