

BOWEN ISLAND MUNICIPALITY

“TUNSTALL BAY WATER SYSTEM SPECIFIED AREA AND LOCAL ADVISORY COMMITTEE ESTABLISHMENT BYLAW NO. 80, 2002”

CONSOLIDATED FOR CONVENIENCE – JULY 2005

AMENDMENT BYLAW	DATE OF ADOPTION
BYLAW NO. 140, 2005	JANUARY 24, 2005

The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

BOWEN ISLAND MUNICIPALITY

Tunstall Bay Water System Specified Area and Local Advisory Committee Establishment Bylaw No. 80, 2002

A bylaw to establish the Tunstall Bay Water Supply and Distribution System Specified Area within a portion of Bowen Island Municipality and to establish a Local Advisory Committee

WHEREAS Letters Patent dated June 25, 1981 incorporated the Tunstall Bay Improvement District for the purpose of providing a water supply and water distribution system within the boundaries of the Tunstall Bay Improvement District;

AND WHEREAS Order in Council No. 1160 dated September 2, 1999 dissolved the Tunstall Bay Improvement District effective midnight December 31, 2002, under the terms and conditions established in Letters Patent incorporating the Bowen Island Municipality;

AND WHEREAS the Letters Patent of the Bowen Island Municipality provide that the area of the Tunstall Bay Improvement District is established as a separate specified area (attached as Schedule "A") pursuant to Section 646 of the *Local Government Act*, for the purpose of providing water supply and distribution;

AND WHEREAS the Letters Patent of the Bowen Island Municipality provide that the Municipality shall adopt a bylaw providing for the purpose of the Tunstall Bay Improvement District;

AND WHEREAS Council is authorized to establish a Local Advisory Committee for the Tunstall Bay Improvement District;

The Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1. The purpose of the specified area is to provide water supply and distribution for the specified area to be known as Tunstall Bay Specified Area, as per Schedule "A" attached to this bylaw.
2. As outlined in the Letters Patent, Council hereby establishes a Committee to be known as the "Tunstall Bay Water System Local Advisory Committee" (the Committee).

MEMBERSHIP - APPOINTMENT, QUALIFICATION AND TERM OF OFFICE

3. The Committee shall consist of
 - (a) up to five (5) members, each of whom shall be a resident or property owner within the Tunstall Bay Specified Area, and
 - (b) one Councillor as a non-voting member.
4. As outlined in the Letters Patent, for the period from January 1 2003 to December 31, 2005, the membership of the Committee shall comprise the board of trustees of the Tunstall Bay Improvement District in office at the time of dissolution, and thereafter as selected by the residents of the Tunstall Bay specified area.

5. The term of office of Committee members shall be three (3) years or until a successor is appointed.
6. Committee members shall serve without remuneration.

HOLDING OF MEETINGS - QUORUM, VOTING AND CONDUCT

7. The Committee shall elect a chairperson and a vice-chairperson for a one (1) year term at the first meeting held after January 1st. A member of Council shall not be entitled to hold office on the Committee.
8. The Committee shall decide from time to time by resolution where and when its regular meetings shall be held for the purpose of dealing with the authorities, responsibilities and duties as hereinafter set out. The Committee shall publish notice of a schedule of regular meetings as soon as practicable after setting the schedule.
9. Unless specified as a Closed Meeting for reasons allowed under "Bowen Island Municipality Council Procedure Bylaw No. 1, 1999" or the *Local Government Act*, all meetings shall be open to the public.
10. Except as otherwise specified in this bylaw, meetings of the Committee shall be conducted in accordance with "Bowen Island Municipality Council Procedure Bylaw No. 1, 1999" and amendments thereto insofar as they are applicable. In the absence of comment in the Procedure Bylaw, *Robert's Rules of Order* shall apply.
11. A quorum for a meeting of the Committee is a majority of all voting members.
12. Each member on the Committee shall have one vote. All questions before the Committee shall be decided by a majority vote.
13. All voting members present at a meeting of the Committee may vote on questions before it, and in all cases where the votes of the voting members present are equal for and against the question, the question shall be declared in the negative. Any voting member who abstains from voting shall be deemed to have voted in the affirmative.

ADMINISTRATION - KEEPING OF MINUTES, PREPARING BUDGETS

14. The minutes of the proceedings of all Committee meetings shall be recorded, shall be signed by the Chairperson or Vice Chairperson and submitted to Council as soon as practicable.
15. In each year the Committee shall prepare an annual budget that indicates clearly the source of revenue and the application of expenditures and shall submit such budget for inclusion and approval in the Municipality's Financial Plan.
16. In each year the Committee shall recommend the provision of funds for capital purposes or the undertaking of capital projects, for inclusion and approval in the Municipality's Financial Plan.

AUTHORITIES, RESPONSIBILITIES AND DUTIES

18. Council hereby delegates to the Committee the following authorities, responsibilities and duties:
- (a) to provide advice and recommendations to Council on the administrative powers with respect to the Tunstall Bay water supply and distribution system, including, but without limiting the generality of the foregoing:
 - (i) the letting of such contracts as may be necessary for the operation and maintenance of the water supply and distribution system;
 - (ii) the operation and maintenance of the water supply and distribution system;
 - (iii) the expenditure of such funds as may be provided in the Financial Plan of Bowen Island Municipality in respect of the operation and maintenance of the water supply and distribution system;
 - (iv) the enactment of such bylaws as may be necessary for the efficient operation, maintenance and improvement of the water supply and distribution system.
 - (b) to assist the Bowen Island Water Services Management Commission in planning for future improvements to water quality and quantity of water systems under Municipal jurisdiction.
19. The powers delegated to the Committee shall not extend to or include any of the powers of the Bowen Island Municipal Council that are exercised by bylaw only.

CITATION

20. This Bylaw may be cited for all purposes as the “Tunstall Bay Water System Specified Area and Local Advisory Committee Establishment Bylaw No. 80, 2002.”

READ a first time this 9th day of December 2002.

READ a second time this 9th day of December 2002.

READ a third time this 9th day of December 2002.

RECONSIDERED AND FINALLY ADOPTED this 16th day of December 2002.

“Original signed” _____
Mayor Lisa Barrett

“Original signed” _____
Isabell Hadford, Clerk

Certified to be a true and correct copy of Bylaw No. 80, 2002 cited as “Tunstall Bay Water System Specified Area and Local Advisory Committee Establishment Bylaw No. 80, 2002” as adopted by the Council of Bowen Island Municipality this 16th day of December 2002.

“Original signed” _____
Isabell Hadford, Clerk