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## Thetis Island Improvement District LETTERS PATENT

[L.S.] H. P. BELL-IRVING  
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

J. H. Heinrich  
Minister of  
Municipal Affairs

WHEREAS by section 824 of the *Municipal 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 that the tract of land hereinafter described and the owners of land therein shall on, from and after the date hereof be incorporated as an improvement district under and subject to the *Municipal Act*, and to the conditions hereinafter contained:

1. The improvement district shall be called and known by the name and style of "Thetis Island Improvement District."

2. The improvement district shall comprise all that tract of land and foreshore and land covered by water described as follows: Commencing at a point which lies 150 metres south of the most southerly point of Thetis Island (Foster Point), Cowichan District; thence in a general northwesterly, easterly, southeasterly and westerly direction parallel to and 150 metres perpendicularly distant from the natural high-water mark on Thetis Island on the southwesterly, northerly, northeasterly and southerly shores thereof to the point of intersection with the middle line of Clam Bay; thence in a general westerly direction along said middle line of Clam Bay and the middle line of the channel separating Thetis and Kuper Islands and said middle line produced westerly to the point of intersection with the middle line of Telegraph Harbour; thence in a general southerly direction along said middle line of Telegraph Harbour and said middle line pro-

duced southerly to a point which lies due east of the point of commencement; thence west to said point of commencement.

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

4. There shall be 3 trustees of the improvement district.

5. The persons qualified to vote at the first election of trustees shall be Canadian citizens who are 19 years of age or older and are entitled to be registered as voters under the *Election Act* and are owners of land in the tract of land hereinbefore described, or are 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. The persons qualified to be candidates at the election shall be the persons qualified as aforesaid to vote and their wives and husbands.

6. Roger Napier, Thetis Island, B.C. VOR 2Y0 shall be Returning Officer for the first election of trustees. He shall call a general meeting of the persons who are qualified as aforesaid to vote and shall, at least 14 days before the date of the meeting, advertise in the local press and/or send to each of the said persons by ordinary first class mail, a notice signed by him giving the date, time and place of holding the meeting. The Returning Officer shall be chairman of the meeting, and subject to the provisions of clause 5, shall have power to determine whether or not any person who desires to vote is qualified to do so. He shall have power to determine the procedure to be followed at the meeting and the method of taking the votes. Each qualified voter shall be entitled to cast one vote for each of 3 candidates. The Returning Officer shall declare the result of the election and shall notify the Inspector of Municipalities of the said result.

7. The candidate elected as trustee for whom the greatest number of votes are cast at the general meeting called pursuant to clause 6 hereof shall hold office until the annual general meeting of 1986, the candidate elected for whom the second greatest number of votes are cast shall hold office until the annual general meeting of 1985, and the candidate elected for whom the third greatest number of votes are cast shall hold office until the annual general meeting of 1984, but should there be nominated no more than 3 candidates for the office of trustee, or should any 2 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 1 and August 31 in each year, except 1983, for the following purposes:

- (a) To receive from the trustees a report on the 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 or trustees to succeed those whose terms of office expire 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.

9. 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.

10. At least 14 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.

11. 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 19 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 and the wife or husband of any such person shall be qualified to be a candidate for trustee of the improvement

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district. In the event of the right of any person to vote at any general meeting being challenged, 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 Inspector of Mu-

nicipalities a true copy of the minutes of such meeting and copies of all auditors' reports and financial statements presented or discussed at the meeting.

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 Henry P. Bell-Irving, Lieutenant Governor of Our

said Province of British Columbia, in Our City of Victoria, in Our said Province, this seventeenth day of December in the year of our Lord one thousand nine hundred and eighty-two, and in the thirty-first year of Our Reign.

By Command.

[L.S.] J. R. CHABOT  
*Provincial Secretary and Minister  
of Government Services*

Reprinted from *The British Columbia Gazette*, January 20, 1983.

ORIGINALS.



2351

APPROVED AND ORDERED DEC 17 1982

*W. R. Bennett*  
Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA DEC 16 1982

On the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that Letters Patent in the form attached be issued incorporating the Thetis Island Improvement District.

*Am*

*W. R. Bennett*  
Minister of Municipal Affairs

*W. R. Bennett*  
Presiding Member of the Executive Council

(This part is for administrative purposes and is not part of the Order.)

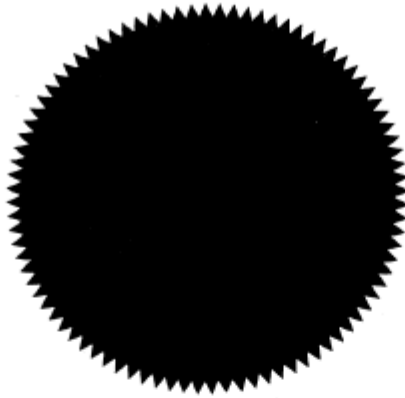
Authority under which Order is made:

Act and section.....Municipal Act, section 824(1)

Other (specify).....

Statutory authority checked by.....*R. J. ...*  
(Signature and typed or printed name of Legal Officer)

2547/82



*W. S. Irvine*  
Lieutenant-Governor

C A N A D A  
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 -

<p>GREETING.</p> <p><i>W. S. Irvine</i></p> <p>Minister of Municipal Affairs</p>	<p>( WHEREAS by section 824 of the ( Municipal Act it is provided that ( the Lieutenant-Governor in Council ( may incorporate a tract of land ( and the owners thereof into an ( improvement district:</p>
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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 that the tract of land hereinafter described and the owners of land therein shall on, from and after the date hereof be incorporated as an improvement district under and subject to the Municipal Act, and to the conditions hereinafter contained:

1. The improvement district shall be called and known by the name and style of Thetis Island Improvement District.

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

Commencing at a point which lies 150 metres south of the most southerly point of Thetis Island (Foster Point), Cowichan District; thence in a general northwesterly, easterly, southeasterly and westerly direction parallel to and 150 metres perpendicularly distant from the natural highwater mark on Thetis Island on the southwesterly, northerly, north-easterly and southerly shores thereof to the point of intersection with the middle line of Clam Bay; thence in a general westerly direction along said middle line of Clam Bay and the middle line of the channel separating Thetis and Kruper Islands and said middle line produced westerly to the point of intersection with the middle line of Telegraph Harbour; thence in a general southerly direction along the said middle line of Telegraph Harbour and said middle line produced southerly to

a point which lies due east of the point of commencement; thence west to said point of commencement.

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

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

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

6. Mr. Roger Napier of Thetis Island, B.C. VOR 2Y0 shall be Returning Officer for the first election of Trustees. He shall call a general meeting of the persons who are qualified as aforesaid to vote and shall, at least fourteen days before the date of the meeting, advertise in the local press and/or send to each of the said persons by ordinary first class mail, a notice signed by him giving the date, time, and place of holding the meeting. The Returning Officer shall be chairman of the meeting, and subject to the provisions of clause 5, shall have power to determine whether or not any person who desires to vote is qualified to do so. He shall have power to determine the procedure to be followed at the 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 Inspector of Municipalities of the said result.

7. The candidate elected as Trustee for whom the greatest number of votes are cast at the general meeting called pursuant to clause 6 hereof shall hold office until the annual general meeting of 1986, the candidate elected for whom the second greatest number of votes are cast shall hold office until the annual general meeting of 1985, and the candidate elected for whom the third greatest number of votes are cast shall hold office until the annual general meeting of 1984, 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 August 31st in each year, except 1983, for the following purposes:

- (a) To receive from the Trustees a report on the 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 or Trustees to succeed those whose

terms of office expire 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.

9. 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.

10. 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.

11. 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 nineteen 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 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 challenged,

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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 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.

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 Henry P. Bell-Irving, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this *17<sup>th</sup>* day of *December* in the year of Our Lord one thousand nine hundred and eighty-two and in the thirty-first year of Our Reign.

By Command.



Provincial Secretary and  
Minister of Government Services



**Thetis Island Improvement District  
LETTERS PATENT**

[L.S.] H. P. BELL-IRVING  
*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*

J. H. Heinrich  
*Minister of  
Municipal Affairs*

WHEREAS the Thetis Island Improvement District is an improvement district incorporated under the *Municipal Act* by Letters Patent issued on December 17, 1982:

And whereas it is provided in section 825 of the *Municipal Act* that the Lieutenant Governor in Council may at any time amend the Letters Patent of any improvement district in any respect:

And whereas the Board of Trustees of the Thetis Island Improvement District has requested that the Letters Patent be amended by striking out sections 4 and 7 in their entirety and substituting the following therefor:

"4. There shall be 5 trustees of the improvement district."

"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 1986, the candidates for whom the second and third greatest number of votes are cast shall hold office until the annual general meeting of 1985, and the candidates elected for whom the fourth and fifth greatest number of votes are cast shall hold office until the annual general meeting of 1984, but should there be nominated no more than 5 candidates for the office of Trustee, or should any 2 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, second and third succeeding annual general meetings respectively."

And that the Letters Patent of the Thetis Island Improvement District be deemed to be amended so as to conform to the premises as and from the date of these supplementary Letters Patent.

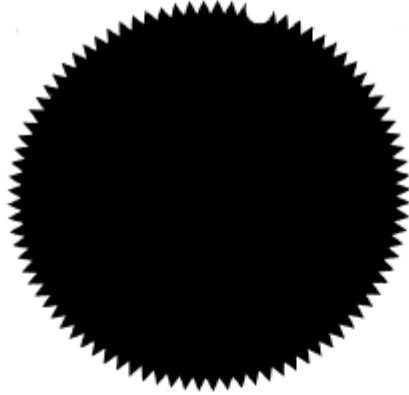
In testimony whereof, We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be hereunto affixed.

Witness, the Honourable Henry P. Bell-Irving, Lieutenant Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this twenty-first day of February in the year of our Lord one thousand nine hundred and eighty-three, and in the thirty-second year of Our Reign.

By Command.

[L.S.] J. R. CHABOT  
*Provincial Secretary and Minister  
of Government Services*

Reprinted from *The British Columbia Gazette*, March 31, 1983.



*Alma Lewis*  
Lieutenant-Governor

C A N A D A

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.

*Dee Kenrick*

Minister  
of Municipal Affairs

( WHEREAS the Thetis Island Improvement  
( District is an improvement district  
( incorporated under the Municipal Act  
( by Letters Patent issued on December 17,  
( 1982:

AND WHEREAS it is provided in section 825 of the Municipal Act  
that the Lieutenant-Governor in Council may at any time amend the Letters

Patent of any improvement district in any respect:

AND WHEREAS the Board of Trustees of the Thetis Island Improvement District have requested that the Letters Patent be amended by striking out the sections 4 and 7 in their entirety and substituting the following therefor:

"4. There shall be five Trustees of the Improvement District."

"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 1986, the candidates for whom the second and third greatest number of votes are cast shall hold office until the annual general meeting of 1985, and the candidates elected for whom the fourth and fifth greatest number of votes are cast shall hold office until the annual general meeting of 1984, but should there be nominated no more than five 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, second and third succeeding annual general meetings respectively."

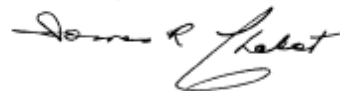
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AND THAT the Letters Patent of the Thetis Island Improvement District be deemed to be amended so as to conform to the premises as and from the date of these supplementary Letters Patent.

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 Henry P. Bell-Irving, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this *21<sup>st</sup>* day of *February*, in the year of Our Lord one thousand nine hundred and eighty-three, and in the thirty-~~first~~<sup>second</sup> year of Our Reign.

By Command.



Provincial Secretary and  
Minister of Government Services.





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APPROVED AND ORDERED FEB 21 1983

*W. H. Lewis*

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, ~~Victoria~~ VANCOUVER FEB 19 1983

On the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that supplementary Letters Patent in the form attached be issued amending Sections 4 and 7 of the Letters Patent of the Thetis Island Improvement District.

*J*

*Dee Heinrich*

Minister of Municipal Affairs

*W. R. Bennett*

Presiding Member of the Executive Council

(This part is for administrative purposes and is not part of the Order.)

Authority under which Order is made:

Act and section... Municipal Act, section 825

Other (specify)..... OIC #2351/82 and Letters Patent issued December 17, 1982

Statutory authority checked by... Gareth Davies GARETH J. DAVIES  
(Signature and typed or printed name of Legal Officer)

Jan. 27/83

187/83

BRITISH



COLUMBIA

615

APPROVED AND ORDERED MAR 22 1985

*[Signature]*

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA MAR 27 1985

On the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that any provision of Letters Patent, issued to an improvement district under the Water Act or Municipal Act, governing the entitlement to vote or hold office which denies such entitlement by reason of racial origin is struck out and the Letters Patent are amended accordingly.

*lw*

AND THAT any provision of Letters Patent issued to an improvement district, under the Water Act or Municipal Act, in which the entitlement to vote or hold office is limited to those the full age of twenty-one years is amended by deleting "twenty one" and substituting "nineteen."

*[Signature]*

Minister of Municipal Affairs

*[Signature]*

Presiding Member of Executive Council

*(This part is for administrative purposes and is not part of the Order.)*

Authority under which Order is made:

Act and section Municipal Act, Section 825

Other (specify) \_\_\_\_\_

Statutory authority checked by \_\_\_\_\_

*[Signature]*

*(To be filled in and signed by presiding officer of Legal Office)*

*9*



Province of  
British Columbia

Ministry of  
Municipal Affairs

# CIRCULAR

To: Trustees and Secretaries  
All Improvement Districts

Date: April 12, 1985

Re: Letters Patent

The attached copy of Order in Council No. 615, approved on March 28, 1985, provides that any Letters Patent of Improvement Districts which contain clauses denying people the right to vote or hold office by reason of racial origin, or limiting the right to vote or hold office to those the full age of twenty-one years, are amended to delete the reference to racial origin and to change the age requirement from twenty-one to nineteen.

The purpose of the amendment is to remove out-dated provisions from the Letters Patent, and will primarily affect those Improvement Districts incorporated prior to 1950. The Order in Council should be filed with your copy of the original Letters Patent incorporating your Improvement District.

R.I. Rounds, B.Comm., C.G.A.  
Manager  
Improvement District Section  
Administrative Services

RIR/lw

Attachment

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