

# SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

## Bylaw No. 588, 2014

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### A Bylaw to establish the Regional Recycling Advisory Committee

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**WHEREAS** subject to section 795 of the *Local Government Act*, the Chair may establish 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 “Regional Recycling Advisory Committee Bylaw No. 588, 2014”.

#### 2. Definitions

In this Bylaw:

- (a) **“Administrative Powers”** means the ability to undertake activities required for the day to day functioning of the Committee, which shall include all matters pertaining to developing and maintaining relevant policies and all financial and administrative duties required for the continued operation of the Committee within guidelines set by the Board;
- (b) **“Advisory Powers”** means the ability of the Committee to consider issues pertaining to matters delegated or referred to the Committee by the Board and to make recommendations to the Board on those issues;
- (c) **“Board”** means the Skeena-Queen Charlotte Regional District Board of Directors;
- (d) **“Chair”** means the Chair of the Skeena-Queen Charlotte Regional District Board;
- (e) **“Chief Administrative Officer”** means the person appointed by the Board as the Chief Administrative Officer;
- (f) **“Committee”** means the Regional Recycling Advisory Committee, as established by this Bylaw; and
- (g) **“Mainland Solid Waste Service Area”** means the geographic area in which Mainland Solid Waste Services are supplied, as established by *Local Service of Mainland Solid Waste Management Bylaw No. 270, 1994* and subsequent amendments thereof.

### **3. Establishment**

- (a) The Regional Recycling Advisory Committee, hereinafter referred to as the Committee, is hereby established.

### **4. Committee Membership and Appointment**

- (a) The participants of this Committee shall be the City of Prince Rupert, the District of Port Edward and Electoral Areas "A" and "C".
- (b) The Committee shall be composed of up to seven (7) members, as follows:
  - i. Two (2) members shall be appointed by the City of Prince Rupert;
  - ii. One (1) member shall be appointed by the District of Port Edward;

With the following appointments to be made by the Chair:

- iii. One (1) of the Directors from either Skeena-Queen Charlotte Regional District Electoral Area "A" or "C";
- iv. The Mainland Directors shall recommend to the Board up to three (3) members for appointment, which may include:
  - a. Members from a local environmental or recycling group;
  - b. Members residing within the Mainland Solid Waste Service Area; and
  - c. Members from a First Nations community or organization based in the Mainland Solid Waste Service Area.
- (c) The Chair shall make the initial appointments to the Committee. Thereafter appointments to the Committee shall be in accordance with Section 4(b) of this Bylaw.
- (d) All appointments shall be for two (2) year terms and shall expire in January but may be extended until successors are appointed.
- (e) The Committee shall, at its first regular meeting each year, appoint a Chair and a Vice Chair from among the members. The Chair shall hold office for one year or until a successor has been appointed.
- (f) Each retiring member of the Committee shall be eligible for reappointment.
- (g) In the event of a member's resignation from the Committee, the Board may appoint a successor to serve the balance of the term.

### **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.
- (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) 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.
- (g) The Regional District shall exercise administrative powers over the Committee.

## **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 Advisory Powers with respect to the Mainland Solid Waste Management Service.
- (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.

## **7. Reporting Obligations**

- (a) 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.
- (b) 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) 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.
- (b) 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.

**13. Repeal**

The *Mainland Solid Waste Management Committee Bylaw No. 245, 1993*, and all subsequent amendments thereof, are hereby repealed.

Read a FIRST TIME this	21 <sup>st</sup> day of November, 2014.
Read a SECOND TIME this	12 <sup>th</sup> day of December, 2014.
Read a THIRD TIME this	12 <sup>th</sup> day of December, 2014.
ADOPTED this	12 <sup>th</sup> day of December, 2014.

Chair

Deputy Corporate Officer