



BYLAW NO. 758

A bylaw to establish a Community Advisory Committee to cover the unincorporated area of Electoral Area B, pursuant to Section 218 of the Local Government Act.

WHEREAS the Board of Directors of the Regional District of Kitimat-Stikine deems it desirable to establish a Community Advisory Committee to advise the Regional Board on matters related to community planning and community services within the unincorporated area of Electoral Area B

NOW THEREFORE the Board of the Regional District of Kitimat-Stikine, in open meeting assembled enacts as follows:

Title:

1. This bylaw may be cited as the "Kitimat-Stikine Upper Skeena Community Advisory Committee Bylaw No. 758, 2021".

Part 1 – Interpretation

1. In this Bylaw unless the context otherwise requires:

"CAC" means the Community Advisory Committee for Electoral Area B.

"Board" means the Board of the Regional District of Kitimat-Stikine.

"Cause" means, for the purpose of section 6, a conflict of interest, conviction for an offence under the Criminal Code or other criminal statute, breach of a regulatory enactment relating to public office or other misconduct that the Board considers to be of a serious nature in relation to the affairs of the Regional District, other government, or public authority.

"Community planning" means land use, planning and development matters under Part 14 of the *Local Government Act* referred to in section 461 (2) of the *Local Government Act*.

"Community services" means services that are provided or that may be provided by or on behalf of the Regional District within Electoral Area B.

"Area B" means Electoral Area B as shown on the map attached to this bylaw as Schedule "A".

"Electoral Area Director" means the Electoral Area Director representing Electoral Area B of the Regional District.

Part 2 - Establishment

1. A Community Advisory Committee is hereby established for the unincorporated area of Electoral Area B of the Regional District of Kitimat-Stikine to be known and described as the Upper Skeena Community Advisory Committee (CAC).



Part 3 - Implementation and Membership

1. The Upper Skeena Community Advisory Committee shall be appointed by the Regional Board to represent the unincorporated community of Electoral Area B.

2. Duties of the Community Advisory Committee:

The function of the CAC is to advise the Regional Board and the Board's representative on community planning and services matters referred to the CAC by the Board or by the Electoral Area Director.

3. Composition of the Committee:

The CAC shall consist of a maximum of ten (10) persons of whom:

- a). four (4) shall be residents of Two Mile and South Hazelton.
 - b) three (3) shall be residents of other unincorporated communities in Area B, with at least one (1) member from Kispiox Valley and at least one (1) member from Kitwanga.
 - c) one (1) shall be appointed following recommendation from the Gitksan First Nation in accordance with section 4 b).
 - d) one (1) shall be appointed following recommendation from the Wet'suwet'en First Nation in accordance with section 4 c).
 - e) one shall be the Electoral Area Director.
4. Appointments to the Committee
 - a) Members of the CAC shall be appointed by a resolution of the Board.
 - b) In recognition of Gitksan traditional territory within Area B, the Gitksan First Nation may recommend a person for appointment to the CAC referred to in section 3 c).
 - c) In recognition of Wet'suwet'en traditional territory with Area B, the Wet'suwet'en First Nation may recommend a person for appointment to the CAC referred to in section 3 d).
 - d) The Electoral Area Director shall be a non-voting member who shall be entitled to attend all meetings of the CAC.
5. Tenure of Membership:
 - a) Members of the CAC shall be appointed to office for three years commencing from the date of appointment or such other later date as specified by the Board in the resolution making the appointment.



Regional District of
Kitimat-Stikine

- b) CAC appointments arising out of resignation or death may be made at any time as the occasion arises which shall be made for the duration of the unexpired term, or such other later date as specified by the Board in the resolution making the appointment.

6. Removal of CAC Members for Cause:

- a) If any member of the CAC is continuously absent except because of illness or other unavoidable reason of a temporary nature from three consecutive meetings of the CAC, their appointment may be rescinded by the Board.
- b) The Board may by resolution remove a member of the CAC at any time for cause.

7. Selection of Chair:

The CAC shall at the first meeting in the year select a Chair and a Vice-Chair from among its members. The Chair shall preside at all meetings and regulate the order of business during the meetings.

8. Powers of the Chair

- a) The Chair shall conduct meetings of the CAC and in their absence, the Vice-Chair shall conduct meetings.
- b) Where neither the Chair nor the Vice-Chair is present, the members of the CAC present at the meeting may elect an Acting Chair to conduct the meeting.
- c) The Chair of the CAC shall appoint the Recording Secretary for the Committee whose duty shall be to prepare and retain custody of the Minutes of the Committee.
- d) The Chair shall, from time to time, advise the Board on behalf of the CAC on such matters coming within the scope of the Committee's duties.

9. Quorum:

The quorum necessary for the transaction of the business of the CAC shall be a majority of the members.

10. In Camera Meetings:

Meetings of the CAC or portions of such meetings may be held in camera where the CAC adopts a resolution to hold the meeting in camera and specifies the basis on which the meeting or part of the meeting is to be held in camera in accordance with Section 90 of the Community Charter.

11. Procedure:

All proceedings of the CAC shall be conducted in accordance with Bourinot's Rules of



Regional District of
Kitimat-Stikine

Procedure and questions arising at any meeting of the Committee shall be decided by a majority of votes. In case of an equality of the votes, the Chair of the CAC shall cast the deciding vote.

12. Meetings:

- a) Meetings shall be held quarterly or as needed.
- b) Meetings shall be called by the Chair of the Committee when items are referred to the CAC by the Board.
- c) The CAC shall meet for the dispatch of its business and otherwise, regulate its meetings as it deems fit.
- d) The Chair may, at the request of the Chief Administrative Officer (CAO), summon a meeting of the CAC upon 4 days notice.
- e) CAC Members may participate electronically or in person in regular Committee meetings.

13. Severance:

- a) If any section of this bylaw is found to be invalid by a court of competent jurisdiction, that section of the bylaw may be severed from the bylaw without affecting the validity of the remainder of the bylaw.
- b) This bylaw shall take effect, come into force and be binding upon all persons within the unincorporated portions of Electoral Area B, of the Regional District of Kitimat-Stikine as from the date of adoption.

14. That the "Regional District of Kitimat-Stikine Two Mile Hazelton Advisory Planning Commission Bylaw No. 300, 1991" and "Regional District of Kitimat-Stikine South Hazelton Advisory Planning Commission Bylaw No. 301, 1991" be rescinded in their entirety.

READ a first time this _____ 20th _____ day of _____ August _____, 2021.

READ a second time this _____ 20th _____ day of _____ August _____, 2021.

READ a third time this _____ 20th _____ day of _____ August _____, 2021.

ADOPTED this _____ 24th _____ day of _____ September _____, 2021.



Chair



CAO