

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2541

A BYLAW FOR THE ESTABLISHMENT AND OPERATION OF A REGIONAL WATER SUPPLY
PROTECTION AND CONSERVATION ADVISORY COMMITTEE

WHEREAS

- A. Section 2 of the *Capital Region Water Supply and Sooke Hills Protection Act* (the "Act") requires the Regional District to establish by bylaw a water supply local service of the Regional District.
- B. Section 4 of the Act requires the Regional District Board to establish by bylaw a Regional Water Supply Commission.
- C. Section 8 of the Capital Region Water Supply and Sooke Hills Protection Regulation Order-In-Council No. 0971 requires the Regional District Board to appoint a Regional Water Supply, Protection and Conservation Advisory Committee to provide advice to the Regional Water Supply Commission on water supply, water quality, the stewardship of the lands held by the Regional District for water supply purposes and water conservation measures.

NOW, THEREFORE, the Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

- 1. A *Regional Water Supply, Protection and Conservation Advisory Committee* (hereinafter called the "Water Advisory Committee") is hereby established.
- 2. The membership of the *Water Advisory Committee* is comprised as follows:
 - (a) one representative each from the Regional Water Supply Commission, the Juan de Fuca Water Distribution Commission and the Saanich Peninsula Water Commission.
 - (b) one representative from each of the following:
 - agricultural community
 - groups concerned with the protection of fish habitats
 - First Nations
 - environmental groups
 - commercial and industrial water users
 - residents and ratepayers associations
 - Capital Region Health Board
 - scientific community
 - other bodies the Regional District Board considers appropriate.

3. The terms of office of the members of the commission shall be for a two year period except that initial appointments shall be as follows:
 - (a) five of the appointees shall hold office from the date of appointment until one year from the date of initial appointment.
 - (b) six of the appointees shall hold office from the date of appointment until two years from the date of initial appointment.
4. A quorum of the *Water Advisory Committee* is a majority of its members.
5. The *Water Advisory Committee* shall each year elect a Chairperson from amongst its members.
6. The *Water Advisory Committee* shall observe at its meetings the rules of procedure for the Regional District as far as they are applicable.
7. The *Water Advisory Committee* shall provide advice to the Regional Water Supply Commission on water supply, water quality, the stewardship of the lands held by the Regional District for water supply purposes and water conservation purposes.
8. This Bylaw may be cited as the "Water Advisory Committee Bylaw No. 1, 1997".

READ A FIRST TIME THIS 10th day of Sept. 1997

READ A SECOND TIME THIS 17th day of Dec. 1997

READ A THIRD TIME THIS 17th day of Dec. 1997

ADOPTED THIS 17th day of Dec. 1997


 CHAIRPERSON


 SECRETARY

B.C. Reg. 284/97
O.C. 971/97

Deposited August 1, 1997

Capital Region Water Supply and Sooke Hills Protection Act

**CAPITAL REGION WATER SUPPLY AND SOOKE HILLS
PROTECTION REGULATION**

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Definitions

1 In this regulation:

“water distribution commission” means the Juan de Fuca water distribution commission established by the regional district board under section 6 (2) (h) of the *Capital Region Water Supply and Sooke Hills Protection Act*;

“water supply commission” means the regional water supply commission established by the regional district board under section 4 of the *Capital Region Water Supply and Sooke Hills Protection Act*.

Water service areas

- 2 (1) The bylaws establishing local service areas under sections 2 and 3 of the *Capital Region Water Supply and Sooke Hills Protection Act* must be submitted for the approval of the Inspector of Municipalities by September 30, 1997.
- (2) The bylaws referred to in subsection (1) must be adopted by the regional district board by March 31, 1998.

Establishment of a regional water supply commission

- 3 (1) A bylaw establishing a standing committee of the regional district board known as the regional water supply commission must be adopted by the regional district board by September 30, 1997.
- (2) The members of the water supply commission are as follows:
 - (a) any members of the council of each municipality within the participating area appointed by the council and equivalent in number to those the municipality has on the regional district board;

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- (b) the director for the Sooke Electoral Area.
- (3) Prior to appointing members to the water supply commission, a municipal council must provide an opportunity for the public to advise the council on appointments to the water supply commission by
- (a) holding a public meeting to discuss the appointments,
 - (b) scheduling a portion of a regular council meeting to discuss the appointments, or
 - (c) otherwise offering the public a reasonable opportunity to advise council on the appointments.
- (4) Section 783 of the *Municipal Act* governs the number of votes that each member of the water supply commission may cast on resolutions before that commission.
- (5) A quorum of the water supply commission is a majority of its members.
- (6) If a position on the water supply commission becomes vacant, the vacancy must be filled
- (a) in the case where the incumbent was the director for the Sooke Electoral Area, at the next election of such directors, and
 - (b) in the case of an appointee of a municipal council, by the municipal council making a new appointment within 30 days of the vacancy arising.
- (7) Alternate members of the water supply commission may be appointed to act in the absence of members and sections 786 and 787 of the *Municipal Act* apply to these directors and their appointment.
- (8) The term for members on the water supply commission ends immediately before the first Monday following December 1 in the year of the general local elections.

Procedures of the regional water supply commission

- 4 (1) The water supply commission must review any matter, relating to the regional water supply service, initiated by the water supply commission or referred to it by the regional board, a participating municipal council, the Saanich Peninsula Water Commission, the water distribution commission, or a participating electoral area director.
- (2) The water supply commission must consider any matter referred to it under subsection (1) within a reasonable period of time.

Strategic plan

- 5 (1) The regional district board must adopt a bylaw before December 31, 1999 to establish a strategic plan for a 20 year period respecting
- (a) the region's water supply,
 - (b) water conservation, and
 - (c) management of the catchment lands.

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- (2) The regional district board must prepare a consultation plan which will provide for early, ongoing and continuous involvement of the public in the development of the strategic plan.
 - (3) Once a bylaw establishing a strategic plan is adopted, it must be reviewed by the water supply commission on a regular basis.
 - (4) The strategic plan referred to in subsection (1) must include studies of water conservation and demand management.

Establishment of the Juan de Fuca water distribution commission

- 6 (1) A bylaw establishing a standing committee of the regional board known as the Juan de Fuca water distribution commission must be adopted by the regional district board by September 30, 1997.
- (2) The water distribution commission is a standing committee under Part 24 of the *Municipal Act*.
- (3) The water distribution commission includes council members, as specified in this section, from each of the following participating areas:
 - (a) the City of Colwood;
 - (b) the District of Langford;
 - (c) the Town of View Royal;
 - (d) the District of Metchosin;
 - (e) the Sooke Electoral Area.
- (4) The number of members of the water distribution commission that a council of a participating area may appoint is equal to the number of council members that municipality has on the regional district board.
- (5) The director for the Sooke Electoral Area is a member of the water distribution commission.
- (6) Section 783 of the *Municipal Act* governs the number of votes that each member of the water distribution commission may cast on resolutions before that commission.
- (7) Prior to appointing a member to the water distribution commission, a municipal council must provide an opportunity for the public to advise council on appointments to the water distribution commission as described in section 3 (3).
- (8) A quorum of the water distribution commission is a majority of its members.
- (9) If a position on the water distribution commission becomes vacant, the vacancy must be filled
 - (a) in the case where the incumbent was the director for the Sooke Electoral Area, at the next election of such directors, and

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- (b) in the case an appointee of a municipal council, by the municipal council making a new appointment within 30 days of the vacancy arising.
- (10) Alternate members on the water distribution commission may be appointed to act in the absence of the member and these alternate members must be appointed in the same manner as alternate municipal or electoral area directors are appointed under sections 786 and 787 of the *Municipal Act*.
- (11) The term for members on the water distribution commission ends immediately before the first Monday following December 1 in the year of the general local elections.

Water distribution plan for the Western Communities

- 7 (1) The water supply commission must, before December 31, 1998, determine those water supply facilities within the boundary of the water distribution service area which will remain as part of the regional water supply service.
- (2) The water distribution commission must, prior to December 31, 1999, develop a plan for rationalization of the water distribution system in the Western Community municipal participating areas and the Sooke Electoral Area.
- (3) The plan must consider whether the water distribution system within the Western Community municipal participating areas, should continue to be owned and operated by the regional district, or whether it should be transferred to the Western Community municipal participating areas.

Regional Water Supply, Protection and Conservation Advisory Committee

- 8 (1) The regional district board must, before December 31, 1997, appoint a Regional Water Supply, Protection and Conservation Advisory Committee to provide advice to the water supply commission on water supply, water quality, the stewardship of the lands held by the regional district for water supply purposes and water conservation measures.
- (2) The Regional Water Supply, Protection and Conservation Advisory Committee must have representation from the regional water supply commission, the water distribution commission and the Saanich Peninsula Water Commission and each of the following must be invited to provide a representative:
- (a) the agricultural community;
 - (b) groups concerned with the protection of fish habitats;
 - (c) First Nations;
 - (d) environmental groups;
 - (e) commercial and industrial water users;
 - (f) residents and ratepayer's associations;
 - (g) Capital Region Health Board;
 - (h) the scientific community;

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(i) other bodies the regional district board considers appropriate.

Sooke Hills Wilderness Regional Park management plan

- 9
- (1) The regional district board must submit a bylaw amending its official regional park plan under the *Park (Regional) Act* to include the land described in the Schedule to the *Capital Region Water Supply and Sooke Hills Protection Act* or any lands prescribed in section 5 (8) of that Act. to the Minister of Environment, Lands and Parks by December 31, 1997.
 - (2) The regional district board must adopt the bylaw amending its official regional park plan under the *Park (Regional) Act* to include the land described in the Schedule to the *Capital Region Water Supply and Sooke Hills Protection Act* or any lands prescribed under section 5 (8) of that Act, by March 31, 1998.
 - (3) The regional district board must adopt a bylaw setting out a park management plan for the Sooke Hills Wilderness Regional Park by December 31, 2000.
 - (4) The regional district board must prepare a consultation plan which will provide for early, on-going and continuous involvement of the public in development of the park management plan.
 - (5) The park management plan bylaw must be submitted to the Minister of Environment, Lands and Parks for approval before June 30, 2000.

Other park lands

- 10
- (1) The regional district must not dispose of, or change the use of, the following lands formerly held by the Greater Victoria Water District except for the purpose of a park, without the approval of the Minister:
 - (a) Section 21, Otter Land District;
 - (b) Section 61, Goldstream District;
 - (c) Remainder of Lot 8, Block 15, Plan 2434, Sections 52 and 53, Sooke Land District.

Continuation of Powers of the Water District

- 11
- The powers formerly contained in section 98 of the *Greater Victoria Water District Act* apply to the regional district.

Further powers

- 12
- (1) The regional district may provide water service to individual customers, improvement districts, Indian Bands and Indian Reserves outside the water distribution service area, but within the boundary of the regional district.
 - (2) Any person who hinders or interrupts, or causes or procures to be hindered or interrupted, the regional district, its agents, servants, contractors, workmen, or any of them, in the exercise of any of the powers and authorities conferred by this

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regulation, shall be liable, on summary conviction, to a fine of not more than \$2 000 or to imprisonment for not more than 6 months, or to both.

[Provisions of the *Capital Region Water Supply and Sooke Hills Protection Act*, S.B.C. 1997, c. 5, relevant to the enactment of this regulation: section 6]

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