



## CARIBOO REGIONAL DISTRICT

### BYLAW NO. 4918

A bylaw of the Cariboo Regional District in the Province of British Columbia, to establish the Bouchie Lake Recreation Commission.

WHEREAS pursuant to the provisions of the *Local Government Act*, being Chapter 323 of the Revised Statutes of British Columbia, and amendments thereto, the Board may, by bylaw, establish commissions to manage property or an interest in property held by the regional district, and may establish any terms or conditions it considers appropriate; and

WHEREAS the Board deems it desirable to establish a commission to manage certain lands and buildings located in the Bouchie Lake area within Electoral Area B of the Cariboo Regional District;

NOW THEREFORE, the Board of Directors of the Cariboo Regional District, duly assembled in an open meeting, hereby enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as “Cariboo Regional District Bouchie Lake Recreation Commission Bylaw No. 4918, 2014”.

2. COMMISSION ESTABLISHMENT

A commission to be known as the “Bouchie Lake Recreation Commission” (hereinafter referred to as the “Commission”) is hereby established.

3. COMMISSION PURPOSE

The purpose of the Commission is to manage the land and buildings, hereinafter referred to as the “Property” and as described in Schedule A attached to and forming part of this bylaw. Management of the Property will ensure its use and enjoyment by the public. The Lands shall be utilized to conduct public recreation and other community activities.

#### 4. COMMISSION MEMBERSHIP AND TERMS OF APPOINTMENT

- (a) The Commission will be made up of the following members:
  - i) the Director of Electoral Area B of the Cariboo Regional District;
  - ii) a minimum of six members to a maximum of ten members-at-large; of which two thirds must be residents of Electoral Area B living within the North Cariboo Recreation and Parks taxation boundary.
- (b) All members-at-large shall be appointed by the Cariboo Regional District Board on the recommendation of the Electoral Area Director. Each appointment will continue until:
  - i) The member's re-appointment after a local government general election; or
  - ii) 90 days after a local government general election;whichever occurs first.
- (c) Notwithstanding subsection (b) the Cariboo Regional District Board may rescind the appointment of any member of the Commission at its discretion and may appoint another person to serve for the remainder of the term.
- (d) If a Commission member appointed pursuant to subsection (b) is absent for three consecutive regularly scheduled commission meetings, without leave of the Chair, the member may be considered to have vacated his/her position as a member of the Commission.
- (e) If the Commission considers that one of its members has vacated his/her position, it may recommend to the Electoral Area Director that the member's appointment be rescinded and that a replacement be appointed. When a member's appointment is rescinded by the Cariboo Regional District Board, they shall be notified in writing.
- (f) No member of the Commission is eligible for remuneration.

#### 5. COMMISSION STRUCTURE

- (a) The Commission shall choose a Chair from within its membership. The Chair shall preside over all meetings, and shall rule on all points of order, subject to the relevant Cariboo Regional District bylaws and policies.
- (b) The Commission shall choose a Secretary from within its membership. The Secretary shall be responsible for recording all those present at the meetings, as well as all resolutions, in the form of minutes, to be retained and copied to the North Cariboo Joint Planning Committee and the Cariboo Regional District.
- (c) The Commission shall choose a Treasurer from within its membership. The Treasurer shall maintain records of all revenues and expenditures related to

Commission activities. The Treasurer shall ensure that all transactions are legal and consistent with the Cariboo Regional District's duly approved financial plan, bylaws, policies and procedures. The records shall be available for inspection at the request of the Cariboo Regional District at any time. The Treasurer shall ensure that the Commission is regularly informed of its financial status.

6. COMMISSION MEETINGS

- (a) The Commission shall meet at least quarterly (every 3 months).
- (b) The Commission shall be subject to Division 3 of Part IV (open meetings) of the *Community Charter*, being Chapter 26 of the Statutes of British Columbia, and amendments thereto.
- (c) A quorum shall be fifty percent of the Commission's current membership, or four members; whichever is greater.
- (d) Each member of the Commission shall have one vote. A motion is defeated in the case of a tie.
- (e) All meetings of the Commission shall be subject to Cariboo Regional District bylaws and policies.
- (f) The Chair shall call meetings at a time that is mutually convenient with the Commission membership and the Electoral Area Director. Should the Electoral Area Director, or the respective Alternate Director, not be able to attend the meeting, the Electoral Area Director may grant leave to proceed in his/her absence.

7. COMMISSION POWERS AND RESPONSIBILITIES

- (a) The Commission shall have the following duties and powers delegated to it by the Cariboo Regional District Board:
  - (i) The authority to manage and operate the Property consistent with policies and procedures established by the Cariboo Regional District. This includes the responsibility for the Commission to maintain the Property in a safe and satisfactory condition at all times;
  - (ii) To provide adequate security to the Property, without unreasonably limiting access to the Property by the general public;
  - (iii) To restrict use of the Property for just and reasonable cause such as maintenance, security and risk management in order to preserve and protect the Property and conform to established hours of operation;

- (iv) To establish and implement a risk management program that addresses policies, procedures and practices providing for the safe use of the Property by the public and volunteers;
- (v) To inform the Cariboo Regional District of vandalism, damage, injury or death, or any other serious matter that may occur on the Property or as a result of business relating to the Commission, in a timely manner;
- (vi) To recommend a schedule of fees and charges and hours of operation to the Cariboo Regional District Board for endorsement;
- (vii) To rent the Property to other parties while not unreasonably limiting the use and enjoyment of the Property by the general public;
- (viii) To take reasonable measures and precautions to ensure that rental organizations abide by all applicable regulations established by all levels of government;
- (ix) To ensure that rental organizations obtain adequate public liability insurance for events held on the Property and to provide a list to the Cariboo Regional District of all renters to which the Commission sold insurance each year;
- (x) To deliver recreation activities as approved by the Cariboo Regional District;
- (xi) To retain for its own purposes all revenues, donations and fundraising receipts procured by the Bouchie Lake Recreation Commission;
- (xii) To prepare the Bouchie Lake Recreation Commission budget which shall be submitted annually to the North Cariboo Joint Planning Committee and the Cariboo Regional District for consideration of inclusion in the Regional District's financial plan.
- (xiii) To manage the approved budget including the authority and responsibility to purchase goods and services. Exercise of this authority is subject to the Cariboo Regional District financial plan, bylaws and policies and limited by the Purpose of the Bouchie Lake Recreation Commission;
- (xiv) To pay all costs associated with the management and operation of the Property excluding insurance. The Property and approved activities delivered by the Commission will be included under the Cariboo Regional District's general policy with respect to damage and public liability. Any costs associated to this inclusion will be borne by the North Cariboo Recreation and Parks function.

## 8. COMMISSION FUNDING

- (a) Funding for management and operation of the Property will be provided through the North Cariboo Recreation and Parks service budget which forms part of the annual Cariboo Regional District financial plan. The Cariboo Regional District shall provide financial assistance to the Commission for costs associated with the Properties and activities listed in Schedule A.

Financial assistance will be provided on the following basis:

- i) The Cariboo Regional District Board, through its annual financial planning process, must approve a budget prepared by the Commission, which contains operational and capital works that will be financially supported through the North Cariboo Recreation and Parks service.
- ii) Works not included in the approved Commission budget will not be funded without prior authorization by the Cariboo Regional District.

For emergency situations where time is of the essence, purchase approval can be obtained through the Director of Electoral Area B and the Manager responsible for the recreation services budget.

An emergency situation is defined by the Cariboo Regional District's Emergency Purchases Policy as a case where the purchase of goods or services is essential for the prevention and protection of danger to life, health and welfare to the public or significant damage to the Property.

- iii) Annual budgets prepared by the Commission must be submitted within the time frames established by the Cariboo Regional District.
- iv) The Commission may request operating and capital funding support for expenses on a quarterly basis. Fiscal year-end funding must be applied for by January 15 of the following year.
- v) All funding requests must be supported by invoices paid by the Commission in order to be considered. Invoices must be authorized as legitimate expenses and signed by the Commission Treasurer. Volunteer labour and donations will not be accepted as eligible expenses for reimbursement.
- vi) Insurance deductible limits are deemed to be eligible operational costs and will apply to insurance purchased by the Cariboo Regional District.

9. COMMISSION USE OF PROPERTY

- (a) No significant alterations to the Property shall be made without prior approval of the Cariboo Regional District. This includes the addition or removal of any structures, renovations that require a building permit or any significant modifications to landscaping.
- (b) The Commission shall not assign, sublet or part with possession of the Property without the prior approval of the Cariboo Regional District. A commercial daycare business that has operated in the Bouchie Lake Community Hall prior to the establishment of this bylaw may continue to do so. This program is not within the mandate of the Commission and the daycare must maintain its own insurance, proof of which shall be provided to the Commission and the Cariboo Regional District.

10. GOOD STANDING

The Commission shall not violate any law or ordinance or any order, rule, regulation or requirement of any Federal, Provincial, or Local Government or any appropriate Department, Commission, Board or Officer of any of them in the management and use of the Property.

11. REPEAL

“Cariboo Regional District Bouchie Lake Recreation Commission Bylaw No. 4751, 2012” is hereby repealed.

READ a first time this 11th day of July, 2014.

READ a second time this 11th day of July, 2014.


READ a third time this 11th day of July, 2014.

ADOPTED this 11th day of July, 2014.

  
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Chair

  
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Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 4918 cited as the "Cariboo Regional District Bouchie Lake Recreation Commission Bylaw No. 4918, 2014", as adopted by the Regional District Board on the 11th day of July, 2014.

  
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Corporate Officer

## **Cariboo Regional District Bouchie Lake Recreation Commission Bylaw No. 4918, 2014 SCHEDULE A**

### Properties

The Cariboo Regional District is the owner or has an authority interest in land and improvements described as:

- 1) Bouchie Lake Community Hall and Grounds - Lot 1, District Lot 4500, Cariboo District, Plan 20912
- 2) The Claymine Property - Lot E of District Lot 8639, Cariboo District
- 3) Bouchie Lake Pioneer Park – Part of Right of Way Plan 32698 under permit from the Ministry of Transportation

### Activities

The Cariboo Regional District hereby approves the following list of activities to be delivered at the above properties by the Commission or adequately-insured third parties:

- 1) general community use including but not limited to dinners, dances and other social gatherings and drop-in activities.

The Cariboo Regional District hereby approves the following list of activities to be delivered at the above properties only by adequately-insured third parties:

- 2) organized sporting leagues and tournaments, such as volleyball, softball, ice-sports
- 3) organized equestrian events
- 4) licensed social events at which alcohol may be served
- 5) licensed daycare operation

For costs related to the Properties and activities listed herein, the Cariboo Regional District, through the North Cariboo Recreation and Parks service, shall reimburse the Commission:

- (i) for approved operating costs and;
- (ii) for approved capital costs.

The funding process is defined in Section 8 of this bylaw. Reimbursement is subject to the limit of funding in the approved Commission budget and the Cariboo Regional District's annual financial plan.

It is understood that the intent of this funding arrangement is not to cover the full cost of operating, maintaining and improving the Property. The Commission is encouraged to seek other sources of funds by way of donations, fundraising, or facility rentals to ensure that existing levels of service are maintained.