

BY-LAW NUMBER 2010-5

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

BEING a By-Law to establish the size and composition of the Board of Park Management for Lower Beverley Lake Park.

WHEREAS Lower Beverley Lake Park was designated as an Approved Park by the Park's Integration Board on January 18th, 1968, and by Order-in-Council number 615-68 dated 15th February, 1968, under the Parks Assistance Act;

AND WHEREAS the Parks Assistance Act, R.S.O. 1990, Chapter P.2, subsection 9 states that unless otherwise provided in an agreement, where a municipality has a Board of park management under the Public Parks Act or the Municipal Act, it may appoint such Board to manage and control any approved park established in the municipality;

AND WHEREAS the Council of The Corporation of the Township of Rideau Lakes deems it necessary to establish a Board of Park Management;

AND WHEREAS the Council of The Corporation of the Township of Rideau Lakes deems it beneficial that the operations of Lower Beverley Lake Park be managed by the Board of Park Management;

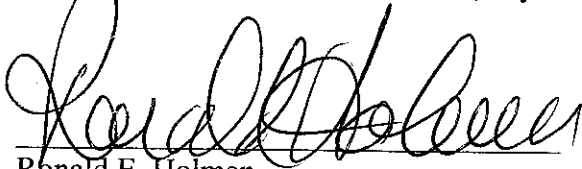
NOW THEREFORE be it enacted that;

- 1) A Board of Park Management shall be established, as of June 17th, 2002.
- 2) The Board of Park Management will manage the operations of Lower Beverley Lake Park.
- 3) The powers and duties of the Park Management Board shall be those as set out in the Public Parks Act, R.S.O. 1990, Chapter P.46, and in particular those powers and duties set out under "Schedule A", but not limited to these.
- 4) The composition of the Park Management Board will be as set out in "Schedule B", attached hereto.
- 5) Chief Officer of Lower Beverley Lake Park is the employee of the Park Management Board to whom the Board delegates the supervision and direction of the Lower Beverley Lake Park and its staff, and who shall be known as the "Manager".
- 6) Schedule A and Schedule B to this By-Law shall form part and parcel of this By-Law.

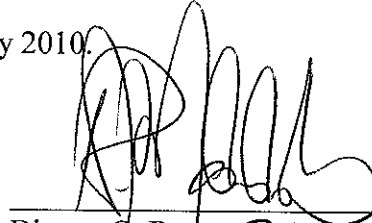
All other By-Laws, Resolutions, Motions or Actions of Council that are in contravention of this By-Law are hereby repealed. – By-Law 2003-22 -

This By-Law shall come into force and take effect on the date of final reading.

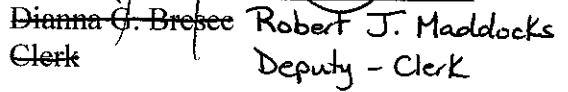
Read a first and second time this 1st, day of February 2010.



Ronald E. Holman
Mayor

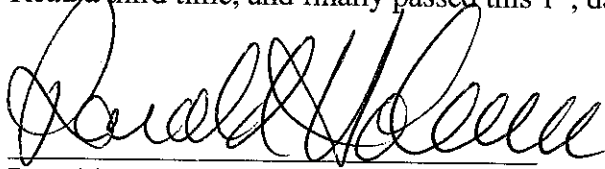


Dianna G. Bresee
Clerk

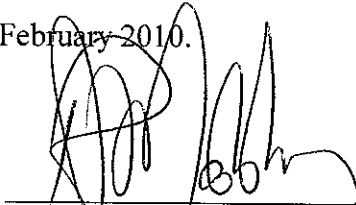


Robert J. Maddocks
Deputy - Clerk

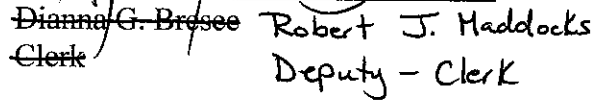
Read a third time, and finally passed this 1st, day of February 2010.



Ronald E. Holman
Mayor



Dianna G. Bresee
Clerk



Robert J. Maddocks
Deputy - Clerk

**“SCHEDULE A”
TO BY-LAW 2010 - 5**

**REGULATIONS & PROCEDURES FOR THE OPERATION OF THE
THE LOWER BEVERLEY LAKE PARK MANAGEMENT BOARD**

WHEREAS the Council of The Corporation of the Township of Rideau Lakes agree to continue the operation of Lower Beverley Lake Park, under the control, supervision and direction of the Board of Park Management, pursuant to the Public Assistance Act, P.2, R.S.O. 1990 and Public Parks Act, P.46, R.S.O. 1990 and amendments thereto.

NOW THEREFORE the Council of The Corporation of the Township of Rideau Lakes hereby agrees that:

- 1) Lower Beverley Lake Park shall be under the management, control, supervision and direction of the Board, which is a Corporation known as “The Park Management Board”, hereafter referred to as “the Board”.
- 2) The Board shall be composed of not less than seven (7) members, as set out in “Schedule B” attached hereto, of which at least four shall be members of the Council.
- 3) The Members shall be appointed for the term of the appointing Council, and at the first meeting of the Council held after its organization; and any vacancy arising from any cause other than the expiration of the time for which the member was appointed shall be filled at the first meeting of the Council held after the occurrence of the vacancy.
- 4) A majority of the members of the Board constitutes a quorum.
- 5) In the case of a vacancy by the death or resignation of a member, or from any cause other than the expiration of the time for which he or she was appointed, the member appointed in the former member’s place shall hold office for the remainder of the former member’s term and until his or her successor is appointed.
- 6) The members of the Board, within ten days after their appointment and on such day and hour as the head of the municipality shall appoint, notice of the appointment in writing, signed by him or her, having been duly sent to the address of each member at least one week before the day and hour named therein, shall meet at the office of the head of the municipality for the purpose of organization, shall elect one of their voting members as Chair, and shall appoint a Secretary who may be one of their own number.

- 7) If for any reason appointments are not made at the prescribed time, they shall be made as soon as may be thereafter.
- 8) The Chair and Secretary shall hold office for the term of the appointing Council.
- 9) When the Chair or Secretary is absent or unable to act, the Board may appoint a temporary Chair or Secretary.
- 10) The Board shall meet at least ten times a year, or as required.
- 11) The Chair or any two members may summon a special meeting of the Board by giving at least two days notice in writing to each member, specifying the purpose for which the meeting is called.
- 12) The office of a member who is absent from the meetings of the Board for three consecutive months, without leave of absence from the Board or without reasons satisfactory to the Board, shall be declared vacant by the Board, and notice thereof shall be given to the Council at its next meeting.
- 13) No business shall be transacted at any special or general meeting unless there is a quorum present.
- 14) All orders and proceedings of the Board shall be entered in books to be kept for that purpose and shall be signed by the Chair for the time being, and, when so entered and purporting to be so signed, shall be deemed to be original orders and proceedings, and the books may be produced and read in any judicial proceeding as evidence of the orders and proceedings.
- 15) The Board may employ all necessary clerks, agents and servants, and may prescribe their duties and compensation.
- 16) The Board shall keep in its office all books, maps, plans, papers and documents used in and pertaining to the business of the Board, and the same shall be open to the examination of the members of the Council, and of any other person appointed for that purpose by the Council.
- 17) The Board shall keep accounts of its receipts; payments, credits and liabilities, and the accounts shall be audited by the auditor of the municipal corporation in like manner as other accounts of the municipal corporation, and shall thereafter be laid before the Council by the Board.
- 18) The Board may pass by-laws for the use, regulation, protection and government of Lower Beverley Lake Park, not inconsistent with the provisions of the Public Parks Act.

- 19) The Board has power to license cabs and other vehicles for use in Lower Beverley Lake Park, and to let from year to year, or for any time not exceeding three years, the right to sell refreshments, other than spirituous, fermented or intoxicating liquors, within the park under such regulations as the Board shall prescribe.
- 20) The Board has power in and by their by-laws to attach penalties for the infraction thereof, and such by-laws may be enforced and the penalties thereunder recovered in like manner as by-laws of municipal Councils and the penalties thereunder may be enforced and recovered.
- 21) The By-Laws are sufficiently authenticated by being signed by the Chair of the Board, and a copy of any by-laws, written or printed, and certified to be a true copy by any member of the Board, is receivable as evidence without proof of any such signature.
- 22) The Board may set apart a sufficient part of the Park for athletic purposes or for the purposes of sport, exhibitions or other lawful amusements or entertainments, and may lease it for such purposes, for such times and on such terms as the Board may see fit, but these powers are not exercisable with respect to Lower Beverley Lake Park unless the Board has applied for and received the approval of the Council.
- 24) The Board will present, during the Budget process in every year, the proposed annual budget, for operations and capital expenditures, to the Council of The Corporation of the Township of Rideau Lakes, for approval.
- 25) The Board will, when preparing annual budgets, allot a minimum of 10% of Revenue to Capital expenditures and a \$5,000 payment to the Township of Rideau Lakes.
- 26) If after the audited statement is finalized and a loss occurs after operating expense and 10% for Capital Investment, the Board may request the Council to forgo rental payment in the subsequent year.
- 27) The annual payment to the Township of Rideau Lakes shall be used for Recreation/Beautification purposes.

SCHEDULE "B"

TO BY-LAW 2010-5

The Park Management Board, for Lower Beverley Lake Park shall be composed of seven (7) members as follows:

FOUR MEMBERS OF COUNCIL

- The Mayor and three other Members of Council

THREE MEMBERS FROM THE PUBLIC AT LARGE

from the area of the Village of Delta