

TOWN OF LAKE COWICHAN

Bylaw No. 802-2005

A BYLAW TO DELEGATE DEFINED AUTHORITIES TO OFFICERS OF THE TOWN AS PROVIDED IN THE COMMUNITY CHARTER

WHEREAS Section 154 of the *Community Charter* empowers a municipal council to delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees, or to other bodies established by Council;

AND WHEREAS Council considers that there are a number of circumstances where such delegation would foster good and efficient government;

NOW THEREFORE the Council of the Town of Lake Cowichan, in open meeting assembled, enacts as follows:

TITLE

1. This Bylaw may be cited as "Town of Lake Cowichan Delegation Bylaw No. 802-2005".

DEFINITIONS

2. In this Bylaw:

ACT means the *Community Charter*;

CHIEF ADMINISTRATIVE OFFICER (C.A.O.) means the person appointed by Council as the Chief Administrative Officer or his/her designate;

COUNCIL means the elected council of the Town;

MUNICIPALITY means the Town of Lake Cowichan.

DELEGATION OF PURCHASING POWER

3. Council hereby delegates to the C.A.O. all of the powers, duties and functions of Council to make agreements respecting the Municipality's activities, works or services, but subject to the limitations on that delegated authority as set out in the Municipality's purchasing policy.

MUNICIPAL STREET USE

4. Council hereby delegates to the C.A.O. all of the powers, duties and functions of Council to approve applications for temporary private uses of municipal streets, including, but not limited to, car washes, bottle drives, tag days, parades, walk-a-thons, fundraisers, and races.

RELEASE OF CHARGES

5. Council delegates to the Mayor and the C.A.O. the power to release obsolete charges from land titles registered in the Victoria Land Title Office, upon recommendation of the Town of Lake Cowichan's Approving Officer.

STRATA CONVERSIONS

6. Council delegates to the C.A.O. the power to approve strata subdivision conversion applications for two-family residential dwellings that meet the following conditions:
 - (a) the property must comply with the Zoning Bylaw, or have received a variance from



Council or the Board of Variance;

- (b) the dwelling must comply with the Building Code as determined by the Chief Building Inspector;
- (c) all required servicing upgrades must be completed.

OUTDOOR BURNING BAN

- 7. Council delegates to the Local Assistant to the Fire Commissioner the power to ban some or all types of outdoor burning, in part or all of the Municipality, for up to thirty (30) days, if a fire hazard exists.

RECONSIDERATION BY COUNCIL

- 8. All applications referred to in this bylaw may have a decision of the C.A.O. under this bylaw reconsidered by Council by applying in writing for such reconsideration, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.

DELEGATION TO PERSONS HOLDING POSITION

- 9. Where this Bylaw delegates a power, duty or function to a named position, the delegation of the power, duty or function is to the person who from time to time holds the position and to any person who from time to time is the deputy of that person so appointed by Council.

READ A FIRST TIME on the 8th day of February, 2005.

READ A SECOND TIME on the 8th day of February, 2005.

READ A THIRD TIME on the 8th day of February, 2005.

RECONSIDERED, FINALLY PASSED AND ADOPTED on the 22nd day of February, 2005.

 W. J. (Jack) Peake
 Mayor

 Joseph A. Fernandez
 Corporate Officer

