



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

Bylaw No. 2057

(As Amended by Bylaws No. 2392, 2937 and 3270)

CVRD BYLAW NO. 2057

- ELECTORAL AREA B – SHAWNIGAN LAKE

PARKS AND RECREATION COMMISSION ESTABLISHMENT BYLAW, 2000

CONSOLIDATED FOR CONVENIENCE ONLY

(April 7, 2011)

The amendment bylaw(s) listed below have been incorporated into enactment Bylaw No. 2057 for convenience purposes only. Persons making use of the consolidated version of Bylaw No. 2057 are advised that it is not a legal document and that for the purpose of interpreting and applying the law, the original bylaw(s) must be consulted. Certified copies of original bylaws are available through the Corporate Secretary's office.

AMENDMENT BYLAW

**Bylaw No. 2392
Bylaw No. 2937
Bylaw No. 3270**

EFFECTIVE DATE

**February 26, 2003
May 9, 2007
April 8, 2009**



COWICHAN VALLEY REGIONAL DISTRICT

Bylaw No. 2057 – Consolidated for Convenience with Amending Bylaws No. 2392, 2937 and 3270

A Bylaw to Establish a Parks and Recreation Commission for the Function of Acquiring, Constructing, Operating and Maintaining Certain Community Parks and Recreation Facilities Within CVRD Electoral Area B – Shawnigan Lake

WHEREAS by Supplementary Letters Patent dated September 21, 1979, the Cowichan Valley Regional District Board of Directors may, by bylaw, establish Parks and Recreation Commissions and may delegate to the Joint Parks and Recreation Commissions any or all of the administrative powers of the Cowichan Valley Regional District Board of Directors with respect to the operation and maintenance of such parks and recreational facilities;

AND WHEREAS it is considered desirable and expedient to establish a Parks and Recreation Commission within Electoral Area B – Shawnigan Lake of the Cowichan Valley Regional District;

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. 2057 - Electoral Area B – Shawnigan Lake Parks and Recreation Commission Establishment Bylaw, 2000**".

2. **DEFINITIONS**

In this bylaw a:

- (a) "Commission" means the Parks and Recreation Commission as established by this bylaw.
- (b) "Regional Board" means the Board of Directors of the Cowichan Valley Regional District.
- (c) "Director" means the Director elected or appointed to the Cowichan Valley Regional District Board, representing Electoral Area B – Shawnigan Lake.
- (d) "Qualified Elector" means a person eligible for registration as an elector pursuant to the Municipal Act.

3. COMMISSION

Electoral Area B – Shawnigan Lake Parks and Recreation Commission is hereby created and established.

4. MEMBERSHIP

The Electoral Area B – Shawnigan Lake Parks and Recreation Commission shall consist of nine (9) members as follows:

- (a) The Director from Electoral Area B – Shawnigan Lake, and in the event of the absence of the Director, the duly appointed Alternate Director shall be deemed to be a member of the Commission for such period of absence.
- (b) Eight (8) members shall be elected at the Annual General Meeting of qualified electors of Electoral Area B – Shawnigan Lake by nomination and vote. Nominees must be present at the meeting. In the event that there are not eight (8) members elected, the remaining members shall be appointed by the Board upon recommendation of the Electoral Area Director.
- (c) Conflict of Interest – No member shall supply goods and/or services to the Commissions' parks or projects.

5. TERM OF OFFICE

- (a) The term of office for members elected or appointed under Section 4 (b) shall be two (2) years, expiring on the 31st day of March.
- (b) In the event of vacancy of office, a replacement appointee shall hold office for the otherwise unexpired term of office.
- (c) The Regional Board may remove from membership any member appointed pursuant to Section 4 (b) who has failed to attend three (3) consecutive Commission meetings without good cause.

6. NOTICE OF ANNUAL GENERAL MEETING

Notice shall be published in but not necessarily restricted to, two (2) consecutive issues of a local newspaper with the first publication to be at least ten (10) days prior to the meeting date.

7. PROCEDURE

- (a) At the first meeting in each year, and yearly thereafter, the Commission shall elect from amongst its own members, a Chair, Vice-Chair and a Secretary who shall hold office until a successor is elected.
- (b) In the absence of the Chair or Vice-Chair or Secretary, the Commission shall elect from the members present a temporary Chair or Secretary for the purpose of that meeting only.

- (c) A quorum is four (4) of the members of the Commission.
- (d) All decisions, resolutions, and 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 this 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 offices of the Cowichan Valley Regional District as soon as possible after each meeting.

8. **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 operation of a Parks and Recreation Commission.
- (b) 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.
- (c) 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 estimates shall be considered by the Regional Board and accepted in whole or in part.
- (d) The Commission shall not make any disbursements unless authorized by the Regional Board, or enter into any undertaking, obligation, or liability, which would cause the annual budget as approved by the Regional Board to be exceeded.
- (e) The Commission shall institute such controls and authorization procedures over revenues and expenditures as may from time to time be deemed necessary by 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. All expenditures must receive **PRIOR** authorization of the Area Director. All funds received from any source shall be designated for the use of the Electoral Area B – Shawnigan Lake Parks and Recreation projects.
- (f) 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.
- (g) The Commission shall advise the Board of all public liability insurances required covering the operations of the Commission, custodianship of any parks or recreation facilities, in order to ensure that adequate insurance is in effect at all times.

- (h) 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 Board, be made or carried out by the Regional Board.
- (i) 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 Parks and Recreation Commission and related activities.
 - ii) The custodianship, care, and maintenance of any premises owned, leased, or rented, for the use of its operations.
 - iii) To contract for materials and services in accordance with Cowichan Valley Regional District policy.
 - iv) To solicit or accept, for the purposes of its operation, 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 Parks and Recreation Commission, provided that such act, matter, or thing, is not otherwise inconsistent with the provisions and intent of this bylaw.

9. **GENERAL**

- (a) 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.

10. **REPEAL**

Bylaw No. 1927 – Shawnigan Lake Community Parks and Recreation Commission Establishment Bylaw, 1998" is hereby repealed.

READ A FIRST TIME this 9th day of February , 2000.

READ A SECOND TIME this 9th day of February , 2000.

READ A THIRD TIME this 9th day of February , 2000.

ADOPTED this 9th day of February , 2000.

T. Walker
Chairperson

J. A. Forrest
Secretary