



COWICHAN VALLEY REGIONAL DISTRICT

Bylaw No. 696

(As Amended by Bylaws No. 1809 and 2859)

CVRD BYLAW NO. 696 - ELECTORAL AREA A PARKS & RECREATION COMMISSION ESTABLISHMENT BYLAW, 1982

CONSOLIDATED FOR CONVENIENCE ONLY (February 5, 2010)

The amendment bylaw(s) listed below have been incorporated into enactment Bylaw No. 696 for convenience purposes only. Persons making use of the consolidated version of Bylaw No. 696 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. 1809

Bylaw No. 2859

EFFECTIVE DATE

March 26, 1997

September 13, 2006



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 696 - Consolidated for Convenience with Amending Bylaw 1809 and 2859

A Bylaw to establish a Joint Parks and Recreation Commission for the function of acquiring, constructing, operating and maintaining certain community parks and recreation facilities within Electoral Area “A”.

WHEREAS by Supplementary Letters Patent dated September 21, 1979, the Cowichan Valley Regional District may, by bylaw, establish Joint Parks and Recreation Commissions with a membership consisting of the Directors representing the member municipalities and such other persons as may be expedient, and may delegate to the Joint Parks and Recreation Commission any or all of the administrative powers of the Cowichan Valley Regional District with respect to the operation and maintenance of such parks and recreational facilities.

AND WHEREAS it is considered desirable to establish a Joint Parks and Recreation Commission as aforementioned, within Electoral Area A of the Cowichan Valley Regional District.

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

1. DEFINITIONS

In this bylaw a:

- (a) “Commission” means the Joint Parks and Recreation Commission as established by this bylaw;
 - (b) “Regional Board” means the Regional Board of the Cowichan Valley Regional District;
 - (c) “Director” means the elected Director representing Electoral Area A;
2. Pursuant to the powers granted by Supplementary Letters Patent, there is hereby created and established the Electoral Area “A” Joint Parks and Recreation Commission.

3. **MEMBERSHIP**

The Electoral Area A Joint Parks and Recreation Commission shall consist of eleven members as follows:

- (a) The Director from Electoral Area A and in the event of the absence of the foregoing Director, the duly appointed Alternate Director shall be deemed to be a member of the Commission for such period of absence.
- (b) The Regional Board shall appoint an additional five members.
- (c) The remaining five members shall be elected at an Annual General Meeting of the residents of Electoral Area A by nomination and vote.

4. **TERM OF OFFICE**

- (a) The term of office for members appointed under Section 3(b) and (c), shall be two years, expiring on the 31st day of December in the second year.
- (b) In the event of vacancy of office, a replacement appointee shall hold office for the otherwise unexpired term of office.
- (c) An elected member must be re-elected at the necessary Annual Meeting.
- (d) Appointed members may be re-appointed for a further term or terms.
- (e) The Regional Board may remove from membership any member appointed pursuant to Section 3(b) & (c) who has failed to attend three consecutive Commission meetings without good cause.

5. **PROCEDURE**

- (a) At the first meeting in each year, and yearly thereafter, the Commission shall elect from amongst its own members, a Chairman, Vice Chairman and a Secretary who shall hold office until a successor is elected.
- (b) In the absence of the Chairman, Vice Chairman, or Secretary, the Commission shall elect from the members present a temporary Chairman or Secretary for the purpose of that meeting alone.
- (c) A quorum is half 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 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 forwarded to the offices of the Cowichan Valley Regional District as soon as possible after each meeting.

6. **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, before the 24th day of October, 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 disbursements unless authorized by bylaw of the Regional Board pursuant to the Community Parks Supplementary Letters Patent, 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.
- (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 insure 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 Joint Parks and Recreation Commission and related activities.
 - ii) Hire and dismiss such staff as may be required for the operation of its activities, subject to personnel policies of the Cowichan Valley Regional District, if such staff are to be employees of the Cowichan Valley Regional District.
 - iii) The custodianship, care, and maintenance of any premises owned, leased, or rented, for the use of its operations.
 - iv) To contract for materials and services in accordance with Cowichan Valley Regional District policy as per Schedule “A” attached and forming part of this bylaw.
 - v) To solicit or accept, for the purposes of its operation, any gifts, grants, bequests, or unconditional sources of money whatsoever.
 - vi) To perform any act, or other matter, or thing incidental to the operation of the Joint Parks and Recreation Commission, provided that such act, matter, or thing, is not otherwise inconsistent with the provisions and intent of this bylaw.

7. **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.

8. No recommendation of the Commission, or other matter requiring ratification, to the Regional Board shall be made public until it has been considered by the Regional Board.
9. This Bylaw may be cited as the “**CVRD Bylaw 696 - Electoral Area A Parks & Recreation Commission Establishment Bylaw, 1982**”.

READ A FIRST TIME this 13th day of October , 1982.

READ A SECOND TIME this 13th day of October , 1982.

READ A THIRD TIME this 13th day of October , 1982.

RECONSIDERED, adopted and finally passed this 13th day of October , 1982.

Gerry Giles
Chairman

P. Hayward
Secretary-Treasurer



SCHEDULE A
TO CVRD BYLAW NO. 696
CONTRACTING FOR MATERIALS AND SERVICES
Attached to and forming part of the Electoral Area A
Parks & Recreation Commission Bylaw

The following procedure with respect to tenders, bids, and quotes shall apply:

- (a) All sums up to \$1,000 shall be by quotation and reported by the Commission;
- (b) All sums of between \$1,000 and \$10,000 shall be by invited bids.
- (c) All sums over \$10,000 shall be by regular advertised invitations to tender, and further, that on invitations to tender (over \$10,000), all tenders shall be received and opened by the Joint Parks & Recreation Commission on a date and time indicated in the advertisement inviting to tender.
- (d) All tenders received shall be laid before the Board for recommendation after consideration by the Joint Parks and Recreation Commission.
- (e) The lowest bids, quotes, or tenders need not necessarily be accepted, except where required by Federal or Provincial Government funding requirements, and that this be included in invitations and advertisements.