



COWICHAN VALLEY REGIONAL DISTRICT

**Bylaw No. 431
(As Amended by Bylaw Nos. 1931 and 2765)**

BYLAW NO. 431 – COWICHAN CENTRE COMMISSION ESTABLISHMENT BYLAW, 1979

**CONSOLIDATED FOR CONVENIENCE ONLY
(MARCH 10, 2006)**

The amendment bylaws listed below have been incorporated into enactment bylaw No. 431 for convenience purposes only. Persons making use of the consolidated version of Bylaw No. 431 are advised that it is not a legal document and that for the purpose of interpreting and applying the law, the original bylaws must be consulted. Certified copies of original bylaws are available through the Corporate Secretary's Office.

AMENDMENT BYLAW

EFFECTIVE DATE

**Bylaw No. 1931
Bylaw No. 2765**

**December 16, 1998
March 8, 2006**



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 431 – Consolidated for Convenience With Amending Bylaw Nos. 1931 and 2765

A Bylaw to Establish the Cowichan Centre Commission

WHEREAS by resolution, the Cowichan Valley Regional District, may by bylaw, establish a Cowichan Centre Commission consisting of the Directors or their Alternates representing the Corporation District of North Cowichan, the City of Duncan and Electoral Areas "D" and "E", together with such other persons as may be designated in the bylaw, and in such bylaw may designate to the Commission any or all of the administrative powers of the Regional Board with respect to the construction, operation and maintenance of the Cowichan Centre and Cowichan Theatre.

AND WHEREAS it is considered desirable to establish a Commission as aforementioned.

NOW THEREFORE the Regional Board of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

Definitions

1. In this Bylaw a -

- (a) "Commission" means the Cowichan Centre Commission as established by this Bylaw.
- (b) "Regional Board" means the Regional Board of the Cowichan Valley Regional District.
- (c) "Director" means an elected or appointed director to the Board of the Cowichan Valley Regional District.

Membership

2. The Cowichan Centre Commission shall consist of seven members as follows:

- (a) Two members of Duncan City Council.
- (b) Three members of District of North Cowichan Council.
- (c) The duly elected Director from Electoral Area D - Cowichan Bay.
- (d) The duly elected Director from Electoral Area E - Cowichan Station/Sahtlam/Gelenora.

or in the absence of any of the foregoing seven members, their duly appointed Alternate shall be deemed to be a member of the Commission for said period of absence.

Procedure

3. (a) At the first meeting in each year, the Commission shall elect from amongst its own members a Chairman and Vice Chairman, each of whom shall hold office for that year or until a successor is elected and the Chairman and Vice Chairman shall be the Chairman and Vice Chairman of the Management Committee.
- (b) In the absence of the Chairman and Vice Chairman, the Commission shall elect from the members present a temporary Chairman for purposes of that meeting alone.
- (c) A quorum is half 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 bylaw the rules of procedure governing Commission meetings shall be those of the Procedural Bylaw of the Cowichan Valley Regional District, and if the question at hand is not covered therein, Roberts Rules of Order shall apply.
- (f) Minutes shall be kept for all meetings of the Commission and a copy of such minutes forwarded to the Regional Board's office as soon as possible after each meeting.

4. Powers and Responsibilities

- (a) The powers delegated to the Commission shall, except as otherwise provided by bylaw or resolution of the Regional Board, include only those administrative powers of the Regional Board specifically assigned by this bylaw with respect to the operation of the Cowichan Centre and maintenance of any premises concerned with such operation.
- (b) The title to any real property, equipment or chattels, or leases or agreements of any kind, shall be registered in the name of the Cowichan Valley Regional District.
- (c) The Commission shall annually, on or before the 1st day of October, cause to be prepared and submitted to the Regional Board and through the Board to the participating member municipalities and electoral areas, detailed estimates of its receipts from every source and expenditures for every purpose for the following year, and such estimates shall be considered by those parties who shall make recommendations to the Regional Board for acceptance in whole or in part.
- (d) The Commission shall not make disbursements or enter into any undertaking, obligation, or liability, which would cause the Annual Budget as approved by the Regional Board to be exceeded without the prior approval of the Regional Board.

- (e) The Commission shall institute such controls and authorization procedures over revenues and expenditures as may from time to time be considered necessary by the Treasurer of the Cowichan Valley Regional District.
- (f) All monies received by the Commission from any source whatsoever shall be conveyed and reported to the Treasurer of the Cowichan Valley Regional District without delay and the Commission will retain not funds or bank account in its own name save as may be authorized by the Regional Board.
- (g) 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.
- (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 Regional Board, be made or carried out by the Regional Board.
- (i) Subject to the provisions otherwise contained in this bylaw, the Commission is empowered to exercise any of the administrative powers of the Regional Board in respect of the following:-
 - (i) The management, policies, operation, and control of the Cowichan Centre and related activities.
 - (ii) The custodianship, care, and maintenance of any premises owned, leased, or rented, for the use of its operations.
 - (iii) To contract for materials and services subject to budgetary limitations.
 - (iv) To solicit, accept, for the purposes of its operations, any gifts, grants, bequests, or unconditional sources of money whatsoever.
 - (v) To perform any act, or other matter, or thing, incidental to the operation of the Cowichan Centre provided that such act, matter, or thing is not otherwise inconsistent with the provisions and intent of this bylaw.

General

- 5. 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.
- 6. No recommendation of the Commission, or other matter requiring ratification of the Regional Board shall be made public until it has been considered by the Regional Board.
- 7. This bylaw may be cited as the "**CVRD Bylaw No. 431 - Cowichan Centre Commission Establishment Bylaw, 1979**".

READ A FIRST TIME this 10th day of January , 1979.

READ A SECOND TIME this 10th day of January , 1979.

READ A THIRD TIME this 10th day of January , 1979.

RECONSIDERED, ADOPTED and finally passed this 10th day of
January , 1979.

L. Kuta
Chairman

P. W. Hayward
Secretary-Treasurer