

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BY-LAW NO. 417

A By-law to establish a Parks Commission for the function of developing, operating and maintaining certain Community Parks within Electoral Area "D" and to repeal Electoral Area "D" Parks Commission By-law No. 393, 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 Sproat Lake Fire Protection Specified Area of Electoral Area "D" of the Regional District of Alberni-Clayoquot, the boundaries of said Specified Area being as depicted on Schedule "C" and more clearly defined on Schedules "A" and "B" all Schedules being attached to and forming part of this By-law;

AND WHEREAS the Director of Electoral Area "D" 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, located between Lots 14 and 15, Block 1, District Lot 36, Alberni District, Plan 14018, known as Faber 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 "D".

2. (a) Pursuant to the powers granted by supplementary Letters Patent, there is hereby created and established the Electoral Area "D" Parks Commission.
- (b) The Regional Board is hereby empowered and authorized to establish within Electoral Area "D" a community parks specified area and such area shall be comprised of that tract of land outlined in red on the plan marked Schedule "D" and more particularly described in Schedule "C", 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 located between Lots 14 and 15, Block 1, District Lot 36, Alberni District, Plan 14018, known as Faber Park as a Community Park;

MEMBERSHIP

3. The Electoral Area "D" Parks Commission shall consist of Five members as follows:
 - [a] The Director from Electoral Area "D" 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 "D", 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.

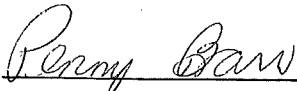
9. By-law No. 393 being the "Electoral Area "D" Parks Commission By-law No. 393, 1982 is repealed in its entirety.
10. This By-law may be cited as the "Electoral Area "D", Parks Commission and Repeal By-law No. 417, 1983".
11. This By-law shall come into force and take effect on and after the date of final passing hereof.

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

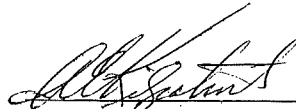
Read a second time this 26th day of January , 1983.

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

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

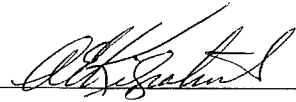


Chairman



Secretarty-Treasurer

I hereby certify the foregoing to be a true and correct copy of By-law No. 393 cited as the "Electoral Area "D" Parks Commission and Repeal By-law No. 417, 1983", as reconsidered and adopted this 26th day of January , 1983.



Secretary-Treasurer

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

Schedule "A"

Firstly: Commencing at the northeast corner of Lot 60, Alberni District; thence southerly and westerly along the easterly and southerly boundaries of said Lot 60 to the most southerly southwest corner thereof; thence southerly, westerly, northerly, and easterly along the easterly, southerly, westerly, and northerly boundaries of Lot 58, to the most westerly southwest corner of Lot 60; thence northerly along the westerly boundary of Lot 60 to the northwest corner thereof; thence northerly, easterly, and southerly along the westerly, northerly and easterly boundaries of the westerly 37 acres of Lot 130 to the southeast corner thereof; thence easterly along the northerly boundary of Lot 60 to the aforesaid northeast corner thereof, being the point of commencement.

Secondly: Commencing at the southeast corner of Lot 288G, Alberni District; thence northerly along the easterly boundaries of Lots 288G and 267 to the northeast corner of said Lot 267; thence westerly along the northerly boundary of Lot 267 to the point of intersection with the southerly prolongation of the westerly boundary of Lot 18 of Lot 39, Registered Plan 1877, on file in the Land Registry Office, Victoria; thence northerly along said prolongation and continuing northerly along the westerly boundary of said Lot 18, Plan 1877 to the northwest corner thereof; thence northeasterly in a straight line to the southwest corner of Lot 1 of Lot 39, Plan 1877; thence northerly along the westerly boundary of said Lot 1, Plan 1877 to the point of intersection with the southeasterly pro-

longation of the southwesterly boundary of Lot 56 of Lot 140, Registered Plan 1414; thence northwesterly along said prolongation to the southeast corner of Lot 56, Plan 1414; thence northerly along the easterly boundary of Lot 59 of Lot 140, Plan 1414, to the northeast corner thereof, being a point on the highwater mark of Sproat River on the right bank thereof; thence in a general easterly and southerly direction along the highwater mark on the right banks of Sproat and Somass Rivers to the northeast corner of Lot 19 of Lot 90, Registered Plan 1486; thence westerly along the northerly boundary of said Lot 19, Plan 1486 to the northwest corner thereof; thence southerly along the westerly boundaries of Lots 19 to 24, respectively, of Lot 90, Plan 1486 to the southwest corner of said Lot 24, Plan 1486; thence easterly along the southerly boundary of Lot 24 of Lot 90, Plan 1486 to the southeast corner thereof, being a point on the aforesaid highwater mark of Somass River; thence in a general southeasterly direction along said highwater mark to the southeast corner of Lot 229G; thence westerly along the southerly boundary of said Lot 229G to the aforesaid southeast corner of Lot 288G, being the point of commencement.

Thirdly: Commencing at the southeast corner of Parcel C of Lot 86, Alberni District; thence northerly along the easterly boundary of said Parcel C to the point of intersection with the southeasterly boundary of Lot A of Lot 86, Registered Plan 18989; thence northeasterly along the southeasterly boundaries of Lot A of Lot 86, Plan 18989 and Lot 1 of Lot 86, Registered Plan 9664 to the southeast corner of said Lot 1

Plan 9664; thence east to the point of intersection with the westerly boundary of Lot 127; thence northerly, easterly, southerly and westerly along the westerly, northerly, easterly, and southerly boundaries of said Lot 127 to the southwest corner thereof; thence westerly along the southerly boundary of Parcel D of Lot 86 to the aforesaid southeast corner of Parcel C of Lot 86, being the point of commencement.

Schedule "B"

Firstly: Commencing at the northeast corner of Lot 149, Alberni District, being a point on the highwater mark of Sproat River on the right bank thereof; thence in a general westerly direction along said highwater mark and continuing southwesterly and southeasterly along the highwater mark of Sproat Lake on the southeasterly and northeasterly shore thereof to the most southerly southwest corner of Lot 141; thence easterly and northerly along the southerly and easterly boundaries of said Lot 141 to the most easterly northeast corner thereof; thence northerly along the easterly boundary of Lot 61 to the northeast corner thereof; thence easterly along the southerly boundaries of Lots 85, 86 and 127 to the southeast corner of Lot 127; thence northerly along the easterly boundary of said Lot 127 to the northeast corner thereof; thence westerly, northerly, and easterly along the southerly, westerly, and northerly boundaries of Indian Reserve No. 1 (Tsahaheh) to the northeast corner thereof, being a point on the highwater mark of Somass River on the right bank thereof; thence in a general northwesterly direction along said highwater mark to the southeast corner of Lot 24 of Lot 90, Registered Plan 1486, on file in the Land Registry Office, Victoria; thence westerly along the southerly boundary of said Lot 24, Plan 1486 to the southwest corner thereof; thence northerly along the westerly boundaries of Lots 24, 23, 22, 21, 20, and 19 of Lot 90, Plan 1486 to the northwest corner of said Lot 19; thence easterly along the northerly boundary of Lot 19 of Lot 90, Plan 1486, to the northeast corner thereof being a point on the aforesaid highwater mark of Somass

River on the right bank thereof; thence in a general northerly and westerly direction along the highwater mark of the right bank of Somass and Sproat Rivers to the northwest corner of Lot 39; thence southerly along the westerly boundary of said Lot 39 to the southeast corner of Lot 56 of Lot 140, Registered Plan 1414; thence northwesterly along the southwesterly boundaries of Lots 56, 55, and 54 of Lot 140, Plan 1414 to the southwest corner of said Lot 54, Plan 1414; thence southwesterly along the southeasterly boundaries of Lots 53, 52, 51, 50, and 49 of Lot 140, Plan 1414 to the southwest corner of said Lot 49, Plan 1414; thence southwesterly in a straight line to the southeast corner of Lot 36 of Lot 140, Plan 1414; thence southwesterly along the southeasterly boundaries of Lots 36, 35, 34, 33, 32, 31, 30, and 29 of Lot 140, Plan 1414 to the southwest corner of said Lot 29, of Lot 140, Plan 1414; thence northerly along the easterly boundary of Lot 149 to the aforesaid northeast corner thereof, being the point of commencement.

Secondly: Commencing at the southeast corner of Lot 98, Alberni District, being a point on the highwater mark of Sproat Lake on the northerly shore thereof; thence northerly along the easterly boundary of said Lot 98 to the point of intersection with the northerly limit of Lake Shore Road as constructed on the ground; thence in a general southwesterly direction along said northerly limit to the southeast corner of Lot A of Lot 98, Registered Plan 4786 on deposit in the Land Registry Office, Victoria; thence northerly and southwesterly along the easterly and northwesterly boundaries of said

Lot A, Plan 4786, to the northwest corner thereof; thence east to the point of intersection with the easterly boundary of Lot 5 of Lot 134, Registered Plan 1963; thence northerly and westerly along the easterly and northerly boundaries of said Lot 5, Plan 1963 to the northwest corner thereof; thence westerly and southerly along the northerly and westerly boundaries of Lot 6 of Lot 134, Plan 1963, to the point of intersection with the easterly prolongation of the northerly boundary of Lot 4 of Lot 148, Registered Plan 9261; thence westerly along said prolongation to the most northerly northeast corner of said Lot 4, Plan 9261; thence westerly and southerly along the northerly and westerly boundaries of Lot 4 of Lot 148, Plan 9261, to the most westerly southwest corner thereof, being a point on the aforesaid northerly limit of Lake Shore Road; thence in a general westerly direction along said northerly limit to the point of intersection with the easterly boundary of Parcel A of Lot 126; thence northerly and westerly along the easterly and northerly boundaries of said Lot A to the most northerly northwest corner thereof; thence westerly and southerly along the northerly and westerly boundaries of Lot 1 of Lot 126, Registered Plan 18159 to the southwest corner thereof; thence southerly along the westerly boundary of Lot 126 to the point of intersection with the easterly prolongation of the northerly boundary of Lot 1 of Block 208, Registered Plan 4600; thence westerly along said prolongation and continuing westerly along the northerly boundaries of Lots 1 to 4 inclusive, Plan 4600, to the northwest corner of said Lot 4; thence westerly in a straight line to the northeast corner of Lot 5 of

Block 209, Plan 4600; thence northwesterly along the northeasterly boundaries of Lots 5 to 7 inclusive to the most northerly corner of said Lot 7, Plan 4600; thence southerly along the westerly boundary of Lot 7, Plan 4600, to the point of intersection with the aforesaid northerly limit of Lake Shore Road, as shown on Registered Plan 2634; thence westerly along the said northerly limit of Lake Shore Road to the point of intersection with the northerly boundary of Lot 91; thence westerly and southerly along the northerly and westerly boundaries of said Lot 91 to the southwest corner thereof; thence westerly along the northerly boundary of Lot 622 to the most easterly corner thereof, being a point on the aforesaid highwater mark of Sproat Lake on the northerly shore thereof; thence in a general southeasterly, northeasterly, northwesterly and northeasterly direction along the said highwater mark of Sproat Lake to the aforesaid southeast corner of Lot 98, being the point of commencement.

Thirdly: Commencing at the northeast corner of Lot 60, Alberni District; thence southerly and westerly along the easterly and southerly boundaries of said Lot 60 to the most southerly southwest corner thereof; thence southerly, westerly, northerly and easterly along the easterly, southerly, westerly, and northerly boundaries of Lot 58 to the most westerly southwest corner of Lot 60; thence northerly along the westerly boundary of Lot 60 to the northwest corner thereof; thence northerly, easterly, and southerly, along the westerly, northerly, and easterly boundaries of the westerly 37 acres of Lot 130, to the southeast

corner thereof; thence easterly along the northerly boundary of Lot 60 to the aforesaid northeast corner thereof, being the point of commencement.

