

Gabriola Fire Protection District

LETTERS PATENT

[L.S.] David C. Lam, *Lieutenant Governor*. Canada: Province of British Columbia. Elizabeth the Second, by the Grace of God, of the United Kingdom, Canada, and Her Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these presents shall come — Greeting. Darlene Marzari, *Minister of Municipal Affairs*.

Whereas the Gabriola Fire Protection District was incorporated by Letters Patent issued on July 25, 1969:

And whereas section 825 of the *Municipal Act* provides the Lieutenant Governor in Council may recall the Letters Patent of any improvement district and issue others in their place:

And whereas the Board of Trustees for the Gabriola Fire Protection District has requested the District's Letters Patent be recalled and new Letters Patent be issued in their place:

Now know ye that by these presents We do order and proclaim that:

1. The incorporation of Gabriola Fire Protection District is continued.

2. The Improvement District shall comprise all that tract of land and foreshore and land covered by water described as follows:

Gabriola Island, Nanaimo Land District, and all that part of the Strait of Georgia, Gabriola Passage, Pylades Channel, False Narrows, Northumberland Channel, Fairway Channel and Forwood Channel being the foreshore of Gabriola Island lying between the natural boundary of Gabriola Island and that point which is the greater of the two following points: that point 91.44 metres beyond the natural high-water mark of Gabriola Island and that point which is 3.048 metres beyond any man-made structures (including wharves and docks) which originate on Gabriola Island, save and except therefrom any and all islands (such as Lily Island), islets and rock outcroppings (such as Turtle Rock) which are not covered by water at high tide.

3. The objects of the improvement district shall be the provision of fire protection and the acquisition, maintenance and operation of works, buildings and equipment for that purpose and all matters incidental thereto.

4. There shall be seven Trustees of the improvement district.

5. The Trustees holding office immediately prior to the issue of these Letters Patent shall continue to hold office for the remainder of the terms for which they were elected.

6. It shall be the duty of the Trustees to call a general meeting of the landowners to be held between January 1st and May 1st in each year, for the following purposes:

(a) to present to the landowners a report on the operation of its services and a statement of the financial condition of the improvement district;

(b) to discuss with the landowners matters relating to the services or finances of the improvement district;

(c) to have the landowners fix the remuneration of the Trustees for the ensuing year;

(d) to have the landowners choose an auditor for the ensuing year;

(e) to elect a Trustee or Trustees to succeed those whose term of office expires coincident with the holding of such annual general meeting and to elect a Trustee or Trustees to fill any other vacancy or vacancies that has or have occurred or is or are about to occur among the Trustees.

7. A special general meeting may be called by the Trustees at any time for the purpose of discussing with the owners any matter or matters which, in the opinion of the Trustees, should be brought up at a general meeting.

8. At least fourteen days notice of every general meeting shall be given by a notice advertised in the local press and/or sent by ordinary first class mail setting out the date, time and place of holding the meeting.

9. The secretary shall enter in a book provided by the Trustees for this purpose,

minutes of all matters brought before the meeting and the actions taken thereon. At any general meeting every person shall be qualified to vote who is a Canadian citizen, is eighteen years old or older and is an owner of land in the improvement district, or the authorized agent of any board or corporation that is an owner of such land, or legal representative of any owner of such land who has died, become insolvent or insane and is entitled to be registered as a voter under the *Election Act*. Every person qualified as aforesaid to vote shall be qualified to be a candidate for Trustee of the improvement district. In the event of the right of any person to vote at any general meeting being challenged, the Chairperson shall have authority to determine whether or not such person is entitled to vote and the Chairperson may require such person to make and file with him a statutory declaration showing that the declarant is qualified as aforesaid to vote at such general meeting.

10. After holding the annual general meeting the Trustees shall file with the Inspector of Municipalities a true copy of the minutes of such meeting and copies of all auditor's reports and financial statements presented or discussed at the meeting.

11. The Trustees of the Improvement District may exercise the powers given to a council, in respect of a municipality, be sections 699 and 700 of the *Municipal Act*.

In testimony whereof, We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be hereunto affixed.

Witness, the Honourable David C. Lam, Lieutenant Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this eleventh day of January, in the year of Our Lord one thousand nine hundred and ninety-five and in the forty-third year of Our Reign.

By Command.

[L.S.] Colin Gabelmann, Attorney General.

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