

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4428**

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**A BYLAW TO AMEND THE OFFICERS', GENERAL MANAGERS', AND STAFF'S BYLAW NO. 1, 2006  
(BYLAW NO. 3343)**

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**WHEREAS:**

- A. Under Bylaw No. 3343, "Officers', General Managers' and Management Staff's Bylaw No. 1, 2006" and in prior bylaws, the Board delegated to its Chief Administrative Officer the role of retaining legal counsel to advise on and defend the CRD in any legal proceeding.
- B. The Board desires to ensure its current process and policy for retention of legal counsel and defence to legal claim is maintained in bylaw; and to ensure legal action may be commenced in a timely fashion in civil and administrative actions where the regional district is a wronged party, pursuant to section 229(1) of the *Local Government Act* and current practice; and
- C. The Board wishes to amend Bylaw No. 3343 to document the current practice;

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

- 1. Bylaw No. 3343, "Officers', General Managers' and Management Staff's Bylaw No. 1, 2006" is hereby amended as follows:
  - (a) By separating section 9 into two sections, 9(1) and 9(2), where 9(1) contains items 9 (a) and (b) and 9(2) contains the Chief Administrative Officer's duties listed in secondary list items (a) to (e), beginning at the text "The Chief Administrative Officer:" occurring after items 9(a) and (b);
  - (b) By inserting into 9(2), the Chief Administrative Officer's duties, as item 9(2)(f) the following:
    - (f) May retain and instruct legal counsel to commence civil and administrative actions in any Court of Law, or before any tribunal, arbitrator, or any other person, for or on behalf of the Regional District, to protect and maintain the interests of the regional district.
- 2. This bylaw may be cited for all purposes as "Officers', General Managers' and Management Staff's Bylaw No. 1, 2006, Amendment Bylaw No. 6, 2021".

READ A FIRST TIME THIS	___ <sup>th</sup>	day of	2021
READ A SECOND TIME THIS	___ <sup>th</sup>	day of	2021
READ A THIRD TIME THIS	___ <sup>th</sup>	day of	2021
ADOPTED THIS	___ <sup>th</sup>	day of	2021

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CHAIR

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CORPORATE OFFICER