

The following is a consolidated copy of the **Committee Delegation Bylaw** and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
749	Committee Delegation Bylaw, 2023	June 6, 2023	To delegate certain powers, duties and functions of the Comox Valley Regional District Board

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT**BYLAW NO. 749****A bylaw to delegate certain powers, duties and functions of the
Comox Valley Regional District Board**

WHEREAS under the *Local Government Act*, RSBC 2015 c 1, a Board may, by bylaw adopted by at least two thirds of the votes cast, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees, its committees or its members, or to other bodies established by the Board;

AND WHEREAS the Board of the Comox Valley Regional District wishes to delegate certain powers, duties and functions;

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

Definitions

1. In this Bylaw
 - a) “**Board**” means Comox Valley Regional District Board
 - b) “**Committees**” means:
 - i. Electoral Areas Services Committee
 - ii. Black Creek – Oyster Bay Services Committee
 - c) “**Regional District**” means Comox Valley Regional District Board

Delegation to Committees

2. This bylaw describes the delegation of powers, duties and functions in relation to services within the scope of authority of the Committees.
3. Subject to the *Local Government Act*, unless a power, duty or function of the Board has been expressly delegated by this bylaw or another CVRD bylaw, all the powers, duties and functions of the Board remain with the Board, and the Committees may not further delegate powers, duties, or functions to another individual or body.
4. Delegation to the Committees does not derogate from the delegations of authority to officers and employees contained in Bylaw No. 510 being “Comox Valley Regional District Delegation of Purchasing Authority Bylaw No. 510, 2018”, and other delegation instruments.

Administrative Authority

5. The Board hereby delegates to the Committees the powers of the Board with respect to the administration, development, maintenance and operation of the services administered by the Committees, as listed in Schedule A. For clarity, such authority includes the following:
 - a) Entering into agreements respecting the undertaking, provision and operation of the Regional District’s works and services;
 - b) Identification and creation of plans and priorities, and service-specific operational policies;
 - c) Recommending to the Board user fees and charges to be established by bylaw;
 - d) To acquire, hold, manage and dispose of land or improvements or any interest or right in or with respect to that property in connection with the operation of any service or services administered

provided that the revenue or expenditure is included in the approved annual financial plan and subject to Regional District purchasing policies and procedures;

- e) Review and provide direction on annual budgets for Board consideration and approval; and
- f) Consideration of matters referred to the Committee by the Board.

Delegation of Hearings

- 6. The Board hereby delegates to the Electoral Areas Services Committee the powers, duties and functions of the Board: Under sections 57 [*Note against land title that building regulations contravened*] and 58 [*Cancellation of note against title of land*] of the *Community Charter*, including the power to hold a hearing in relation to the matter;
 - b) To agree on behalf of the Regional District to the modification, assignment or release of covenants registrable under section 219 of the *Land Title Act*;
 - c) Pursuant to section 469 [*Delegation of public hearings*] of the *Local Government Act*, public hearings regarding land use matters and the Board must not adopt the bylaw that is the subject of the hearing until the Electoral Areas Services Committee reports to the Board, either orally, or in writing, the views expressed at the hearing.

Reconsideration of Committee Decisions

- 7. Pursuant to section 232 [*Reconsideration of delegate’s decisions*] of the *Local Government Act* an applicant may have a decision of the Committees reconsidered by the Board by submitting a request for reconsideration to the Corporate Legislative Officer within thirty (30) days after the decision is delivered to or made available to the applicant.
- 8. The request for reconsideration must include the following:
 - a) The applicant’s address for receiving correspondence related to the request for reconsideration;
 - b) A copy of the decision made by the Committees;
 - c) Reasons why the applicant wishes the decision to be reconsidered by the Board;
 - d) The decision which the applicant requests be made by the Board;
 - e) Reasons in support of the decision requested from the Board; and
 - f) A copy of any documents which support the applicant’s request for reconsideration by the Board.
- 9. The Corporate Legislative Officer, or delegate, must, upon receiving the request for reconsideration,
 - a. place the request for reconsideration on the agenda for a regular meeting of the Board to be held at least two (2) weeks after the date on which the request for reconsideration was received; and
 - b. Notify the applicant of the date set for reconsideration; and
 - c. Advise the applicant that they will be provided an opportunity to speak to the reconsideration matter before the Board.
- 10. The Board may, following completion of its reconsideration, do one or more of the following:
 - a) Confirm all or part of the Committee’s decision;
 - b) Set aside all or part of the Committee’s decision;
 - c) Amend the Committee’s decision or make a new decision.
- 11. If a delegated matter has been brought before the Board there shall be no further reconsideration of the reconsideration.

Citation

This Bylaw No. 749 may be cited for all purposes as “Committee Delegation Bylaw, 2023”.

Schedule A

Services Administered by the Electoral Areas Services Committee:

- 1) Function #120 – Grant-in-Aid Area A Baynes Sound established under the statutory corporate powers of the Comox Valley Regional District.
- 2) Function #121 – Grant-in-Aid Area B established under the statutory corporate powers of the Comox Valley Regional District.
- 3) Function #122 – Grant-in-Aid Area C established under the statutory corporate powers of the Comox Valley Regional District.
- 4) Function #123 – Grant-in-Aid Denman Island established under the statutory corporate powers of the Comox Valley Regional District.
- 5) Function #124 – Grant-in-Aid Hornby Island established under the statutory corporate powers of the Comox Valley Regional District.
- 6) Function #130 - Electoral Areas Expenditure & Election Services established under section 338(2)(b) of the *Local Government Act*.
- 7) Function #151 – Feasibility Studies Area A Baynes Sound established under section 338(2)(c) of the *Local Government Act*.
- 8) Function #152 – Feasibility Studies Area B established under section 338(2)(c) of the *Local Government Act*.
- 9) Function #153 – Feasibility Studies Area C established under section 338(2)(c) of the *Local Government Act*.
- 10) Function #154 – Feasibility Studies Denman Island established under section 338(2)(c) of the *Local Government Act*.
- 11) Function #155 – Feasibility Studies Hornby Island established under section 338(2)(c) of the *Local Government Act*.
- 12) Function #210 - Rural Cumberland Fire Protection as set out in Bylaw No. 192 being “Rural Cumberland Fire Protection Service Establishment Bylaw No. 192, 2011”.
- 13) Function #215 - Denman Island Fire Protection as set out in Bylaw No. 2045 being “Denman Island Fire Protection Local Service Establishment Bylaw No. 2045, 1998”.
- 14) Function #220 – Hornby Island Fire Protection as set out in Bylaw No. 2011 being “Hornby Island Fire Protection Local Service Establishment Bylaw No. 2011, 1998”.
- 15) Function #225 – Fanny Bay Fire Protection as set out in Bylaw No. 1992 being “Fanny Bay Fire Protection Local Service Area Conversion Bylaw No. 1992, 1997”.

- 16) Function #226 – Union Bay Fire Protection as set out in Bylaw No. 658 "Union Bay Fire Protection Service Establishment Bylaw No. 658, 2021".
- 17) Function #228 – Bates/Huband Road Fire Protection as set out in Bylaw No. 1965 being "Bates/Huband Road Fire Protection Local Service Area Establishment Bylaw No. 1965, 1997".
- 18) Function #230 – Black Creek/Oyster Bay Fire Protection as set out in Bylaw No. 1964 being "Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997".
- 19) Function #237 – Greater Merville Fire Protection as set out in Bylaw No. 484 being "Merville Fire Protection Service Establishment Bylaw No. 484, 2017".
- 20) Function #240 – Mt. Washington Resort Community Fire Protection as set out in Bylaw No. 433 being "Mount Washington Resort Community Fire Protection Service Establishment Bylaw No. 433, 2016".
- 21) Function #270 – Comox Valley Emergency Program as set out in Bylaw No. 1341 being "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991."
- 22) Function #285 – Building Inspection as set out in Bylaw No. 1160 being "Regional District of Comox-Strathcona Building Inspection Service Bylaw, 1989".
- 23) Function #291 – Electoral Areas A (Baynes Sound), B and C Bylaw Enforcement as set out in Bylaw No. 2266 being "Comox Valley Animal Control Extended Service Conversion Bylaw No. 2266, 2000"
- 24) Function #296 – Weed Control as set out in Bylaw No. 2346 being "Regional District Weed Control Service Establishment Bylaw, 2001".
- 25) Function #299 – Denman and Hornby Islands Bylaw Enforcement as set out in Bylaw No. 2002 being "Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997".
- 26) Function #305 – Comox Valley Water Local Service as set out in Bylaw No. 1886 being "Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996".
- 27) Function #307 – Denman Island Water Local Service as set out in Bylaw No. 1567 being "Denman Island Water Local Service Area Conversion and Establishment By-law, 1993"
- 28) Function #308 – Union Bay Water as set out in Bylaw No. 660 being "Union Bay Water Service Establishment Bylaw No. 660, 2021".
- 29) Function #310 – Graham Lake Local Water as established through Order in Council No. 622 issued November 25, 2022 by the Lieutenant Governor in Council.
- 30) Function #312 – Royston Water as set out in Bylaw No. 126 being "Royston Water Service Establishment Bylaw No. 126, 2010".

- 31) Function #313 – Black Creek/Oyster Bay Water as set out in Bylaw No. 1557 being “Black Creek/Oyster Bay Water Local Service Area Conversion and Establishment Bylaw, 1993.”
- 32) Function #330 – Jackson Drive Sewer as set out in Bylaw No. 2600 being “Jackson Drive Sewer Service Establishment Bylaw No. 2600, 2004”.
- 33) Function #331 – King Coho Sewer as set out in Bylaw No. 495 being “King Coho Wastewater Service Establishment Bylaw No. 495, 2017”.
- 34) Function #340 – Liquid Waste Management Planning as set out in Bylaw No. 2422 being “Regional District of Comox-Strathcona Liquid Waste Management Planning Service Bylaw No. 2422, 2002”.
- 35) Function #360 – Hornby Island Garbage Disposal as set out in Bylaw No. 87 being “Hornby Island Garbage Disposal and Sundry Services Specified Area Establishment Bylaw, 1972”.
- 36) Function #362 – Denman Island Garbage Collection Specified Area as set out in Bylaw No. 219 being “Denman Island Garbage Collection Service Unit Function Bylaw, 1976”
- 37) Function #366 – Royston Garbage Collection as set out in Bylaw No. 118 being “Royston Garbage Collection Service Establishment Bylaw No. 118, 2010”.
- 38) Function #500 – Planning as established under supplementary letters patent dated February 17, 1967.
- 39) Function #530 – House Numbering Area A as set out in Bylaw No. 2142 being “Housenumbering Extended Service Conversion Bylaw No. 2142, 1999”.
- 40) Function #531 – House Numbering Area B as set out in Bylaw No. 2142 being “Housenumbering Extended Service Conversion Bylaw No. 2142, 1999”.
- 41) Function #532 – House Numbering Area C as set out in Bylaw No. 2142 being “Housenumbering Extended Service Conversion Bylaw No. 2142, 1999”.
- 42) Function #555 – Denman Island Economic Development as set out in Bylaw No. 232 being “Denman Island Economic Development Service Establishment Bylaw No. 232, 2012”.
- 43) Function #556 – Hornby Island Economic Development as set out in Bylaw No. 3005 being “Denman – Hornby Islands Economic Development Service Establishment Bylaw No. 3005, 2007”.
- 44) Function #560 – Denman and Hornby Islands High-Speed Internet Contribution as set out in Bylaw No. 672 being “Denman and Hornby Islands High Speed Internet Contribution Service Establishment Bylaw No. 672, 2021”.
- 45) Function #605 – Denman Island Recreation as set out in Bylaw No. 2624 being “Denman Island Recreation Service Establishment Bylaw No. 2624, 2004”.
- 46) Function #606 – Hornby Island Recreation as set out in Bylaw No. 2625 being “Hornby Island Recreation Service Establishment Bylaw No. 2625, 2004”.

- 47) Function #607 – Part Area A Hornby/Denman Recreation Complexes Contribution as set out in Bylaw No. 2623 being “Electoral Area ‘K’ Recreation Complexes Contribution Service Establishment Bylaw No. 2623, 2004”.
- 48) Function #615 – Electoral Areas Arts and Cultural Grant as set out in Bylaw No. 278 being “Electoral Areas Arts and Culture Grant Service Establishing Bylaw No. 278, 2014.”
- 49) Function #619 – Denman Island Community Parks and Greenways as set out in Bylaw No. 386 being “Denman Island Community Parks and Greenways Service Establishment Bylaw No. 386, 2015”.
- 50) Function #620 – Hornby Island Community Parks and Greenways as set out in Bylaw No. 2253 being “Electoral Area ‘K’ Community Parks Local Service Area Establishment Bylaw No. 2253, 2000”.
- 51) Function #621 – Baynes Sd, Area B and C Parks and Greenways as set out in Bylaw No. 2925 being “Electoral Areas ‘A’, ‘B’ and ‘C’ Parks and Greenways Service Bylaw No. 2925, 2006”.
- 52) Function #623 – Saratoga Beach Community Mosquito Management as set out in Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”.
- 53) Function #630 – Vancouver Island Regional Library as set out in Bylaw No. "Vancouver Island Regional Library District Participation Establishment By-law, 1994”.
- 54) Function #670 – Hornby Island Community Hall as set out in Bylaw No. 1590 being “Hornby Island Community Hall Service Area Conversion and Establishment Bylaw 1993”.
- 55) Function #672 – Baynes Sound Community Facilities Support Service as set out in Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”.
- 56) Function #675 – Denman Island Community Facilities as set out in Bylaw No. 1415 being “Denman Island Community Hall Local Service Establishment Bylaw, 1992”.
- 57) Function #676 – Puntledge North Community Facilities Support Service as set out in Bylaw No. 47 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009”.
- 58) Function #688 – Hornby Island Comfort Station Local Service Area as set out in Bylaw No. 1234 being “Hornby Island Comfort Station Maintenance Local Service Area Establishment Bylaw, 1990”.
- 59) Function #691 – Heritage Conservation – Area A as set out in Bylaw No. 2183 being “Heritage Conservation Extended Service Establishment Bylaw No. 2183, 2000”
- 60) Function #692 – Electoral Area B Heritage Conservation as set out in Bylaw No. 319 being “Electoral Area ‘B’ Heritage Conservation Service Establishment Bylaw No. 319, 2014”.
- 61) Function #693 – Electoral Area C Heritage Conservation as set out in Bylaw No. 320 being “Electoral area ‘C’ Heritage Conservation Service Establishment Bylaw No. 320, 2014”

- 62) Function #694 – Denman Island Heritage Conservation as set out in Bylaw No. 318 being “Denman Island Heritage Conservation Service Establishment Bylaw No. 318, 2014”.
- 63) Function #695 – Hornby Island Heritage Conservation as set out in Bylaw No. 317 being “Hornby Island Heritage Conservation Service Establishment Bylaw No. 317, 2014”.
- 64) Function #710 – Denman Island Streetlighting Specified Area as set out in Bylaw No. 951 being “Denman Island Lighting for Highways Service Unit Establishment Bylaw”
- 65) Function #715 – Royston Streetlighting as set out in Bylaw No. 117 being “Royston Street Lighting Service Establishment Bylaw No. 117, 2010.”
- 66) Function #716 – Union Bay Streetlighting Local Service Area as set out in Bylaw No. 659 being “Union Bay Street Lighting Service Establishment Bylaw No. 659, 2021”.
- 67) Function #720 – Comox Road Streetlighting Local Service Area as set out in Bylaw No. 1519 being “Comox Road Streetlighting Local Service Area Establishment By-law, 1993”.
- 68) Function #722 – Gibson/Cotton Road Streetlighting Local Service Area as set out in Bylaw No. 1151 being “Gibson/Cotton Road Local Service Street Lighting Area Establishment Bylaw, 1989”
- 69) Function #723 – Little River Streetlighting Specified Area as established under supplementary letters patent dated August 19, 1965.
- 70) Function #725 – Forest Grove Estates Streetlighting as set out in Bylaw No. 17 being “Forest Grove Estates Ornamental Streetlight Service Establishment Bylaw No. 17, 2008”.
- 71) Function #730 – Arden Road Streetlighting Specified Area as established under supplementary letters patent dated May 6, 1976.
- 72) Function #732 – Webb and Bood Roads Streetlighting Specified Area as set out in Bylaw No. 539 being “Webb/Bood Road Specified Area Establishment Bylaw, 1981”
- 73) Function #738 – McLary Rd Streetlighting Local Service Area as set out in Bylaw No. 1741 being “McLary Road Streetlighting Local Service Area Establishment Bylaw, 1995”.
- 74) Function #742 – Fern Road Streetlighting Local Service Area as set out in Bylaw No. 1193 being “Rern Road Streetlighting Local Service Establishment Bylaw, 1990”.
- 75) Function #791 – Courtenay Flats Drainage as set out in Bylaw No. 999 being “Courtenay Flats Drainage Works Specified Area Establishment and Loan Authorization Bylaw, 1988”.

Services Administered by the Black Creek – Oyster Bay Services Committee:

- 1) Function #230 – Black Creek/Oyster Bay Fire Protection as set out in Bylaw No. 1964 being “Black Creek/Oyster Bay Fire Protection Local Service Area Conversion/Establishment Bylaw No. 1964, 1997”.

- 2) Function #313 – Black Creek/Oyster Bay Water as set out in Bylaw No. 1557 being “Black Creek/Oyster Bay Water Local Service Area Conversion and Establishment Bylaw, 1993.”