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## **BYLAW NO. 2788**

### **SOOKE AND ELECTORAL AREA PARKS AND RECREATION COMMISSION BYLAW NO. 1, 2000**

**Consolidated for Public Convenience  
(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED APRIL 12, 2000  
(Consolidated with Amending Bylaws 3242, 3416, 4049, 4350)

For reference to original bylaws or further details, please contact the Capital Regional District,  
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**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 2788**

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**A BYLAW FOR THE CONTINUATION OF A JOINT PARKS & RECREATION COMMISSION FOR THE  
DISTRICT MUNICIPALITY OF SOOKE AND REMAINING AREAS OF THE FORMER SOOKE  
ELECTORAL AREA**  
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**WHEREAS** by Supplementary Letters Patent dated the 28<sup>th</sup> day of August, 1975 it is provided that the Regional Board of the Capital Regional District (hereinafter referred to as the "Regional Board") may acquire, develop, operate and maintain community parks for certain member municipalities of the Capital Regional District including the Electoral Area of Sooke;

**AND WHEREAS** by Supplementary Letters Patent dated the 3<sup>rd</sup> day of October, 1975 it is provided that the Regional Board may undertake a recreational program for one or more member municipalities;

**AND WHEREAS** by Supplementary Letters Patent dated the 2<sup>nd</sup> day of September, 1999 it is provided the Regional Board undertakes to provide services for which Sooke Electoral Area was an electoral participating area at the time of incorporation of the District Municipality of Sooke (hereinafter referred to as the "Municipality"), including Community Recreation Programs, Sooke Electoral Area Ice Arena (Bylaw 152) and Sooke Electoral Area Swimming Pool (Bylaw 2598), and including those community parks services in accordance with those Supplementary Letters Patent dated the 28<sup>th</sup> day of August, 1975 excepting those Community Park services transferred to the Municipality;

**AND WHEREAS** by Supplementary Letters Patent dated the 27<sup>th</sup> day of February, 1976 it is provided that the Regional Board may, by bylaw, establish a joint parks and recreation commission, and in such bylaw delegate to the Commission any or all of the administrative powers of the Regional Board relating to:

- a) Community parks and park properties within participating areas now or hereafter acquired by the Capital Regional District;
- b) The construction, equipping, operation and maintenance of recreational facilities within the participating areas now existing or hereafter undertaken by the Capital Regional District as a function of the said Regional District;
- c) The organization and conduct of recreational programs within the participating areas now or hereafter authorized by the Capital Regional District as a function of the said Regional District;

**NOW THEREFORE** the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Commission

A joint parks and recreation commission to be known as the Sooke & Electoral Area Parks and Recreation Commission (the "Commission") is hereby continued and shall consist of the following members:

- (a) The CRD Directors for the District of Sooke and the Juan de Fuca Electoral Area (each a "Director");
- (b) One council member from the District of Sooke;
- (c) Two community members appointed by the District of Sooke;

- (d) One community member appointed by the CRD Board, as nominated by the Juan de Fuca Electoral Area Director; and
- (e) One youth member, who shall be registered in the secondary school program of Sooke School District 62 and a resident of Juan de Fuca Electoral Area or the District of Sooke. Youth members who are not of legal voting age shall not vote on the annual budget or the acquisition or disposal of real property.
- (f) In the absence of a Director from the District of Sooke or Juan de Fuca Electoral Area, the Board alternate from the District of Sooke or Juan de Fuca Electoral Area may attend the Commission on the Director's behalf.
- (g) An alternate member from the Council of the District of Sooke may be nominated by that Council and appointed by the Regional Board to attend the Commission in the absence of the Council member.

*(Bylaw 4350)*

## 2. Term of Office

- (a) The term of office of a member of the Commission who is a Director of the Board of the Regional District shall correspond with his or her term of office as Director.
- (b) The term of office of a member of the Commission who is a Council member other than a Director shall be for a two-year period commencing the 1st of January and ending on the 31st of December of the second year of appointment. *(Bylaw 4350)*
- (c) The term of office of those members of the Commission other than the Directors, members of Council and Youth member shall be for a two year period ending on the 31st day of December of the second year of appointment.
- (d) The term of office for the Youth member shall be for a one year period commencing on September 1 and ending on August 31 the following year.
- (e) All vacancies on a Commission must be advertised or posted locally for at least thirty (30) days. *(Bylaw 4350)*
- (f) A member who fails to attend three (3) consecutive regular meetings without the permission of a Commission may have their appointment to the Commission terminated. *(Bylaw 4350)*
- (g) No appointee may serve more than three (3) consecutive terms, except as indicated in subsection 2(h). *(Bylaw 4350)*
- (h) At the request of a Director and under unique circumstances, such as a failure to attract nominations after thirty (30) days of appropriate notice of vacancy, the Regional Board may extend a Commission member's term beyond the limit of three (3) consecutive terms. *(Bylaw 4350)*

## 3. Appointments

- (a) Appointments of members representing areas in the Juan de Fuca Electoral Area shall be nominated by the Director representing said electoral area and appointed by the Regional Board.
- (b) Appointment of members from the Municipality shall be nominated by the Director from Sooke and appointed by the Regional Board.

- (c) Appointments of a Youth member shall be nominated by the Commission and appointed by the Regional Board. The Commission shall receive nomination from the Principal of Edward Milne Community School.
  - (d) In the event of the death, resignation or disqualification of a member of the Commission, the Regional Board shall appoint a successor for the remainder of the term.
4. In voting on the Commission, all members shall have one vote each.
  5. The Commission shall elect a Chair from amongst its members who shall serve a term of two years. (Bylaw 4350)
  6. A quorum of the Commission is a majority of the appointed members.
  7. The rules of procedure for the Commission shall not be inconsistent with those of the Regional District.
  8. In October of each and every year the Commission shall prepare an Annual Budget for each function which shall include estimates for the administrative, development, maintenance, operational and other expenses, including debt charges, together with estimates for expected revenues and shall submit such budget for the approval of the Regional Board and for inclusion in the Regional Board's provisional and annual budgets.
  9. The function of the Commission is to assume all of the administrative powers of the Regional Board with respect to:
    - (a) Provision of community recreational services and related community programs for the Municipality and for the Juan de Fuca electoral area excluding the area previously defined as the Langford Electoral Area.
    - (b) The construction and administration of recreational facilities within the Regional Board's jurisdiction in the municipality and the Juan de Fuca electoral area excluding the area previously defined as the Langford Electoral Area.
  10. Bylaw 2211 is hereby repealed.
  11. The Bylaw may be cited as Sooke & Electoral Area Parks and Recreation Commission Bylaw No. 1, 2000.

READ A FIRST TIME THIS	12 <sup>th</sup>	DAY OF	April,	2000.
READ A SECOND TIME THIS	12 <sup>th</sup>	DAY OF	April,	2000.
READ A THIRD TIME THIS	12 <sup>th</sup>	DAY OF	April,	2000.
ADOPTED THIS	12 <sup>th</sup>	DAY OF	April,	2000.

Original signed by Christopher Causton

Original signed by Carmen Thiel

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CHAIRPERSON

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SECRETARY