

**POWELL RIVER REGIONAL DISTRICT**

**BYLAW No. 440, 2010**

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**A bylaw to establish a Community Heritage Commission within Electoral Area D (Texada Island)  
of the Powell River Regional District**  
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**WHEREAS** the Regional Board has adopted “Texada Island Heritage Conservation Service Establishment Bylaw No. 428, 2009” for the purpose of undertaking heritage planning and conservation in Electoral Area ‘D’, Texada Island;

**AND WHEREAS** pursuant to Section 176 of the *Local Government Act* a regional board may establish commissions;

**AND WHEREAS** pursuant to section 953 of the *Local Government Act* a regional board may designate an existing organization to act as a community heritage commission;

**NOW, THEREFORE**, the Board of Directors of the Powell River Regional District, in open meeting assembled, enacts as follows:

**ESTABLISHMENT**

1. The Regional Board hereby establishes the Texada Island Community Heritage Commission, hereinafter referred to as “the Commission.”

**MEMBERSHIP**

2. The duly elected executive of the Texada Island Heritage Society, incorporated under the Societies Act, are designated as the members of the Heritage Commission.
3. A member’s term ends when the member no longer meets the Commission membership qualifications under Section 2.
4. The designation under Section 2 is effective only for so long as the Texada Heritage Society continues to operate under the bylaws in existence at the time of the designation or such amended bylaws as the regional district has approved.
5. The Electoral Area ‘D’ director will serve as the Regional Board liaison with the Commission. The Director will not be entitled to vote on Commission matters or to serve as Commission chair.
6. The Regional Board shall have the power, by affirmative vote of the majority of its members, to remove a member of the Commission at any time, and any Commission member may resign at any time upon sending written notice to the Commission Chair.
7. A member of the Commission who misses two consecutive meetings without the approval of the Chair or without reason satisfactory to the Commission shall cease to be a member.
8. All members of the Commission shall serve without remuneration.

9. A Regional District staff member will serve as a liaison between the Commission and the Board and will provide technical support as required. The staff liaison will not be a member of the Commission and will not participate in voting.

## MEETINGS AND PROCEDURES

10. Each year, at its first meeting, the Commission shall elect from among its voting members a Chair who will preside over the meetings of the Commission.
11. In the absence of the Chair, the members present shall appoint a member to act as Chair for that meeting or until the elected Chair arrives.
12. A quorum shall consist of a majority of voting members of the Commission.
13. The Commission shall hold meetings as required, but will hold a minimum of 2 meetings a year.
14. The duties of the Chair shall include calling meetings, preparing meeting agendas, and such other duties as the Commission may prescribe. Meeting agendas shall be circulated to members at least 24 hours prior to the meeting.
15. Notice of Commission meetings will be posted on the Regional District website. Meeting notices will also be advertised in a local Texada Island newspaper whenever meetings are scheduled sufficiently in advance to suit the newspaper publication schedule.
16. All acts authorized or required to be done by the Commission under this bylaw shall be decided by a majority vote of those voting members present at a meeting.
17. All voting members, including the Chair, may vote on motions before the Commission, and where the votes of the members present are equal for and against the question, the motion shall fail. Any member who abstains from voting shall be deemed to have voted in the affirmative.
18. Unless otherwise authorized by Section 90 of the *Community Charter*, all Commission meetings will be open to the public and held in a location accessible to the public.
19. The Commission shall maintain minutes of all meetings and shall submit copies to the Regional District staff liaison who shall carry out any actions required by the Regional District, including presenting to the Board or its committees any resolutions requiring ratification.
20. The Commission may adopt rules of procedure which are consistent with the *Local Government Act*, the *Community Charter* and the *Regional District Procedure Bylaw*, or this bylaw, as necessary and, may vary such rules from time to time by vote of a majority of the Commission members.

## **SCOPE and DUTIES**

21. The Commission shall serve as an advisory body to the Regional Board on matters relating to heritage conservation, as set out in Part 27 of the *Local Government Act*, and in this capacity it shall
  - (a) Make recommendations regarding the designation, demolition, preservation, alteration or renovation of heritage buildings, structures and lands on Texada Island;
  - (b) Make recommendations on developments, land use applications and planning matters which have heritage implications;
  - (c) Recommend strategies and policies that support heritage conservation;
  - (d) Make recommendations on financial incentives and land use, planning and legal instruments appropriate for protecting heritage resources on Texada Island;
  - (e) Provide the community perspective on services and programs related to heritage conservation.
  
22. The Commission may
  - (a) Organize events and displays and prepare public information materials to provide heritage education and expand public awareness of Texada Island's heritage resources;
  - (b) Operate the Texada Island museum in conjunction with the Society;
  - (c) Draft a community heritage plan to conserve heritage resources;
  - (d) Prepare and maintain an inventory of Texada Island heritage properties, including buildings, structures and lands;
  - (e) Develop and maintain a Community Heritage Register as authorized by the Regional Board;
  - (f) Assist the Regional District in implementing or administering voluntary programs and legal protections the Board may initiate to protect Texada Island's heritage resources.
  - (g) Solicit input from community representatives when it deems appropriate to do so;
  - (h) Consult with the Provincial Heritage Conservation Branch, as required.
  
23. The Commission may establish advisory committees to deal with special matters that fall within the scope and jurisdiction of the Commission. Such committees must include at least one Commission member.
  
24. The Commission shall submit to the Regional Board an annual work program and associated recommended revenues and expenditures for inclusion in the Regional District Financial Plan for the Texada Island Community Heritage Commission. The Regional Board may accept the recommendations in whole or in part.

## **FINANCIAL ADMINISTRATION**

25. The Regional Board shall include in its annual operating budget a sum of money deemed necessary for the operation of the Commission.

26. Acting in accordance with the financial procedures of the Regional District, the Commission may authorize expenditures provided for in its annual operating budget, as approved by the Regional Board, but shall not otherwise have the authority to incur any expense, debt or obligation to the RD without the prior approval of the Board or its designated committee.
27. All monies received by the Commission shall be submitted to the Regional District office for deposit and shall be recorded as revenue to the Texada Island Community Heritage Commission budget.
28. All items of revenue and expenditure relating to the activities of the Commission shall be accounted for in the financial records of the Regional District.

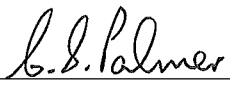
**SEVERABILITY**

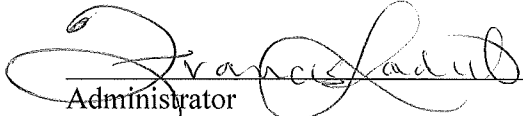
29. If any section, clause, sub-clause or phrase in this bylaw is for any reason held invalid by the decision of any Court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this bylaw.

**TITLE**

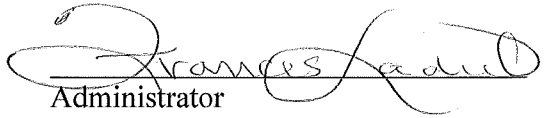
30. This Bylaw may be cited as the "Texada Island Community Heritage Commission Bylaw No. 440, 2010.

READ A FIRST TIME	this 28 <sup>th</sup> day of October, 2010.
READ A SECOND TIME	this 28 <sup>th</sup> day of October, 2010.
READ A THIRD TIME	this 28 <sup>th</sup> day of October, 2010.
RECONSIDERED AND ADOPTED	this 28 <sup>th</sup> day of October, 2010.

  
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 Chair

  
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 Administrator

I hereby certify that this is a true and correct copy of Bylaw No. 440 of the Powell River Regional District cited as the "Texada Island Heritage Commission Bylaw No 440" as adopted by the Board of Directors of the Powell River Regional District the 28<sup>th</sup> day of October, 2010.

  
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 Administrator

Dated at Powell River, B.C. this 1<sup>st</sup> day of November, 2010.