



STAFF REPORT

DATE: February 2, 2022 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: BYLAW NO. 453 – BYLAW REVISION AUTHORIZATION

PURPOSE/PROBLEM

To consider Bylaw No. 453 which proposes to expand the authority for revising bylaws to include those bylaws adopted by the Strathcona Regional District since its incorporation.

EXECUTIVE SUMMARY

The attached report was considered at the January 26, 2022 meeting of the Regional Board at which time the following resolution was passed:

Colborne/Abram: SRD 55/22

THAT a new bylaw revision authorization bylaw that includes Strathcona Regional District bylaws be prepared for the Board's consideration.

Based on the above noted direction, the attached Bylaw No. 453 has been prepared for the Board's consideration. The bylaw expands the authority for revising bylaws to include bylaws adopted by the Strathcona Regional District in comparison to the existing bylaw which limits such authorities to bylaws enacted by the former Comox-Strathcona Regional District. The specific authorities and types of revisions that may be dealt with under the bylaw remained unchanged and are enumerated in section 2 of the bylaw.

As previously noted, the purpose of the bylaw is to be able to deal with obsolete bylaw provisions, typographical errors and other 'housekeeping' matters in a relatively straightforward fashion without having to contend with the often complex and lengthy procedures associated with a more formal bylaw amendment process.

All bylaw revisions must be dealt with by the Board at an open public meeting.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT Bylaw No. 453, being a bylaw to authorize the revision of bylaws applicable to the Strathcona Regional District, be now introduced and read a first time.
3. THAT the rules be suspended and Bylaw No. 453 be given second and third readings.
4. THAT Bylaw No. 453, being Bylaw Revision Authorization Bylaw 2022, be now reconsidered, finally passed and adopted.

Respectfully:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to read 'Dave Leitch'.

Dave Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager

Attachments: Bylaw No. 453
Copy of January 18, 2022 report to the Regional Board



BYLAW NO. 453

A BYLAW TO AUTHORIZE THE REVISION OF BYLAWS APPLICABLE TO THE STRATHCONA REGIONAL DISTRICT

WHEREAS the Regional District may, by bylaw, authorize revisions to be made to its bylaws in accordance with B.C. Reg. 367/2003 (*Bylaw Revision Regulation*) of the *Community Charter*;

AND WHEREAS the bylaws of the Regional District include bylaws adopted by the former Comox-Strathcona Regional District that apply within all or part of the area comprising the Strathcona Regional District;

AND WHEREAS the Regional District wishes to authorize revisions to be made to its bylaws in accordance with the terms and conditions set out in this bylaw;

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

Revisions Authorized

1. (1) The following bylaws of the Strathcona Regional District may be revised by separate bylaw in accordance with the provisions of this bylaw:
 - (a) any bylaw adopted by the Comox-Strathcona Regional District prior to February 15, 2008 that applies within all or part of the Strathcona Regional District and which has not been repealed; and
 - (b) any bylaw adopted by the Strathcona Regional District on or after February 15, 2008 and which has not been repealed.(2) For clarity, the authority set out in subsection (1) includes bylaws which have been amended following their adoption.

Revision Options

2. A revision bylaw may do one or more of the following:
 - (a) consolidate a bylaw to include all of its amendments;
 - (b) omit and provide for the repeal of a bylaw provision that is expired, inoperative, obsolete, spent or otherwise ineffective;
 - (c) combine 2 or more bylaws into a single bylaw, divide a bylaw into 2 or more bylaws, move provisions from one bylaw to another and create a bylaw from provisions of one or more bylaws;
 - (d) alter the citation and title of a bylaw and the numbering and arrangement of its provisions;

- (e) add, change or omit a note, heading, title, marginal note, diagram, map, plan or example to a bylaw;
- (f) omit the preamble and long title of a bylaw;
- (g) correct clerical, grammatical and typographical errors; and
- (h) make changes, without changing the substance of the bylaw, to bring out more clearly what is considered to be the meaning of a bylaw or to improve the expression of the law.

Repeal

- 3. Bylaw No. 141, being Bylaw Revision Authorization Bylaw 2012 is repealed.

Citation

- 4. This bylaw may be cited for all purposes as Bylaw No. 453, being Bylaw Revision Authorization Bylaw 2022.

READ A FIRST TIME ON THE DAY OF , 2022

READ A SECOND TIME ON THE DAY OF , 2022

READ A THIRD TIME ON THE DAY OF , 2022

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE DAY OF , 2022

Chair

Corporate Officer



STAFF REPORT

DATE: January 18, 2022 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: David Leitch
Chief Administrative Officer

RE: **BYLAW REVISION AUTHORITIES – HOUSEKEEPING AMENDMENTS**

PURPOSE/PROBLEM

To consider broadening the bylaw revision authority of the Board to include bylaws enacted by the Strathcona Regional District.

EXECUTIVE SUMMARY

At its June 28, 2012 meeting the Board adopted Bylaw No. 141 which authorized revisions to be made to bylaws adopted by the former Comox-Strathcona Regional District (CSRD) and having application within the subsequently incorporated Strathcona Regional District (SRD). The purpose of the revision authorities was to address a variety of housekeeping issues in the CSRD bylaws such as electoral area designations, employee titles, etc. The full range of revision authorities is contained in section 2 of Bylaw No. 141 (attached).

It has recently been determined that having the ability to revise certain SRD bylaws to address typographical and other errors would be appropriate and would eliminate the need to undertake a more formal and potentially complex bylaw amendment process when dealing with relatively simple amendments. A notable example is a recent financial plan amendment bylaw adopted by the SRD Board which contained typographical errors.

As a means of ensuring that all revision bylaws are subject to public scrutiny, they must be approved by the Board at an open meeting before they are adopted.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT a new bylaw revision authorization bylaw that includes Strathcona Regional District bylaws be prepared for the Board's consideration.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager



BYLAW NO. 141

A BYLAW TO AUTHORIZE THE REVISION OF BYLAWS ENACTED BY THE COMOX-STRATHCONA REGIONAL DISTRICT

WHEREAS the Comox-Strathcona Regional District was divided into the Comox Valley Regional District and the Strathcona Regional District by letters patent dated February 15, 2008;

AND WHEREAS the bylaws adopted by the former Comox-Strathcona Regional District that apply within all or part of the area comprising the Strathcona Regional District remain in force as bylaws of the Strathcona Regional District;

AND WHEREAS the Regional Board wishes to revise one or more of the aforesaid bylaws in accordance with B.C. Reg. 367/2003 (*Bylaw Revision Regulation*) of the *Community Charter*;

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

Revisions Authorized

1. (1) Any bylaw adopted by the Comox-Strathcona Regional District that applies or purports to apply within all or part of the Strathcona Regional District may be revised by separate bylaw in accordance with the provisions of this bylaw.
- (2) For clarity, the authority set out in subsection (1) includes bylaws which have been subsequently amended by the Strathcona Regional District.

Revision Options

2. A revision bylaw may do one or more of the following:
 - (a) consolidate a bylaw to include all of its amendments;
 - (b) omit and provide for the repeal of a bylaw provision that is expired, inoperative, obsolete, spent or otherwise ineffective;
 - (c) combine 2 or more bylaws into a single bylaw, divide a bylaw into 2 or more bylaws, move provisions from one bylaw to another and create a bylaw from provisions of one or more bylaws;
 - (d) alter the citation and title of a bylaw and the numbering and arrangement of its provisions;
 - (e) add, change or omit a note, heading, title, marginal note, diagram, map, plan or example to a bylaw;
 - (f) omit the preamble and long title of a bylaw;
 - (g) correct clerical, grammatical and typographical errors; and
 - (h) make changes, without changing the substance of the bylaw, to bring out more clearly what is considered to be the meaning of a bylaw or to improve the expression of the law.

Citation

3. This bylaw may be cited for all purposes as Bylaw No. 141, being Bylaw Revision Authorization Bylaw 2012.

READ A FIRST TIME ON THE 28TH DAY OF JUNE , 2012

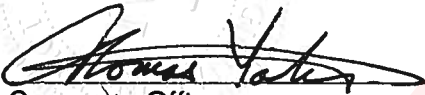
READ A SECOND TIME ON THE 28TH DAY OF JUNE , 2012

READ A THIRD TIME ON THE 28TH DAY OF JUNE, 2012

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 28TH DAY OF JUNE, 2012



Chair



Corporate Officer