

CHAPTER 62

An Act to Amend the Greater Victoria
Water District Act

[Assented to 26th March, 1965.]

1922, c. 28;
1937, c. 36;
1938, c. 21;
1940, c. 17;
1948, c. 102;
1949, c. 68;
1950, c. 83;
1951, c. 112;
1953, c. 48;
1955, c. 98;
1959, c. 77;
1960, c. 73.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the *Greater Victoria Water District Act Amendment Act, 1965*.

Amends s. 11.

2. (1) Subsection (1) of section 11 of the *Greater Victoria Water District Act*, being chapter 28 of the Statutes of 1922, as amended by chapter 102 of the Statutes of 1948, is amended by inserting after the word "Victoria" in the sixth line the words "and two representatives appointed annually, on or before the first day of February, by resolution of the Council of the Municipality of Saanich", so that the subsection shall read as follows:—

"11. (1) The powers and functions of the Corporation shall be exercised and discharged by an Administration Board, selected from the respective Councils of the municipalities, which shall consist of three representatives appointed annually, on or before the first day of February, by resolution of the Council of the City of Victoria and two representatives appointed annually, on or before the first day of February, by resolution of the Council of the Municipality of Saanich and one representative appointed annually, on or before the first day of February, by resolution of the Council of each of the other municipalities respectively which are members of the district; provided that the first representatives to be appointed to the Board after the formation of the Corporation shall be appointed within sixty days after the date of the Proclamation mentioned in section 96; and provided further that after the expiration of five years from the date of the Proclamation mentioned in section 96, on petition of any member of the Corporation, the method of appointing representatives prescribed by this subsection shall be reconsidered by the Legislature."

(2) Subsection (5) of section 11 is amended by striking out all the words after the word "municipality" in the sixth line, so that the subsection shall read as follows:—

"(5) If any municipality, not herein specified to be within the district, hereafter becomes included in the district pursuant to the provisions of this Act, that municipality shall thereafter be entitled to representation

on the Board, to consist of one representative, to be appointed annually by resolution of the Council of that municipality."

Amends s. 13.

3. Section 13 is amended as follows:—

(a) By renumbering the first sentence thereof as subsection (1), so that subsection (1) shall read as follows:—

"13. (1) The Chairman of the Board shall be elected annually by the Board, and shall be the convener of, and shall, when present, preside at, all meetings of the Board."

(b) By striking out all the words after the first sentence and substituting and adding the following as subsections (2), (3), and (4):—

"(2) A Deputy Chairman of the Board shall be elected annually and, in the absence of the Chairman or when so requested by the Chairman, has for the time being all the powers and privileges of the Chairman.

"(3) In the absence of the Chairman and of the Deputy Chairman, the other members of the Board shall elect an Acting Chairman of the Board for the time being, and he has all the powers and privileges of the Chairman of the Board at the meeting at which he is elected.

"(4) Five members of the Board at a meeting called on notice form a quorum, and have at the meeting power to transact the business of the Board."

Amends s. 44.

4. Section 44 is amended by striking out the word "one" from the fifth line and substituting the word "five", so that the section shall read as follows:—

"44. Except for emergency repairs or alterations, or where in the opinion of the Board advertising for tenders is unnecessary, no contract shall be made for any work or for the supply of any goods or material the value or price of which will, or is estimated to, exceed the sum of five thousand dollars unless the Commission, by notice published in a daily newspaper circulating in the district, calls for tenders to be sent to the Commission for the performance of such work, or the supply of such goods or material at a price to be named by the tenderer. All tenders received shall be opened in public at the hour to be specified in such notice, and shall be considered before such contract is made."

Amends s. 56

5. Section 56 is amended as follows:—

(a) By renumbering the present section as subsection (1).

(b) By adding the following as subsection (2):—

"(2) No agreement under subsection (1) made between municipalities shall become effective until approved by the Board in writing."

Re-enacts
s. 58.

6. Section 58 is repealed and the following substituted:—

"58. (1) The Corporation may

"(a) sell and supply water in bulk to a member municipality but not to a private person or to a corporation other than a municipality within a member municipality;

"(b) sell and supply water to a person or a corporation other than a municipality within a municipality that is not a member municipality with the approval of the Council of that municipality, and in that case the municipality upon becoming a member municipality may purchase the distribution system of the Corporation contained within the territorial limits of the municipality at a price agreed upon or decided by arbitration;

"(c) continue to sell and supply water to any person or corporation other than a municipality in a municipality that is incorporated subsequently to the date upon which the water was first supplied by the Corporation in any area contained in the municipality, and the municipality upon becoming a member municipality may purchase the distribution system of the Corporation contained within the territorial limits of the municipality at a price agreed upon or decided by arbitration; and

"(d) sell and supply water to any person or corporation in unorganized territory either within or without the area of the district;

but nothing in this section shall enable any municipality to purchase or acquire all or any part of the Corporation's main conduits.

"(2) Notwithstanding subsection (1), the Corporation is entitled at all times and from time to time to continue or assume the obligation of supplying water to private persons or corporations other than municipalities resident in or carrying on business in any municipality incorporated or that becomes a member municipality after the first day of January, 1952."