

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT
HAIDA GWAII REGIONAL RECREATION COMMISSION BYLAW NO. 597, 2015

A bylaw to establish a recreation commission for Haida Gwaii

WHEREAS the Board of the Skeena-Queen Charlotte Regional District may, pursuant to section 176(1) of the *Local Government Act*, establish commission to operate regional district services;

AND WHEREAS the Board of the Skeena-Queen Charlotte Regional District, pursuant to Bylaw No. 595, 2015, and amendments thereto, has established a regional recreation service on Haida Gwaii;

AND WHEREAS the Board of the Skeena-Queen Charlotte Regional District deems it appropriate to establish a recreation commission;

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

1. ESTABLISHMENT

- 1.1. The Haida Gwaii Regional Recreation Commission is hereby established.

2. DEFINITIONS

- 2.1. “**Administrative Powers**” means the ability to undertake activities required for the day to day functioning of the Commission, 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 Commission within guidelines set by the Board.
- 2.2. “**Board**” means the Board of the Skeena-Queen Charlotte Regional District;
- 2.3. “**Chief Administrative Officer**” means the person appointed by the Board as the Chief Administrative Officer;
- 2.4. “**Commission**” means the Haida Gwaii Regional Recreation Commission;
- 2.5. “**Executive Committee**” means a committee, consisting of the Commission Chair and two other members, to act on behalf of, and within the powers granted to them by, the Commission;
- 2.6. “**Local Service Area**” means the boundaries of the Haida Gwaii Regional Recreation Service Area established by Bylaw No. 595, 2015, and amendments thereto;
- 2.7. “**Management Powers**” means the ability to operate a service, as delegated within this bylaw, and subsequent amendments thereto, 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; and
- 2.8. “**Regional District**” means the Skeena-Queen Charlotte Regional District.

3. MEMBERSHIP

- 3.1. The Commission shall consist of no more than eight (8) members from the following areas:
 - 3.1.1. Village of Queen Charlotte;
 - 3.1.2. Village of Masset;
 - 3.1.3. Village of Port Clements;
 - 3.1.4. Electoral Area D; and
 - 3.1.5. Electoral Area E.
- 3.2. Commission staff are not eligible to serve as members of the Commission.

4. APPOINTMENT

- 4.1. Members of the Commission shall be appointed by the Board in accordance with section 176 of the *Local Government Act*.
- 4.2. Members of the Commission shall be appointed to a two (2) year term.
- 4.3. Members of the Commission shall be eligible for reappointment to successive terms without limitation.
- 4.4. Each member of the Commission may appoint an alternate representative to serve in his or her absence provided that the Regional District has been notified, in writing, of the appointment.
- 4.5. In the event of a vacancy between appointments due to death, resignation or termination, the vacancy shall be filled forthwith by the Commission subject to the approval of the Board.
- 4.6. The appointment of a Commission member may be rescinded at any time, for cause, by resolution of the Board.

5. PROCEDURE

- 5.1. The Commission Chair and Vice Chair shall be elected annually by a majority vote of all Commission members.
- 5.2. A quorum of the Commission shall be the majority of its members.
- 5.3. All decisions of the Commission shall be made by a majority vote of the members present at the meeting, with each member having one vote.
- 5.4. An Executive Committee shall be elected annually from within the membership of the Commission.

- 5.5. Regular Commission meetings shall be:
 - 5.5.1. Held at least two (2) times per annum; and
 - 5.5.2. Open to the public.
- 5.6. Special Commission meetings shall be:
 - 5.6.1. Called by resolution of the Commission at a regular meeting; or
 - 5.6.2. Called at the request of two or more Commission members; and
 - 5.6.3. Open to the public, subject to section 5.8 below.
- 5.7. Notice of meetings, by such means as the Commission deems reasonable, shall be provided to members of the Commission and residents of the Local Service Area at least 48 hours in advance of a meeting.
- 5.8. All or part of a meeting may be closed to the public in accordance with the “*Skeena-Queen Charlotte Regional District Procedure Bylaw No. 470, 2005*”, and amendments thereto.
- 5.9. Where this bylaw and the “*Skeena-Queen Charlotte Regional District Procedure Bylaw No. 470, 2005*”, and amendments thereto, are silent, Robert’s Rules of Order, newly revised, shall apply to the conduct of Commission meetings.
- 5.10. Minutes shall be kept for all meetings of the Commission and a copy of such minutes shall be forwarded to the office of the Skeena-Queen Charlotte Regional District.

6. DELEGATION OF AUTHORITY

- 6.1. The powers delegated to the Commission, except as otherwise provided by bylaw, shall include:
 - 6.1.1. Subject to the provisions otherwise contained in this bylaw and part 24 of the *Local Government Act*, the Commission is empowered to exercise Administrative Powers with respect to the Commission;
 - 6.1.2. Subject to the provisions otherwise contained in this bylaw and part 24 of the *Local Government Act*, the Commission is empowered to exercise Management Powers with respect to the following:
 - 6.1.2.1. Haida Gwaii Regional Recreation Service.
- 6.2. The Commission is authorized to hire a Recreation Coordinator who shall report to the Commission.
- 6.3. The Commission shall not exercise any powers, functions or responsibilities not expressly set out in this bylaw, as amended from time to time.

- 6.4. The Commission shall not undertake any initiatives or commitments that may be binding on the Commission or the Regional District without receiving the prior approval of the Board.
- 6.5. The Commission 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 Commission's annual budget, as approved by the Board, to be exceeded.
- 6.6. All authorized funds receivable and expendable by the Commission shall be paid into and out of the Commission's operating account.

7. REPORTING OBLIGATIONS

- 7.1. On or before November 30th each year, the Commission 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.
- 7.2. The Commission shall forward to the Chief Administrative Officer the agenda and minutes of all meetings of the Commission.
- 7.3. The Commission will communicate regularly and liaise with the Chief Administrative Officer respecting the exercise of the Commission's powers, duties and functions, as specified in this bylaw.
- 7.4. The Commission will abide by the *Accountability Standards for Regional District Committees and Commissions Policy* as adopted or amended by the Board.

8. GENERAL

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

9. SCOPE OF BYLAW

9.1. 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 Regional District bylaw, as amended from time to time, all of the powers, duties and functions of the Board will remain with the Board.

10. SEVERABILITY

10.1. If any portion of this bylaw, as amended from time to time, is held to be 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.

11. REPEAL

- 11.1. For certainty, the following Regional District bylaws are hereby repealed:
 - 11.1.1. Skeena-Queen Charlotte Regional District Queen Charlotte Regional Recreation Committee Bylaw No. 80, 1979;
 - 11.1.2. Skeena-Queen Charlotte Regional District Queen Charlotte Recreation Commission Amending Bylaw No. 117, 1982;
 - 11.1.3. Skeena-Queen Charlotte Regional District, Queen Charlotte Island Regional Recreation Commission Amending Bylaw No. 162, 1986;
 - 11.1.4. Skeena-Queen Charlotte Regional District Queen Charlotte Islands Regional Recreation Commission Bylaw No. 340, 1997; and
 - 11.1.5. Skeena-Queen Charlotte Regional District Queen Charlotte Islands Recreation Commission Bylaw No. 522, 2010.

12. CITATION

12.1. This bylaw shall be cited for all purposes as the “Haida Gwaii Regional Recreation Commission Bylaw No. 597, 2015”.

READ A FIRST TIME this	24 th day of April, 2015.
READ A SECOND TIME this	14 th day of August, 2015.
READ A THIRD TIME this	14 th day of August, 2015.
ADOPTED this	14 th day of August, 2015.



B. Pages
Chair

D. Fish
Deputy Corporate Officer