

O/C 1923
AUG. 20, 1954

PROCLAMATION

[L.S.]

C. WALLACE,
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.

R. E. SOMMERS, *Minister of Lands and Forests.* WHEREAS by section 50 of the "Water Act" it is provided that the Lieutenant-Governor in Council may incorporate a tract of land and the owners thereof into an improvement district:

And whereas the Lieutenant-Governor in Council has, by Order in Council made pursuant to the said Act, been pleased to order that the tract of land hereinafter described and the owners thereof be incorporated into an improvement district under the said Act, and has made further provision to the tenor and effect hereinafter appearing:

Now KNOW YE that by these presents We do hereby order and proclaim:—

1. The tract of land in the Mountain and Nanaimo Land Districts and the Victoria Land Registration District more particularly described as follows: Lots A, B, C, and D, Registered Plan 2977 of Section 10, Range 6; Section 10, Ranges 7 and 8; part Section 11, Range 5, lying east of Lots 2 and 3, Block 1, Registered Plan 3115; Section 11, Ranges 6, 7, and 8; Lot 1, Block 1, Registered Plan 3115 of Section 12, Range 4; Section 12, Ranges 5, 6, 7, and 8; Section 13, Ranges 4, 5, 6, and 7, and the westerly 12.042 chains of Section 13, Range 8; Section 14, Ranges 4, 5, 6, and 7, and Lot 5, Registered Plan 2406 of Section 14, Range 8, and that part of Section 14, Range 8, as shown on Registered Plan 684R; Lot 1, Block 3, Registered Plan 3115 of Section 15, Ranges 2 and 3; that part of Section 15, Range 3, lying east of Registered Plan 3115; Section 15, Ranges, 4, 5, and 6; part Section 15, Range 7, lying west of Block A, Registered Plan 505; easterly 60-acre parcel of Section 16, Range 3; Section 16, Ranges 4, 5, and 6; Section 17, Ranges, 3, 4, and 6, and Section 17, Range 5, excepting part in Registered Plan 4539; part Section 18, Range 5, as shown on Registered Plans 6957, 8336, and 6930 — all the aforementioned within the Mountain Land District; and that part of Section 1, Nanaimo Land District, as shown on Registered Plan 758R; and all subdivisions of the said tract and all owners of land therein are incorporated into an improvement district under the "Water Act" and subject to the provisions thereof and to the conditions hereinafter contained.

2. The said improvement district shall be known as the "Mountain Fire Protection District."

3. The objects of the said 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 things incidental thereto.

4. There shall be three Trustees of the said improvement district.

5. The persons qualified to vote at the first election of Trustees shall be Canadian citizens who are twenty-one years of age or older and are entitled to be registered as voters under the "Provincial Elections Act" and are owners of land in the tract of land hereinbefore described, and the persons qualified to be candidates at the said election shall be the persons qualified as aforesaid to vote and their wives and husbands.

6. Mrs. Frances Mary Hooper, of East Wellington, B.C., shall be Returning Officer for the first election of Trustees. She shall call a general meeting of the persons who are qualified as aforesaid to vote and shall, at least seven days before the date of the said meeting, post at the nearest post-office and at two other conspicuous places within the area hereinbefore described a notice signed by her giving the date, time, and place of holding the said meeting. The Returning Officer shall be chairman of the said meeting, and subject to the provisions of clause 5 she shall have power to determine whether or not any person who desires to vote is qualified to do so. She shall have power to determine the procedure to be followed at the said meeting and the method of taking the votes. Each qualified voter shall be entitled to cast one vote for each of three candidates. The Returning Officer shall declare the result of the election and shall notify the Controller of Water Rights of the said result.

7. The candidate elected as Trustee for whom the greatest number of votes is cast at the general meeting called pursuant to clause 6 hereof shall hold office until the annual general meeting of 1958, the candidate elected for whom the second greatest number of votes is cast shall hold office until the annual general meeting of 1957, and the candidate elected for whom the third greatest number of votes is cast shall hold office until the annual general meeting of 1956, but should there be nominated no more than three candidates for the office of Trustee, or should any two or more candidates receive an equal number of votes, then the Returning Officer shall have power to and shall declare which of the candidates are elected and which shall hold office until the next, the second, and the third succeeding annual general meetings respectively.

8. All subsequent elections of Trustees shall be held at the annual general meetings of the improvement district, and it shall be the duty of the Trustees to call a general meeting to be held between January 1st and May 1st in each year, except 1955, for the following purposes:—

- (a) To receive from the Trustees a report on condition of the works and a statement of the financial condition of the improvement district;
- (b) To discuss with the Trustees any matter relating to the works or finances of the improvement district;
- (c) To fix the remuneration of the Trustees for the ensuing year;
- (d) To elect a Trustee to succeed the one 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;
- (e) To choose the auditor for the ensuing year.

(OVER)

A special general meeting may be called by the Trustees at any time for the purpose of electing a Trustee or Trustees to fill any vacancy or vacancies among the Trustees, or 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.

At least seven days' notice of every general meeting shall be given by notices posted in conspicuous places at the nearest post-office and at the building where the meeting is to be held.

The Secretary shall enter in a book provided by the Trustees for this purpose minutes of all matters brought before the meeting and the action taken thereon. At any general meeting every person shall be qualified to vote who is a Canadian citizen and is twenty-one 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 "Provincial Elections Act." Every person qualified as aforesaid to vote and the wife or husband of any such person 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 chal-

lenged, the chairman shall have authority to determine whether or not such person is entitled to vote, and the chairman 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. Forthwith after the holding of a general meeting the Trustees shall file with the Comptroller of Water Rights 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.

9. All words and phrases given special meaning in section 2 of the "Water Act" shall, where used herein, be ascribed the meaning given them in the said section, unless the context otherwise requires.

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, His Honour CLARENCE WALLACE, Lieutenant-Governor of Our said Province, in Our City of Victoria, this twentieth day of August, in the year of our Lord one thousand nine hundred and fifty-four, and in the third year of Our Reign.

By Command.

RALPH CHETWYND,
Acting Provincial Secretary.

VICTORIA, B.C.

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1954

report:

THAT the Mountain Fire Protection District is an improvement district under the Water Act and was incorporated by Letters Patent issued on August 20, 1954 (Order in Council No. 1923/54).

THAT the Trustees of the District have petitioned to have the Letters Patent amended as hereinafter set out.

THAT it appears in the public interest to grant the prayer of the said petitioners.

AND TO RECOMMEND:

THAT in accord with Section 54 of the Water Act, being Chapter 405 of the Revised Statutes of British Columbia, 1960, the Letters Patent of the Mountain Fire Protection District be amended as follows:

(1) By striking out Clause 4 and substituting therefor the following:

"4. There shall be five Trustees of the District. The first terms of office of the two additional Trustees, which increases the number from three to five, shall be determined as follows: The candidate receiving the largest number of votes at a general meeting called for this purpose shall hold office until the annual general meeting of 1968, and the candidate receiving the second largest number of votes shall hold office until the annual general meeting of 1967."

(2) By including among the objects of the District the acquisition, maintenance and operation of a Community Hall and all things incidental thereto.

DATED this 14th day of June A.D. 1965.

"Ray Williston"

Minister of Lands, Forests, and Water Resources.

APPROVED this 14th day of June A.D. 1965.

"W.A.C. Bennett"