

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BY-LAW NO. 416

A By-law to establish a Parks Commission for the function of developing, operating and maintaining certain Community Parks within Electoral Area "A" and to repeal Electoral Area "A" Parks Commission By-law No. 392, 1982.

WHEREAS by Supplementary Letters Patent dated April 14th, 1982 the Regional District of Alberni-Clayoquot may, by By-law, establish a Parks Commission with membership consisting of the Director representing the member municipality and other such persons as may be expedient and may delegate to the Parks Commission any or all of the administrative powers of the Regional District of Alberni-Clayoquot with respect to the use, management, improvement, operation and control of any real property acquired or held for park purposes;

AND WHEREAS it is considered desirable to establish a Parks Commission as aforementioned within the Bamfield Fire Protection Specified Area of Electoral Area "A" of the Regional District of Alberni-Clayoquot, the boundaries of said Specified Area being as depicted on Schedule "A" and more clearly defined on Schedule "B" both Schedules being attached to and forming part of this By-law;

AND WHEREAS the Director of Electoral Area "A" has provided his written consent to exercise the powers of Section Two of Division XX - Community Parks of the Letters Patent of the Regional District of Alberni-Clayoquot.

AND WHEREAS the foregoing defined area is declared to be a park program unit;

AND WHEREAS it is deemed expedient to declare the property, at the South West Quarter of Section 20, Township 1, Barclay District, Pachena Trail, OIC No. 274, known as the Bamfield Centennial Park as a Community Park;

NOW THEREFORE the Regional Board of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

DEFINITIONS

1. In this By-law a;
  - (a) "Commission means the Parks Commission as established by this by-law;
  - (b) "Regional Board" means the Regional Board of the Regional District of Alberni-Clayoquot.
  - (c) "Director" means the elected Director representing Electoral Area "A";

2. (a) Pursuant to the powers granted by supplementary Letters Patent, there is hereby created and established the Electoral Area "A" Parks Commission.
- (b) The Regional Board is hereby empowered and authorized to establish within Electoral Area "A" a community parks specified area and such area shall be comprised of that tract of land outlined in red on the plan marked Schedule "A" and more particularly described in Schedule "B", both of which are attached to and form part of this by-law.
- (c) It is hereby declared that the property to be administered by the Commission is described as the South West Quarter of Section 20, Township 1, Barclay District, Pachena Trail, OIC No. 274, more commonly known as Bamfield Centennial Park.

#### MEMBERSHIP

3. The Electoral Area "A" Parks Commission shall consist of Five members as follows:
  - [a] The Director from Electoral Area "A" and in the event of the absence of the foregoing Director, the duly appointed Alternate Director shall be deemed to be a member of the Commission for such period of absence.
  - [b] The Regional Board shall appoint an additional two members.
  - [c] The last two members shall be elected at an Annual General meeting of the residents of Electoral Area "A", Specified Area, by nomination and vote.

#### TERM OF OFFICE

4.
  - [a] The term of office for members appointed under Section 3 [b] and [c], shall be two years, expiring on the 30th day of April in the second year.
  - [b] In the event of vacancy of office a replacement appointee shall hold office for the otherwise unexpired term of office.
  - [c] An elected member must be re-elected at the necessary Annual meeting.
  - [d] Appointed members may be re-appointed for a further term or terms.
  - [e] The Regional Board may, with cause, remove from membership any member appointed pursuant to Section 3 [b] and [c] .

PROCEDURE

5. [a] At the inaugural meeting and in the first meeting in each year thereafter, the Commission shall elect from amongst its own members, A Chairman, Vice-Chairman and Secretary who shall hold office until a successor is elected.
- [b] In the absence of the Chairman, Vice-Chairman or Secretary, the Commission shall elect from the members present a temporary Chairman or Secretary for the purpose of that meeting alone.
- [c] A quorum is three of the members of the Commission.
- [d] All decisions, resolutions and recommendations of the Commission shall be made by a majority of the members present at the meeting, with each member having one vote.
- [e] Where not otherwise covered in this By-law, the rules of procedure governing Commission meetings shall be those of the Procedural By-law of the Regional District of Alberni-Clayoquot.
- [f] Minutes shall be kept for all meetings of the Commission and a copy of such minutes forwarded to the offices of the Regional District of Alberni-Clayoquot as soon as possible after each meeting.

POWERS AND RESPONSIBILITIES

6. [a] The powers delegated to the Commission shall, except as otherwise provided by By-law or resolution of the Regional Board, include only those administrative powers of the Regional Board specifically assigned by this By-law with respect to the operation of a Parks Commission.
- [b] The title to any real property, equipment or chattels, or leases and agreements of any kind, shall be registered in the name of the Regional District of Alberni-Clayoquot.
- [c] The Commission may be required annually, before the 24th day of October, to cause to be prepared and submitted to the Regional Board detailed estimates of its receipts from every source and expenditures for every purpose for the following year, and such estimates shall be considered by the Regional Board and accepted in whole or in part.
- [d] The Commission shall not make disbursements unless authorized by By-law of the Regional Board pursuant to the Community Parks Supplementary Letters Patent, or enter into any undertaking, obligation or liability, which would cause the annual budget as approved by the Regional Board to be exceeded.
- [e] The Commission shall institute such controls and authorization procedures over revenues and expenditures as may from time to time be deemed necessary by the Regional District.

- [f] The Commission shall be responsible on its own initiative to advise the Regional Board on all or any matters which may legally or financially bind or commit the Regional Board.
- [g] The Commission shall advise the Board of all public liability insurances\* required covering the operations of the Commission and custodianship of any parks in order to insure that adequate insurance is in effect at all times.
- [h] All official business to be transacted and all contracts to be entered into by the Commission which may legally, financially or otherwise commit the Regional Board, shall, unless otherwise previously authorized by the Board, be made or carried out by the Regional Board.
- [i] Subject to the provisions otherwise contained in this by-law, the Commission is empowered to exercise any of the administrative powers of the Regional Board in respect to the following;
  - [i] The management, policies, operation and control of the Parks Commission and related activities.
  - [ii] The custodianship, care and maintenance of any premises owned, leased or rented for the use of its operation.
  - [iii] To perform any act, or other matter, or thing, incidental to the operation of the Parks Commission, provided that such act, matter, or thing, is not otherwise inconsistent with the provisions and intent of this by-law.

GENERAL

7. All members of the Commission shall serve without remuneration, except for such "out of pocket" expenditures as may have received prior authorization by the Regional Board.
8. No recommendation of the Commission, or other matter requiring ratification to the Regional Board shall, be made public until it has been considered by the Regional Board.

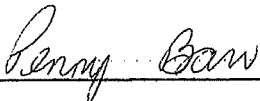
9. By-law No. 392, being the "Electoral Area "A" Parks Commission By-law No. 392, 1982 is repealed in its entirety.
10. This By-law may be cited as the "Electoral Area "A", Parks Commission and Repeal By-law No. 416, 1983".
11. This By-law shall come into force and take effect on and after the date of final passing hereof.

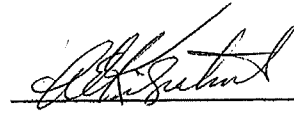
Read a first time this 26th day of January, 1983.

Read a second time this 26th day of January, 1983.

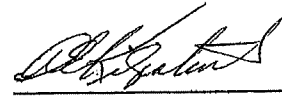
Read a third time this 26th day of January, 1983.

Reconsidered and adopted this 26th day of January, 1983.

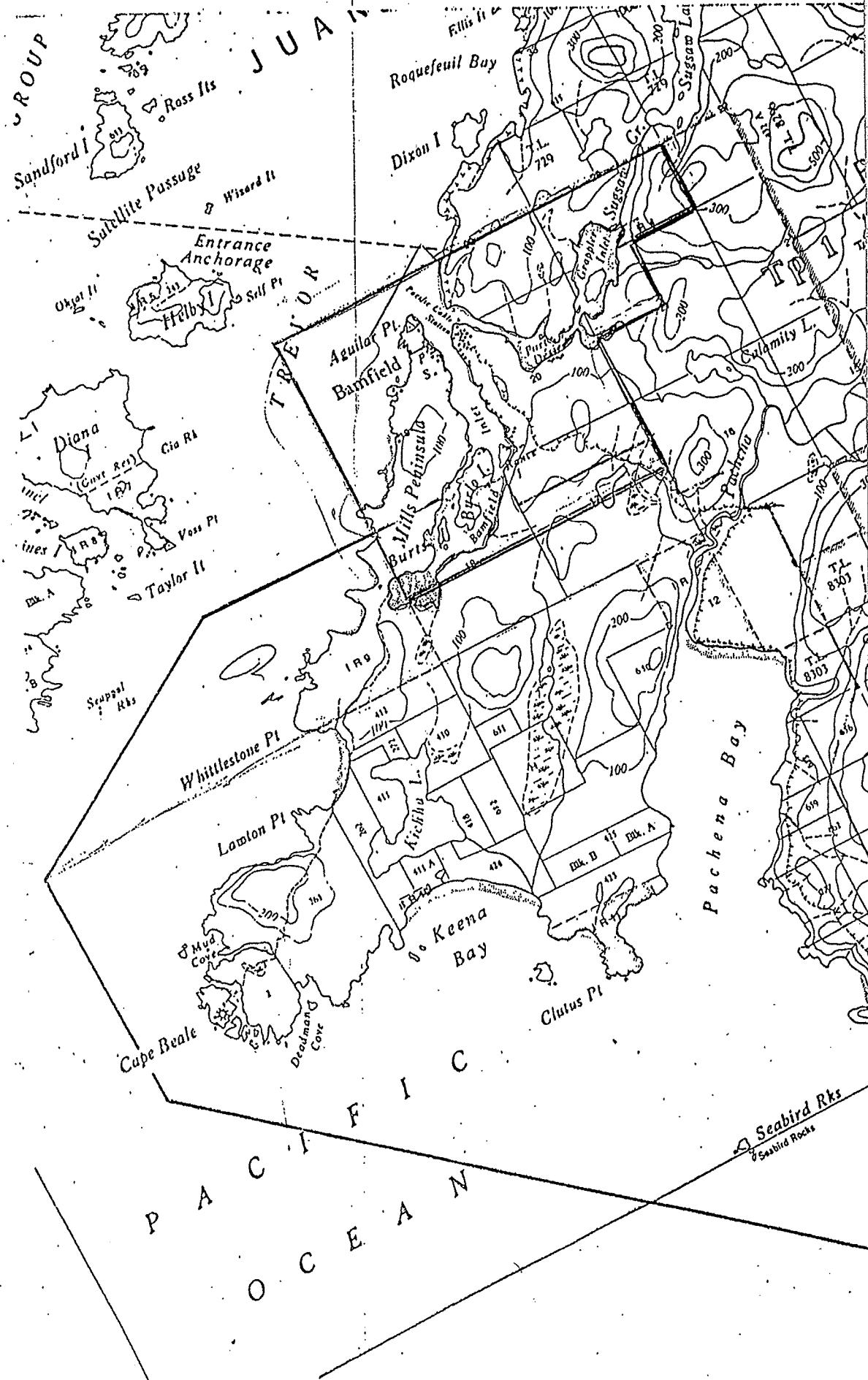
  
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Chairman

  
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Secretary-Treasurer

I hereby certify the foregoing to be a true and correct copy of By-law No. 416, cited as the "Electoral Area "A", Parks Commission and Repeal By-law No. 416, 1983", as reconsidered and adopted this 26th day of January, 1983.

  
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Secretary-Treasurer

A copy of this By-law has been deposited in the office of the Inspector of Municipalities.



BAMFIELD SPECIFIED AREA (FIRE PROTECTION)

Commencing at the northwest corner of the Fractional South Half of Section 29, Township 1, Barclay District, being a point on the highwater mark of Trevor Channel on the southeasterly shore thereof; then northwesterly in a direction perpendicular to the general direction of the said highwater mark for a distance of 1,000 feet; thence in a general southwesterly direction parallel to and 1,000 feet perpendicularly distant northwesterly from the highwater mark of Trevor Channel on the southeasterly shore thereof to a point which lies 1,000 feet perpendicularly distant northwesterly from the northwest corner of Section 18; thence southeasterly in a straight line to said northwest corner; thence southerly along the westerly boundary of the North Half of said Section 18 to the point of intersection with the highwater mark of Bamfield Inlet and the northerly shore thereof; thence in a general southerly and easterly direction along the westerly and southerly highwater mark of Bamfield Inlet to the most westerly southwest corner of the North Half of Section 18; thence easterly along the southerly boundary of the North Half of Sections 18 and 17 to the southeast corner of the North Half of Section 17; thence northerly along the easterly boundaries of Sections 17 and 20 to the southwest corner of the Northwest Quarter of Section 21; thence easterly and northerly along the southerly and easterly boundaries of said Northwest Quarter to the northeast corner thereof; thence easterly and northerly along the southerly and easterly boundaries of the Southeast Quarter of Section 28 to the northeast corner of said Southeast Quarter; thence westerly along the northerly boundary of the South Half of Section 28 and Fractional Section 29 to the northwest corner of the said Fractional South Half of Section 29 being the point of commencement.

