

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BY-LAW NO. 530

A By-law to establish a Castlegar and District  
Community Complex and Recreation Commission.

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WHEREAS by supplementary Letters Patent issued the 19th day of February, 1976, it is provided that the Regional Board of the Regional District of Central Kootenay may by by-law, establish a Recreation Commission consisting of the Directors representing Electoral Area "I", Electoral Area "J" and the City of Castlegar, plus such other persons as may be designated in the by-law and in such by-law may delegate to the Commission any or all of the administrative powers, with the exception of employment of staff with respect to the construction, equipping, operation and maintenance of the community complex, provided however that the costs incurred are within the annual budget as approved by the Regional District;

AND WHEREAS the Regional Board of the Regional District of Central Kootenay deems it desirable to establish by by-law a Castlegar and District Community Complex and Recreation Commission;

NOW THEREFORE, THE REGIONAL DISTRICT IN OPEN MEETING ASSEMBLED,  
ENACTS AS FOLLOWS:

1. The Board of the Regional District of Central Kootenay does hereby establish a community centre and ice arena recreation commission to be known as the "Castlegar and District Community Complex and Recreation Commission" within and comprised of the municipalities of Castlegar, Electoral Area "I" and Electoral Area "J" of the Regional District of Central Kootenay.
- A. MEMBERSHIP - APPOINTMENT, QUALIFICATIONS & TERM
  1. The Castlegar and District Community Complex and Recreation Commission shall consist of:
    - a) Directors representing
      - Electoral Area "I"
      - Electoral Area "J"
      - The Corporation of the City of Castlegarwho shall, without need of Regional Board appointment, automatically be members;
    - b) Four (4) other persons to be appointed by resolution of the Regional Board and representing
      - Electoral Area "I" (1)
      - Electoral Area "J" (1)
      - The Corporation of the City of Castlegar (2).
  2. The four (4) members referred to in Article A.1.(b) above shall be nominated as follows:
    - one (1) member shall be nominated for appointment by the Director representing Electoral Area "I";
    - one (1) member shall be nominated for appointment by the Director representing Electoral Area "J";
    - two (2) members shall be nominated for appointment by the Director representing The Corporation of the City of Castlegar.

3. Those members serving on the Castlegar and District Recreation Commission shall likewise serve on the Castlegar and District Community Complex and Recreation Commission.
4. The Regional Board, upon a vacancy arising from any cause other than the expiration of a member's term of office, shall forthwith appoint a new member who shall serve for the unexpired portion of the term vacated.
5. Each retiring member of the Commission shall be eligible for reappointment.
6. Each member of the Commission shall reside within the Castlegar and District Community Complex and Recreation Commission area.
7. The term of office for all members of the Commission shall be for a period of two (2) years with the first term to expire effective the first regular Board Meeting in 1987. For each succeeding term, at the next regular Board Meeting following the Inaugural Meeting, the Board shall appoint all members to the Commission.
8. No member of the Commission shall receive any remuneration for his service.
9. Each member may recommend in writing to the Regional District Board appointment of an alternate to the Commission. Such alternate member, once appointed by Board resolution, shall take the place of and enjoy all the rights and voting privileges of the specified member during the latter's necessary absence from a meeting of the Commission.

B. HOLDING OF MEETINGS - QUORUM, VOTING & CONDUCT

1. The Commission shall, at its first meeting in each year, elect one of its members to be Chairman. The Chairman shall preside at the meetings of the Commission when present and in his absence, an Acting Chairman may be appointed.
2. The Secretary shall be the Director of Recreation assigned to the Castlegar and District Recreation Commission of the Regional District of Central Kootenay or person so delegated by the Director of Recreation.
3. All meetings of the Commission shall be held within the Castlegar and District Community Complex and Recreation Commission area.
4. The Chairman 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 called.
5. A quorum of the Commission is a majority by voting strength of all members.
6. Voting strength on the Commission shall be on the basis of the Director's voting strength at the Regional District Board with appointed members having a single vote each. All questions before the Commission shall be decided by a majority vote.
7. All members of the Commission, including the presiding member, may vote on questions before it, and in all cases where the votes of the members present are equal for and against the question, the question shall be negated. Any member who abstains from voting shall be deemed to have voted in the affirmative.
8. 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 Regional District Board.
9. Except as provided in this By-law, the Commission shall regulate the conduct of its meetings as it deems desirable.

C. ADMINISTRATION - KEEPING OF MINUTES, PREPARING BUDGETS

1. The minutes of the proceedings of all meetings of the Commission shall be legibly recorded in a minute book. The minutes shall be certified as correct by the Secretary and shall be signed by the Chairman or other member presiding at such meeting. A copy of said minutes, once signed, shall be forwarded to the Regional District of Central Kootenay.
2. On or before October 31st of each and every year, the Commission shall prepare an Annual Budget for each function which shall include estimates for the administrative, development, capital, maintenance, operational and other expenses, including debt charges, together with estimates for expected revenues and shall submit such budget for the approval of the Regional Board and for inclusion in the Regional Board's provisional and annual budgets.
3. 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 of Central Kootenay in accordance with the provisions of Section 184 and other relevant sections of the Municipal Act.

D. AUTHORITIES, RESPONSIBILITIES AND DUTIES

1. The Regional Board hereby delegates to the Commission the following authorities, responsibilities and duties:
  - a) all of the administrative powers, except employment of staff, with respect to operation and maintenance, equipping, and future construction or renovation of the community centre and ice arenas, provided however that the costs incurred are within the annual budget as approved by the Regional District of Central Kootenay, and without limiting the foregoing;
  - b) to prepare job descriptions, establish hours of work, advertise staff vacancies, interview candidates and recommend to the Regional Board all hirings. However, before advertising vacancies or interviewing candidates, it shall be the responsibility of the Commission to first contact the Regional District to confirm working conditions, pay rates, employee benefits and related matters that may be subject to the personnel policies of the Regional District Board;
  - c) to sign, or authorize any designated employee to sign, on behalf of the Regional District Board, Rental Contracts. However, such authority does not extend to contracts exceeding a period of 365 days, nor does it extend to leasing any part of the community centre and ice arenas;
  - d) to organize and conduct those specified recreation programs making use of the community centre and ice arenas;
  - e) to establish scales of admission charges;
  - f) may conduct or have cause to conduct surveys of recreational facilities, areas and programs for the future;
  - g) may establish and appoint advisory or select Committees, which shall serve without remuneration;
  - h) to ensure collection of all revenues accruing to the said operations and transmit said collections to the Regional District;
  - i) to ensure payment of all commitments, liabilities, and accounts in accordance with the annual budget approved by the Board of the Regional District;
  - j) to determine operational rules and procedures;
  - k) any other responsibilities that may be delegated by resolution of the Regional District Board with respect to the community centre and ice arenas.

E. RIGHTS OF THE BOARD

1. Notwithstanding the provisions of Section D of this By-law, the Regional Board retains the right of approval of the operational rules, procedures and policies and the schedule of admission charges to be established.
2. The Regional Board reserves unto itself all of its powers with respect to the initial and future financing, design and construction of the complex.
3. The powers delegated to the Commission shall not extend to or include any of the powers of the Regional Board which are exercised by by-law only.

By-law No. 199, being the "Castlegar and District Community Complex Recreation Commission By-law, 1976" is repealed upon adoption of this by-law.

This By-law may be cited as the "Castlegar and District Community Complex and Recreation Commission By-law No. 530, 1985".


READ A FIRST TIME this 5th day of January , 1985.

READ A SECOND TIME this 5th day of January , 1985.

READ A THIRD TIME this 5th day of January , 1985.

RECONSIDERED AND FINALLY ADOPTED this 5th day of  
January , 1985.

  
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Chairman

  
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Secretary

I hereby certify the foregoing to be a true and correct copy of the "Castlegar and District Community Complex and Recreation Commission By-law No. 530, 1985".

Dated this            day of            , 1985.

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Secretary