

## DISTRICT OF SQUAMISH

### Smoke Bluffs Park Establishment Bylaw Bylaw No. 1935

A bylaw to establish the Smoke Bluffs Park Committee and to establish terms of reference for the Committee relating to the Smoke Bluffs Park

#### WHEREAS:

- A. The Council of the District of Squamish is authorized by sections 141 and 142 of the *Community Charter* to establish and appoint a Committee to consider issues related to a specific topic and report its opinion to Council;
- B. Council wishes to create a Committee, to make recommendations on the development of the Smoke Bluffs Park;
- C. Council wishes to preserve Smoke Bluffs Park as an area for Rock Climbing in the District of Squamish:

NOW THEREFORE the Council of the District of Squamish in and open meeting enacts as follows:

#### SHORT TITLE

- 1. This Bylaw may be cited as the “District of Squamish Smoke Bluffs Park Committee Establishment Bylaw No. 1935, 2006”.

#### ESTABLISHMENT

- 2. There is hereby established a Committee to be known as the Smoke Bluffs Park Committee (the “Committee”).

#### PURPOSE

- 3. The Smoke Bluffs Park Committee will act as steward of the Smoke Bluffs Park and advise the Council of the District of Squamish (“Council”) and staff of the District of Squamish (“Staff”)and in particular:
  - 1. assist Council by overseeing the implementation of the Smoke Bluffs Park Development Plan;
  - 2. assist in setting the terms of reference for, and preparation of, the Smoke Bluffs Park Management Plan (the “Management Plan”);
  - 3. consider and advise Council and Staff on the content, policy directions, and implementation of the Management Plan;
  - 4. act in an advisory capacity to Council on projects and policies pertaining to the Smoke Bluffs Park, including input on the Parks and Recreation Master Plan;

5. assist Council in monitoring the restrictive conservation covenants placed upon the lands that comprise Smoke Bluffs Park;
6. advise Council on any Smoke Bluffs Park related matter which, in the opinion of the Committee or Council, requires such reporting; and
7. generally work to promote appropriate stewardship, enhancement and use of the Smoke Bluffs Park.

#### AUTHORITY

4. The Council hereby authorizes the Committee to:
  - (1) function as an independent advisory Smoke Bluffs Park planning and policy recommending body;
  - (2) recommend priorities for Council consideration for capital and operating budgets pertaining to Smoke Bluffs Park for inclusion in the annual budgetary process;
  - (3) make requests of District Staff to provide information describing capital and operating expenditures, and the status of municipal plans and initiatives, pertaining to Smoke Bluffs Park; and
  - (4) assist Council in overseeing expenditures on Smoke Bluffs Park, through District Staff, and within the Council approved annual budget.

#### LIMITATION OF THE DUTIES AND POWERS OF THE COMMITTEE

5. The Committee is not empowered to manage on a day to day operational basis or maintain Smoke Bluffs Park, park property or recreation facilities; conduct the recreation program within the District; or enter into agreements and contractual obligations.

#### REPORTS TO COUNCIL

6. The Committee shall:
  - (1) submit to the Director of Recreation, Parks & Tourism, for submission to Council, annually by the deadline established within the District's procedures for preparation of the Financial Plan each year an annual work plan for the following year, including financial and policy implications, and a five-year financial plan for capital costs associated with the development and enhancement of the Smoke Bluffs Park;
  - (2) submit annual reports to Council by the end of February each year describing the prior year's activities of the Committee to Council.

#### INFORMATION

7. The Committee may gather information required to fulfill its purpose from various sources. The Committee can:

- (1) assign Committee members to sub-committees or working groups as may be required from time to time to provide the Committee with advice on specific policies, proposals and initiatives;
- (2) seek information from elected officials and staff assigned as resource persons to the Committee;
- (3) invite individuals or groups to attend Committee meetings to provide the Committee with information related to specific policies, proposals or initiatives.

#### COMPOSITION AND APPOINTMENTS

8. The Smoke Bluffs Park Development Committee is comprised of ten voting members.

- (1) The membership must include:
  - (a) one member of Municipal Council
  - (b) one member of the Climbers' Access Society of British Columbia;
  - (c) one member of the Federation of Mountain Clubs of British Columbia;
  - (d) one member of the Squamish Trails Society;
  - (e) one member of the Squamish Access Society;
  - (f) one member of the Howe Sound Trials Riders Association; and
  - (g) four members at large who are residents of Squamish and two of whom are rock climbers with experience climbing in the Smoke Bluffs.
- (2) Members referred to in articles 8 (1) (b) through (f) and one alternate for each must be selected and appointed by Council from nominees submitted by the Climbers' Access Society of British Columbia, Federation of Mountain Clubs of British Columbia, Squamish Trails Society, Squamish Access Society and Howe Sound Trials Riders Association respectively.

The four members at large must be selected and appointed by Council from applications received from the general public

#### TERM AND TERMINATION

- (3)
  - (a) Members serve at the pleasure of Council.
  - (b) Each member and, if applicable, their alternate, will be appointed for a two year term which may be renewed for subsequent terms.

- (c) Council may terminate the appointment of any member at any time.
- (d) Should any member organization dissolve and no longer exist, that group shall no longer have a member on the Committee and the membership shall be reduced by one.
- (e) Should two or more organizations amalgamate, the amalgamated group shall only have one member and all other representatives of the amalgamated groups shall no longer be members of the Committee and the number of members of the Committee shall be reduced by that number.

#### RESIGNATION AND ABSENTEEISM

- (4) A member may resign by submitting to Council a letter of resignation. Any member who is absent from three consecutive monthly meetings, without leave of absence from the Committee or without reason satisfactory to the Committee, will be deemed to have resigned from the Committee, and may be replaced by Council.

#### REMUNERATION

- (5) All members will serve without remuneration. All expenses reasonably incurred in the carrying out Committee business may be reimbursed by the Director of Financial Services of the District of Squamish with approval of the Director of Recreation, Parks & Tourism.
- (6) The Secretary of the Committee is the Director of Recreation, Parks & Tourism or other staff designated by the Director.

#### RESOURCE PERSONS TO THE COMMITTEE

- 9. The following persons may participate in meetings of the Committee in a resource capacity but must not vote:
  - (1) The Mayor;
  - (2) Chief Administrative Officer;
  - (3) Director of Recreation, Parks & Tourism or the Director's designate;
  - (4) Manager of Operations; and
  - (5) Any other District of Squamish staff designated by the Chief Administrative Officer.

#### CHAIR AND DEPUTY CHAIR

- 10. The Chair and Deputy Chair of the Committee must be elected annually by a majority vote of the members present. The terms of a Chair or Deputy Chair shall not exceed two consecutive years. The Chair, or the Vice-Chair in the absence of the Chair, must preside at all meetings.

PROCEDURES

11. (1) The Committee will meet regularly on a schedule, to be determined by motion of the Committee at their first meeting, and amended thereafter by motion, but not fewer than four regular meetings will be held by the Committee in any one calendar year.
- (2) The Secretary, in consultation with the Chair and District staff, will have prepared an agenda for each meeting. Items specifically referred by Council to the Committee will be added to the next appropriate meeting agenda. The agenda will be distributed in accordance with the District's Procedure Bylaw.
- (3) Meeting notice and procedures will be in accordance with requirements for Committees stated in the District's Procedure Bylaw and will be consistent with the rules of procedure for Council to the extent that they are applicable.
- (4) Special meetings of the Committee may be called as deemed necessary by the Chair or any two members of the Committee. Except where notice of a special meeting is waived by a unanimous vote of all members, the Secretary must, at least 24 hours before a special meeting of the Committee, give advance public notice of the time, place and date of the meeting by way of a notice posted on the notice board in the Municipal Hall foyer and give notice of the special meeting to the members.
- (5) A quorum is four members. If there is no quorum present within 15 minutes after the meeting is scheduled to begin, the recorder will record in the minutes the names of the members present at the end of fifteen minutes, and that meeting will stand adjourned until the next scheduled meeting.
- (6) As soon as there is a quorum of members present, the Chair will call the meeting to order. If the Chair is not present at the appointed time of the meeting, the Deputy Chair will call the meeting to order. If the Deputy Chair is also absent, the Secretary shall call the meeting to order and the members present will, by resolution, elect one member to Chair that meeting.
- (7) All questions before the Committee will be decided by a majority of the members present at the meeting. Each of the members, including the Chair, has one vote. There is no abstention of vote; if a member is present at a Committee meeting but does not indicate their vote, their vote will be counted in the affirmative. Tie votes will be counted in the negative.
- (8) The Director of Administrative Services will ensure minutes of Committee meetings are kept, approved, signed by the Chair and available for public

inspection in accordance with the *Community Charter* and Procedure Bylaw.

- (9) All meetings of the Committee must be open to the public except where the public is excluded from such meetings in accordance with the *Community Charter Act*, but members of the public will not be entitled to address the Committee unless previously listed on the meeting agenda or with the permission of the Committee approved by motion. The Committee is a local public body for the purposes of and subject to provisions of the *Freedom of Information and Protection of Privacy Act*.

#### SEVERANCE

12. If at any time, any provision of this bylaw is declared or held to be illegal, invalid, or *ultra vires*, in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or *ultra vires* provision.

READ a first, second and third time this 19<sup>th</sup> day of December, 2006.

ADOPTED this 16<sup>th</sup> day of January, 2007.

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Ian Sutherland, Mayor

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Robin Arthurs, Director of  
Administrative Services