

VILLAGE OF PORT CLEMENTS

BYLAW NO. 457, 2020

VIBRANT COMMUNITY COMMISSION BYLAW 457, 2020

WHEREAS the Council for the Village of Port Clements may, pursuant to section 143 of the *Community Charter*, establish commission to operate village services;

AND WHEREAS the Council for the Village of Port Clements, establishes a tourism service which will collaborate on economic development activities within the Village of Port Clements;

AND WHEREAS the Council of the Village of Port Clements deem it appropriate to establish a Vibrant Community Commission to provide this service;

NOW THEREFORE, the Council for the Village of Port Clements, in open meeting assembled, enacts as follows:

1. ESTABLISHMENT

1.1 The Port Clements Vibrant Community Commission is hereby established.

2. DEFINITIONS

2.1 "**Council**" refers to the Council of the Village of Port Clements

2.2 "**Chief Administrative Officer**" means the person appointment by the Board as Chief Administrative Officer.

2.3 "**Commission**" means the Port Clements Vibrant Community Commission.

2.4 "**Commission member**" means a person who has been appointed by Council and has voting privileges on the Commission.

2.5 "**Province**" shall mean the Province of British Columbia.

2.6 "**Supervisory Responsibility**" means the responsibility to organize and oversee activities provided and conducted on or in connection with tourism which will collaborate on economic development that currently exist, or may come into existence, and shall have the power to conduct any form of tourism which will collaborate on economic development activity within the Village of Port Clements.

2.7 "**Village**" means the Village of Port Clements.

3. PURPOSE

3.1 The purpose of this commission is to all matters which relate to tourism which will collaborate on economic development, and to promote, expand, enhance and revitalize these opportunities and conditions in the Village of Port Clements.

4. MEMBERSHIP

4.1 The Commission shall consist of no more than five (5) members of the following composition:

4.1.1 At least one (1) member of the Commission shall be from Council, no more than (2) two.

4.1.2 The remaining members of the Commission shall be from interested community members of the Village who write in their interest in being a Commission Member to Council or are recommended to Council by existing Commission members.

4.2 Members in immediately adjacent unincorporated areas whose residence is no more than 2.5 km outside of Village boundaries are eligible to be members of the Commission.

5. APPOINTMENT

5.1 Members of the Commission shall be appointed by Council.

5.2 Members of the Commission shall be appointed to a one (1) year term.

5.3 Members of the Commission shall be eligible for reappointment to successive terms without limitation.

5.4 Each member of the Commission may appoint an alternate representative to service in his or her absence provided that the Village has been notified, in writing, of the appointment.

5.5 In the event of a vacancy between appointments due to death, resignation or termination, the vacancy shall be filled forthwith by the Commission subject to the approval of the Council.

5.6 The appointment of a Commission member may be rescinded at any time, for cause, by the resolution of Council.

6. PROCEDURE

6.1 The Chair and Vice Chair of the Commission shall be elected annually in the month of March by a majority vote of all Commission members.

- 6.2 A quorum of the Commission shall be the majority of its members.
- 6.3 All decisions of the Commission shall be made by a majority vote of the members present at the meeting, with each member having one vote.
- 6.4 Regular Commission meetings shall be:
- 6.4.1 Held at a publicly accessible building owned and managed by the municipality;
 - 6.4.2 Held at least six (6) times per annum at least every two (2) months; and
 - 6.4.3 Open to the public; and
 - 6.4.4 Conducted in accordance with the Council Procedure Bylaw #422-2015.
- 6.5 Special Commission meetings shall be:
- 6.5.1 Held at a publicly accessible building owned and managed by the municipality;
 - 6.5.2 Called by resolution of the Commission at a regular meeting; or
 - 6.5.3 Called at the request of two or more Commission members; and
 - 6.5.4 Open to the public, subject to section 6.7 below.
- 6.6 Notice of meetings, by such means as the Commission deems reasonable, shall be provided to members of the Commission and residents of the Village at least 48 hours in advance of a meeting.
- 6.7 All or part of a meeting may be closed to the public in accordance with the Council Procedure Bylaw #422-2015, and amendments thereto.
- 6.8 Where this bylaw and the Village of Port Clements Procedures Bylaw #422-2015, are silent, Robert's Rules of Order, newly revised, shall apply to the conduct of the Commission meetings.
- 6.9 Minutes shall be kept for all meetings of the Commission and a copy of such minutes shall be forwarded to the Council for their information.
- 6.10 If, without good reason or notice, any member of the Commission is absent from three (3) consecutive regular meetings the Chair may, upon a recommendation of the Commission, remove the member from the Commission and notify Council of this removal.

7. DELEGATION OF AUTHORITY

- 7.1 The powers delegated to the Commission, except as otherwise provided by the bylaw, shall include:
- 7.1.1 Supervisory responsibility over all tourism which will collaborate on economic development activity within the Village of Port Clements.
- 7.2 The Commission shall not exercise any powers, functions or responsibilities not expressly set out in this bylaw, as amended from time to time.
- 7.3 The Commission shall not, without Council's prior approval, expend any funds except as set forth in the approved budget and shall not enter into any undertaking, obligation, commitment, or liability that would cause the Commission's annual budget, as approved by Council, to be exceeded.
- 7.4 The Commission shall not undertake initiatives or commitments outside of their annual workplan that may be legally binding on the Commission or the Village without receiving prior approval of Council.
- 7.5 All funds receivable by the Commission shall be paid into the hands of the Chief Administrative Officer to be processed through the Village Office and deposit to the credit of the Village bank account. Accounts for authorized expenditures of the Commission shall be paid by the Chief Administrative Officer in the same manner as all other Village accounts.

8. REPORTING OBLIGATIONS

- 8.1 On or before February each year, the Commission shall prepare and submit to Council an annual budget, in a form satisfactory to the Chief Administrative Officer, and such annual budget shall be considered by Council and may be rejected or accepted, in whole or in part, at the Council's discretion.
- 8.2 On or before November of each year the Commission shall prepare and submit to Council an annual workplan for the upcoming year, in a form satisfactory to the Chief Administrative Officer, and such annual workplan shall be considered by Council and may be rejected or accepted, in whole or in part, at the Council's discretion.
- 8.3 On or before January 15th of each year the Chair will submit an annual report of the previous year activities of the Commission, in a form satisfactory to the Chief Administrative Officer, and such annual report shall be considered by the Council and may be rejected or accepted, in whole or in part, at the Council's discretion.
- 8.4 The Commission shall forward to the Chief Administrative Officer the agenda and minutes of all meetings of the Commission.

8.5 The Commission will communicate regularly and liaise with the Chief Administrative Officer representing the exercise of the Commission's powers, duties and functions, as specified in this bylaw.

8.6 The Commission will abide by all policies of the Village as adopted or amended by Council.

9. GENERAL

9.1 The title to any real property, equipment or chattels, leases and agreements of any kind, shall be registered in the name of the Village, and the same shall be the property of the Village and shall not be disposed of without the approval of Council.

9.2 All members of the Commission shall serve without remuneration, save and except to the extent the Commission members may be reimbursed for travel and out-of-pocket expenses in accordance with the policies of the Village, and that has been approved by the Commission prior to being undertaken.

9.3 To enable the Commission to perform its functions and to carry out its duties in accordance with the intent and purpose for which the Commission was established the Chief Administrative Officer may, whenever required and without the direct instruction of Council, give to the Commission such assistance as it may reasonably require or direct other Village staff to assist.

10. SCOPE OF BYLAW

10.1 For clarity, subject to the *Community Charter*, unless a power, duty or function of Council has been expressly delegated by this bylaw or another Village bylaw, as amended from time to time, all of the powers, duties and functions of Council will remain with Council.

11. SEVERABILITY

11.1 If any portion of this bylaw, as amended from time to time, is held to be invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the severed portion.

12. REPEAL

12.1 For certainty, the following Village bylaws are hereby repealed:

12.1.1 Port Clements Tourism Advisory Committee Bylaw No 406, 2013

13. CITATION

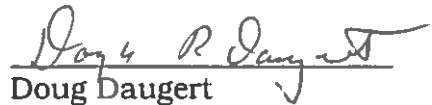
13.1 This Bylaw shall be cited for all purposes as the "Vibrant Community Commission Bylaw #457, 2020"


READ A FIRST TIME THIS 16 DAY OF MARCH 2020

READ A SECOND TIME THIS 16 DAY OF MARCH 2020

READ A THIRD TIME THIS 16 DAY OF MARCH 2020

FINALLY PASSED AND ADOPTED THIS 6 DAY OF APRIL 2020


Doug Daugert
MAYOR


Ruby Decock
CAO

CERTIFIED A TRUE COPY OF "ESTABLISHING A VIBRANT COMMUNITY
COMMISSION BYLAW #457, 2020"