

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

Bylaw No. 586, 2014

A Bylaw to establish the Sandspit Community Hall Standing Committee

WHEREAS pursuant to section 795(2) of the *Local Government Act*, the Chair may establish standing committees for matters the Chair considers would be better dealt with by committees, and may appoint persons to those committees;

WHEREAS pursuant to section 176(1)(e) of the *Local Government Act*, a Board may, by bylaw, delegate to committees its powers, duties and functions; and

WHEREAS the Chair wishes to establish the Committee and the Board wishes to delegate to the Committee certain of its powers, duties and functions;

NOW THEREFORE the Board of the Skeena-Queen Charlotte Regional District, in open meeting assembled, enacts as follows:

1. Citation

This Bylaw shall be cited for all purposes as the “Sandspit Community Hall Standing Committee Bylaw No. 586, 2014”.

2. Definitions

In this Bylaw:

- (a) **“Board”** means the Skeena-Queen Charlotte Regional District Board of Directors;
- (b) **“Chair”** means the Chair of the Skeena-Queen Charlotte Regional District Board;
- (c) **“Chief Administrative Officer”** means the person appointed by the Board as the Chief Administrative Officer;
- (d) **“Committee”** means the Sandspit Community Hall Standing Committee, as established by this Bylaw;
- (e) **“Committee Chair”** means the Chair of the Committee selected in accordance with this Bylaw; and
- (f) **“Management Powers”** means the ability to operate a service, as delegated within this Bylaw including all matters pertaining to the physical operation of the service such as operating, maintaining, repairing, engineering, or constructing. Management Powers may also include the financial management of such service if expressly delegated within this Bylaw.

3. Establishment and Mandate

- (a) The Sandspit Community Hall Standing Committee, hereinafter referred to as the Committee, is hereby established.
- (b) The Committee shall oversee the operations of the Sandspit Community Hall Service.

4. Committee Membership and Appointment

- (a) The Committee shall consist of three (3) to five (5) members, appointed by the Board, to serve on the Committee for a three (3) year term.
- (b) Community members residing or owning property within Electoral Area "E" (Moresby Island) are eligible to be appointed to the Committee.
- (c) In the event of a vacancy arising from any cause other than the expiration of a committee member's term of office, the Board may appoint a successor for the remainder of the term.
- (d) Any committee member who is absent from three consecutive meetings of the Committee without leave of absence from the Committee or without reason satisfactory to the Committee shall cease to be a member of the Committee.
- (e) Each retiring committee member of the Committee shall be eligible for reappointment.
- (f) The Board may rescind the appointment of a member of the Committee at any time.
- (g) The Committee shall, at its first regular meeting each year, appoint a Chair from among its members. The Chair shall hold office for one year or until a successor has been appointed.

5. Procedure

- (a) A quorum of the Committee shall be the majority of its members.
- (b) All decisions of the Committee shall be made by a majority of the members present at the meeting, with each member having one vote.
- (c) Regular Committee meetings shall be:
 - (1) held quarterly, with additional meetings held as necessary, as determined by the Committee; and
 - (2) open to the public.
- (d) Special Committee meetings shall be:
 - (1) called by resolution of the Committee at a regular meeting; or
 - (2) called at the request of two or more members of the Committee; and
 - (3) open to the public, subject to section 5(f) below.

- (e) Notice of meetings, by such means as the Committee deems reasonable, shall be provided to members of the Committee and residents of the Service Area at least 48 hours in advance of the meeting.
- (f) All or part of a meeting may be closed to the public in accordance with Section 90 of the *Community Charter*.
- (g) Where this Bylaw and the Skeena-Queen Charlotte Regional District Procedure Bylaw No. 470, 2005, as may be amended from time to time, are silent, Roberts Rules of Order, Newly Revised, shall apply to the conduct of Committee meetings.
- (h) Minutes shall be kept for all meetings of the Committee and a copy of such minutes shall be forwarded to the Chief Administrative Officer.

6. Delegated Powers and Responsibilities

- (a) The powers delegated to the Committee, except as otherwise provided by bylaw, shall include:
 - (1) Subject to the provisions contained Part 24 of the *Local Government Act*, the Committee is empowered to exercise Management Powers with respect to the Sandspit Community Hall Service in Electoral Area "E".
- (b) The Committee shall not exercise any powers, functions or responsibilities not expressly set out in this Bylaw.
- (c) The Committee shall not undertake any initiatives or commitments that may be binding on the Committee or the Skeena-Queen Charlotte Regional District without receiving the prior approval of the Board.
- (d) The Committee shall not enter into any contracts on behalf of the Skeena-Queen Charlotte Regional District. All contracts shall be signed by the Board, or by a delegate who has been authorized by the Board to sign contracts on behalf of the Board.
- (e) On or before November 30th each year, the Committee shall prepare and submit to the Board an annual budget, in a form satisfactory to the Chief Administrative Officer, which shall include detailed estimates of its receipts from every source and expenditures for every purpose for the following year, and such annual budget shall be considered by the Board and may be rejected or accepted, in whole or in part, at the Board's discretion.
- (f) The Committee shall not, without the Board's prior approval, expend any funds except as set forth in the approved budget and shall not enter into any undertaking, obligation, commitment, or liability that would cause the Committee's annual budget, as approved by the Board, to be exceeded.
- (g) The Committee shall institute such controls and authorization procedures over revenues and expenditures as the Skeena-Queen Charlotte Regional District may, from time to time, require.

- (h) The Committee shall provide regular reports to the Moresby Island Management Standing Committee and liaise with the Moresby Island Management Standing Committee, as required.

7. Reporting Obligations

- (a) The Committee shall forward to the Chief Administrative Officer the agenda and minutes of all meetings of the Committee.
- (b) The Committee will communicate regularly and liaise with the Chief Administrative Officer respecting the exercise of the Committee's powers, duties and functions, as specified in this Bylaw.
- (c) The Committee will abide by the Accountability Standards for Regional District Committees and Commissions Policy as adopted or amended by the Board.

8. No Delegation by a Delegate

A person to whom a power, duty or function has been delegated under this Bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.

9. Sub-committees

The Committee shall not appoint Sub-Committees. Matters the Committees feels would be better dealt with by a third party may, at the discretion of the Board, be delegated to another committee established by the Board for that purpose.

10. General

- (a) The title to any real property, equipment or chattels, leases and agreements of any kind, shall be registered in the name of the Skeena-Queen Charlotte Regional District, and the same shall be the property of the Skeena-Queen Charlotte Regional District and shall not be disposed of without the approval of the Skeena-Queen Charlotte Regional District.
- (b) All members of the Committee shall serve without remuneration, save and except to the extent that Committee members may be reimbursed for travel and out-of-pocket expenses in accordance with the policies of the Skeena-Queen Charlotte Regional District.
- (c) To enable the Committee to perform its functions and to carry out its duties in accordance with the intent and purpose for which the Committee was established, the Chief Administrative Officer may, whenever required and without the direct instruction of the Board, give to the Committee such assistance as it may reasonably require.

11. Scope of Bylaw

For clarity, subject to the *Local Government Act*, unless a power, duty or function of the Board has been expressly delegated by this Bylaw or another Skeena-Queen Charlotte Regional District bylaw, all of the powers, duties and functions of the Board will remain with the Board.

12. Severability

If any portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Read a FIRST TIME this 12th day of December, 2014.

Read a SECOND TIME this 23rd day of January, 2015.

Read a THIRD TIME this 23rd day of January, 2015.

ADOPTED by an affirmative vote of at least 2/3 of the votes cast this 23rd day of January, 2015.

Deputy Corporate Officer

Chair