

## REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

### BYLAW NO. 2732, 2016

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A bylaw of the Regional District of Okanagan-Similkameen for the establishment of Parks and Recreation Commission Terms of Reference.

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WHEREAS the Regional District of Okanagan-Similkameen has adopted the following Parks and Recreation Service Establishment bylaws, for the provision of programming, parks and facility maintenance services:

- Electoral Area "B" Community Parks Service Establishment Bylaw No. 2234, 2003
- Okanagan Falls & District Recreation Programming, Parks and Facility Maintenance Local Service Establishment Bylaw No. 1174, 1990
- Kaleden Recreation Programming and Facility Maintenance Local Service Establishment Bylaw No. 1554, 1994
- Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Establishment Bylaw No. 1172, 1990
- Electoral Area "F" Community Parks Local Service Establishment Bylaw No. 1341, 1992
- Similkameen Recreation Facility Local Service Establishment Bylaw No. 1470, 1994

AND WHEREAS the Regional District of Okanagan-Similkameen wishes to consolidate existing Parks and Recreation Commission Bylaws into one bylaw;

NOW THEREFORE the Board of Directors of the Regional District of Okanagan-Similkameen in open meeting assembled enact as follows:

1. CITATION

- 1.1 This Bylaw shall be cited as the "Regional District of Okanagan-Similkameen Parks and Recreation Commission Establishment Bylaw No. 2732, 2016".

2. DEFINITIONS

2.1 In this bylaw:

"Area Director" means the person elected as the local Electoral Area or Municipal Director, or his Alternate.

"Board" means the Board of Directors of the Regional District of Okanagan-Similkameen.

"CAO" means the Chief Administrative Officer appointed by the Board.

"Commission" means the Parks and Recreation Commission as appointed by the Board for a specific service.

"FOI Head" means the person designated as Head of the Regional District for the purposes

of the *Freedom of Information and Protection of Privacy Act*.

"MCS" means the Manager of Community Services appointed by the CAO to fulfill the responsibilities of that function within the organizational structure, or his designate.

"Regional District" means the Corporation of the Regional District of Okanagan-Similkameen.

"Service Area" means the geographic boundaries of a specific parks and/or recreation Service.

### 3. ADMINISTRATION

3.1 The MCS shall administer this Bylaw and provide technical support to the Commissions.

### 4. COMMISSION ESTABLISHMENT

4.1 The Commissions identified shall be known by the name listed and be responsible for the committee operations within the Service Area established by separate bylaw.

### 5. MEMBERSHIP

5.1 Regional District Parks and Recreation Commissions shall be appointed by the Board as follows:

5.1.1 The Area Director shall be an ex-officio, non-voting Member

5.1.2 A minimum of 5 up to 11 members-at-large who are residents or ratepayers within the Service Area. Odd numbers of members are advised.

5.1.3 The Parks and Recreation Commission should be representative of the whole Service Area.

5.1.4 Regional District employees or contractors are ineligible to be Members of a Commission.

5.2 The Regional District shall place an invitation in a locally circulated established newspaper or publication in October of each year inviting those interested to apply to serve on a Commission.

5.3 The Area Director for a specific service area shall review all applications and recommend to the Board the names of candidates for appointment to a Commission.

5.4 In the event that insufficient nominations are received, upon recommendation of the Area Director, the Board in their unfettered discretion may appoint the appropriate number of members to the Commission.

5.5 The term of office of each member shall be for a period of two (2) years, commencing January 1.

5.6 All appointed members shall, at the beginning of their term, be required to sign the Regional District Code of Ethics and comply with the code throughout their term on the commission.

5.7 The terms of office shall be staggered such that half of the terms shall begin in even numbered years, and the other half of the terms shall begin in odd numbered years.

- 5.8 Any appointed member who is absent from two consecutive meetings of a Commission without leave of absence from the Commission, or without reason satisfactory to the Board, shall cease to be a member of the Commission. A member removed from the position pursuant to this section shall not be eligible for appointment to the Commission until the date that their term of office would have expired, but for such removal.
- 5.9 The Board, upon a vacancy arising from any cause, may appoint a new member who shall serve for the unexpired portion of the term vacated, upon recommendation of the Area Director.
- 5.10 If more than half of the appointed member positions are vacant at any one time, the Regional District shall follow the procedure outlined in sections 5.1, 5.2 and 5.3 of this Bylaw in order to appoint persons to fill those vacancies.
- 5.11 Any member appointed to the Commission pursuant to section 5.9 of this Bylaw shall serve, and enjoy full rights and privileges of a member, for the duration of the term of office of the person originally holding the vacated member position.
- 5.12 Each retiring member of the Commission shall be eligible for reappointment.
- 5.13 No member of the Commission shall receive any remuneration for their service; however, members of the Commission shall be entitled to be reimbursed expenses in accordance with any applicable Regional District remuneration bylaw.
- 5.14 All members of the Commission serve at the pleasure of the Board.

## **6. HOLDING OF MEETINGS - QUORUM, VOTING & CONDUCT**

- 6.1 The first meeting of each calendar year shall be the Annual General Meeting for the Commission.
- 6.2 The members of the Commission shall, at the Annual General Meeting, elect one member from among themselves to be Chair and, so long as duly appointed to the Commission by the Board of Directors, that person shall conduct the meetings of the Commission until the next Annual General Meeting. The Area Director shall chair the Commission Annual General Meeting until a Chair is elected. Elections are to be conducted in accordance with the Regional District Procedure Bylaw. Commissions may elect members to other positions such as secretary or treasurer at their discretion.
- 6.3 If the Chair is absent from a meeting of the Commission, those members present at the meeting shall appoint an Acting Chair who shall fulfill the duties of the position at that meeting.
- 6.4 If at any time prior to the next Annual General Meeting, the Chair ceases to be a member or resigns as Chair, the remaining members of the Commission shall elect, at the next meeting of the Commission, a replacement Chair who shall serve in that capacity until the next Annual General Meeting.

- 6.5 The Commission may meet as required, but should structure its activities to meet at least 6 times per year. The Chair or any two members may summon a meeting of the Commission by giving at least two days' notice in writing to each member, stating the time, place and purpose for which the meeting is being called.
- 6.6 Meeting agendas are set by the Commission Chair in consultation with the Area Director, and must be provided to Regional District staff in advance of the meeting for posting on the Regional District website. RDOS meeting agenda pro-forma template will be provided to the Chair.
- 6.7 Unless a meeting or part of a meeting is authorized to be closed to the public under the *Community Charter*, all meetings of the commission shall be open to the public.
- 6.8 Should a closed meeting be held by the committee, members must keep in confidence any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required.
- 6.9 The Commission may operate without all positions being occupied. A quorum of the Commission shall consist of a majority of members appointed.
- 6.10 All questions before the Commission at the meeting shall be decided by a majority vote.
- 6.11 Except as otherwise provided in this Bylaw, the Commission shall conduct their meetings in accordance with the current Regional District Procedure Bylaw.
- 6.12 No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Commission or a resolution of the Board in accordance with section 8 of this bylaw.

## 7. ADMINISTRATION

- 7.1 The minutes of the proceedings of all meetings of the Commission shall be recorded legibly and, without delay, a copy of said minutes shall be forwarded to the MCS for information and filing at the Regional District Corporate Office within 14 days. All minutes will be posted on the Regional District website. Minute takers will be provided training on Regional District standard minute taking procedures.
- 7.2 All records shall be kept in accordance with the Regional Districts records management policy and all records are subject to Freedom of Information and Protection of Privacy Act (FIPPA) legislation. All records must be provided to the FIPPA Head upon request. All commission members shall receive an orientation on Regional District records and FIPPA at the beginning of their term.
- 7.3 The Commission shall, before the 15th day of October in each calendar year, prepare a preliminary budget estimating expenditures and revenue during the next fiscal year, and shall submit it to the MCS for inclusion in the consolidated administrative Budget presented to the Board.
- 7.4 A preliminary budget submitted to the Board may be adopted in whole or in part, and the

budget approved by the Board shall be the budget for the Commission for the next fiscal year.

7.5 All items of revenue and expenditure relating to the activities of the Commission shall be accounted for in the books of account of the Regional District in accordance with the provisions of the *Local Government Act*.

**8. AUTHORITIES, RESPONSIBILITIES AND DUTIES**

8.1 All Commissions shall be advisory to the Board and shall be authorized to make recommendations and provide advice to the Board on the organization and conduct of a parks and recreation program in accordance with the budget approved by the Board; including planning, development and implementation of parks and recreation services.

8.2 Commissions shall represent the public interest in the development of a strategic plan in order to establish a long term vision for parks and recreation services.

8.3 Commissions shall recommend rates and charges for recreation programs and for inclusion in the Regional District Fees and Charges Bylaw.

8.4 Commissions shall provide advice on operational rules and procedures regarding parks and recreation services.

8.5 Commissions shall advise on matters related to recreation bylaws, policies and regulations.

8.6 Commissions shall advise the Board on the acquisition or tenure of community park sites within the Service Area.

8.7 Commissions shall play a leadership role in communications between the Regional District and the public.

8.8 Commissions shall provide advice to the Board from a local service area perspective on the evaluation of new services to be offered;

**9. RIGHTS OF THE BOARD**

9.1 The powers delegated to the Commission shall not extend to or include any of the powers of the Board which are exercised by bylaw only.

**10. REPEAL**

**10.1 The following bylaws are hereby repealed:**

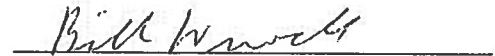
- Bylaw No. 2270, 2004 – Electoral Area “B” Parks and Recreation Commission
- Bylaw No 2253, 2004 – Okanagan Falls Parks and Recreation Commission
- Bylaw No. 1555, 1997 – Kaleden Parks and Recreation Commission
- Bylaw No 2108, 2001 – Electoral Area “E” Parks and Recreation Commission
- Bylaw No. 1539, 1996 – Electoral Area “F” Parks Commission
- Bylaw No 1649, 1996 – Similkameen Recreation Commission

READ A FIRST, SECOND AND THIRD TIME this 16<sup>th</sup> day of June, 2016

ADOPTED BY AT LEAST 2/3 OF THE VOTES this 16<sup>th</sup> day of June, 2016



Board Chair



Corporate Officer