

LOCAL GOVERNMENT ACT
CHAPTER 1 [RSBC 2015]

[includes 2024 Bill 3, c. 13 amendments (effective January 1, 2025)]

Part 6: Division 2 – Board Members

Composition and voting rights

- 196.** (1) Subject to section 253 (1) [*treaty first nation directors*], a board consists of municipal directors and electoral area directors.
- (2) The number of votes to which each municipality and each electoral area is entitled is
- (a) the number obtained by dividing the population of the municipality or electoral area by the voting unit specified in the letters patent, or
- (b) if the number obtained by division under paragraph (a) is not a whole number, the next greater whole number.
- (3) For purposes of voting power on a board, a change in the population of a municipality or an electoral area as established by census takes effect in the year following the year in which that census was taken.

RS2015-1-196 (B.C. Reg. 257/2015).

Municipal directors: number of directors and assignment of votes

- 197.** (1) The number of directors to which each municipality is entitled is
- (a) the number obtained by dividing the number of votes to which that municipality is entitled under section 196 (2) [*voting rights*] by 5 or, if otherwise specified in letters patent for the regional district, by the other number specified, or
- (b) if the number obtained by division under paragraph (a) is not a whole number, the next greater whole number.
- (2) The votes of a municipality referred to in subsection (1) are to be equally distributed by the council among the directors from that municipality.
- (3) If equal distribution is not possible under subsection (2),
- (a) the council must assign the municipality's votes to each director as evenly as possible, but in no case may the difference between the maximum and minimum number of votes assigned be greater than one, and
- (b) the municipal corporate officer must notify the regional district corporate officer of the assignment made under paragraph (a).

RS2015-1-197 (B.C. Reg. 257/2015).

Appointment and term of office for municipal directors

- 198.** (1) After the first appointment under section 41 (2) (e) [*first board for regional district*], each municipal director is to be appointed at pleasure by the council from among its members.
- (2) The term of office of a municipal director

- (a) begins when the person takes office in accordance with section 202 (3) [*oath or affirmation of office*], and
- (b) continues until the earliest of the following:
 - (i) another director taking office in the original director's place;
 - (ii) the director ceasing to be a member of the council before the next general local election;
 - (iii) November 30 in the year of a general local election.

RS2015-1-198 (B.C. Reg. 257/2015).

Election and term of office for electoral area directors

- 199.** (1) After the first election under section 41 (2) (f) [*incorporation of new regional district*], elections for electoral area directors are to be conducted in accordance with Part 3 [*Electors and Elections*].
- (2) The term of office of an electoral area director elected at the time of the general local election
- (a) begins on the first Monday after November 1 following the election or when the person takes office in accordance with section 202 (3) [*oath or affirmation of office*], whichever is later, and
 - (b) ends immediately before the first Monday after November 1 in the year of the next general local election or when the director's successor takes office, whichever is later.

RS2015-1-199 (B.C. Reg. 257/2015).

Alternate directors: municipalities

- 200.** (1) The council of a municipality may appoint a council member as an alternate director.
- (2) The alternate director may take the place of, vote and generally act in all matters for an absent municipal director, including a matter delegated to that director by the board.
- (3) If there is more than one municipal director, the authority under subsection (1) may be exercised either
- (a) by specifying, for each municipal director, the council member who is the alternate director for that municipal director, or
 - (b) by appointing a number of alternate directors and establishing a system to determine which alternate director is to act in the place of any absent municipal director.
- (4) As a restriction on subsection (3) (b), at any one time, an alternate director may act in place of only a single municipal director.
- (5) If the council appoints an alternate director, the municipal corporate officer must notify the regional district corporate officer of the appointment in writing.
- (6) An alternate director holds office as alternate director until another council member is appointed as a replacement and the regional district corporate officer has been notified of the new appointment.
- (7) If the seat of a municipal director becomes vacant through resignation, disqualification or death, the alternate director appointed under subsection (1) becomes the municipal director in place of the director whose seat became vacant until a new director is appointed.

RS2015-1-200 (B.C. Reg. 257/2015).