

# STATUTES

OF THE

## PROVINCE OF BRITISH COLUMBIA

PASSED IN THE SESSION HELD IN THE TWENTY-SECOND YEAR OF THE  
REIGN OF HIS MAJESTY

KING GEORGE V.

BEING THE FOURTH SESSION OF THE SEVENTEENTH PARLIAMENT OF BRITISH  
COLUMBIA, BEGUN AND HOLDEN AT VICTORIA ON THE 17TH  
FEBRUARY, 1932, AND ENDING ON THE 13TH APRIL

1932



HIS HONOUR J. W. FORDHAM JOHNSON

LIEUTENANT-GOVERNOR

VICTORIA, B.C. :

Printed by CHARLES F. BANFIELD, Printer to the King's Most Excellent Majesty.  
1932.



*Amended*  
1939  
+  
1943

## CHAPTER 63.

## An Act respecting Cultus Lake Park.

[Assented to 13th April, 1932.]

**W**HEREAS the Corporation of the City of Chilliwack and the Corporation of the Township of Chilliwack are the registered joint owners in trust for park purposes of the following lands and premises, namely: Fractional part of Legal Subdivisions 11, 13, and 14 of Section 25, and Legal Subdivisions 3 and 4 of Section 36, Township 22, east of the Coast meridian, New Westminster District: Preamble.

And whereas the City of Chilliwack and the Corporation of the Township of Chilliwack have jointly presented a petition praying that the Cultus Lake Park be governed by a joint Board of Park Commissioners elected from both city and municipality, and that the power of the said Commissioners be made greater than that provided for by the "Municipal Act" and the "Provincial Parks Act":

And whereas the City of Chilliwack and the Corporation of the Township of Chilliwack have entered into an agreement under clause 184 of section 54 of the "Municipal Act," for the joint regulation, management, maintenance, and improvement of Cultus Lake Park:

And whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as "The Cultus Lake Park Act."

Short title.

2. In this Act:—

Interpretation.

(1.) "Board" means the Cultus Lake Park Board:

(2.) "Park" means Cultus Lake Park, comprising the following lands and premises: Fractional part of Legal Subdivisions 11, 13, and 14 of Section 25, and Legal Subdivisions 3 and 4 of Section 36, Township 22, east of the Coast meridian.

Park Board established.

3. A Board of Commissioners, to be known as the "Cultus Lake Park Board," shall be constituted as hereinafter provided and shall have the regulation, management, maintenance, and improvement of Cultus Lake Park.

Membership.

4. The Board shall be and is constituted a body politic and corporate and shall consist of five members, three of whom shall represent the Township of Chilliwack, namely, Edwin A. Wells, who shall hold office for the years 1932 and 1933; Clifford M. Pearson, who shall hold office for the years 1932 and 1933; and William D. Hughes, who shall hold office for the year 1932; and two of whom shall represent the City of Chilliwack, namely, Frank D. B. Hall, who shall hold office for the years 1932 and 1933, and Thomas P. Knight, who shall hold office for the year 1932.

Qualifications.

5. The qualification for a member of the Board as representing the City of Chilliwack shall be the qualification for an Alderman as provided by ~~section 17 of the~~ "Municipal Act," and the qualification for a member of the Board as representing the Township of Chilliwack shall be the qualification for a Councillor as provided by ~~section 19 of the~~ "Municipal Act," and no person shall be qualified to be a member of the Board or sit thereon unless he possesses such qualification.

Election of Board.

6. As the term of office of each member of the Board expires the electors of the city or municipality which he represented shall elect his successor in office. Candidates for election shall be nominated and elected at the same time and in the same manner as Aldermen and Councillors are elected under the provisions of the "Municipal Elections Act."

Term of office.

7. Each member of the Board to be elected under the provisions of this Act shall hold office for the period of two years, unless he shall resign or become disqualified.

Disqualification.

8. A member of the Board shall become disqualified and his office become vacant in any of the following events:—

(a.) Of his being absent from the meetings of the Board for three consecutive months without leave of absence from the Board, or without furnishing reasons satisfactory to the Board, and upon the Board passing a resolution declaring the office of such member to be vacant:

- (b.) Of his ceasing to hold the qualifications required by section 5 hereof:
- (c.) Of his committing a breach of any of the provisions of section 20.

**9.** Whenever a vacancy shall occur on the Board the Council of the city or municipality whom the vacating member represented shall forthwith appoint a new member to the Board to take the place of such member, and the new member so appointed shall hold office for the remainder of the term for which his predecessor was elected. Filling vacancies.

**10. (a.)** Regular meetings of the Board shall be held at such times as it may by by-law or resolution determine. Regular meetings.

(b.) The Chairman or any two members may summon a special meeting of the Board, giving at least two days' notice in writing to the members, and specifying the purpose for which the meeting is called. Special.

(c.) A majority of the members of the Board shall form a quorum. Quorum.

**11.** All orders and proceedings of the Board shall be entered in the books to be kept for that purpose and shall be signed by the Chairman and the Secretary. Procedure.

**12.** The Board may from time to time pass by-laws for the use, regulation, protection, and management of the park. The by-laws of the Board shall be sufficiently authenticated by being signed by the Chairman and Secretary of the Board, and a copy of any by-law written or printed and certified to be a true copy by the Secretary of the Board shall be received in evidence in any Court of justice or elsewhere without proof of any such signature, unless it is specially pleaded that the signature to the original by-law has been forged. By-laws.

**13.** Every by-law passed by the Board shall be kept in the custody of the Secretary of the Board at his office and shall be open to inspection by the public at all reasonable times. Access to by-laws.

**14.** The Board shall have the power to:— Powers.

- (a.) Grant concessions and licences within the park for any purposes which the Board considers conducive for the more convenient use of the park by the public and make charges therefor: Provided that no concession or licence shall be granted for a greater period than five years:
- (b.) To lease for any period not exceeding one year camp-sites or building-sites for private use and make charges therefor:

(c.) To construct, operate, and maintain in the park a water-works system, and to buy electricity and construct and maintain the necessary distribution system therefor; also to supply water and electricity to concessionaires, licensees, and lessees and to make charges therefor:

(d.) To pass by-laws regulating its meetings:

(e.) To pass by-laws providing for the removal of trespassers.

Remuneration of Board.

*F. Buildings (1939) G.H.I. New Education + Garage (1943)*  
 15. The Board may by by-law grant a remuneration to its members, such remuneration not to exceed one hundred and fifty dollars per annum to the Chairman and seventy-five dollars per annum to the other members: Provided that in addition thereto each member shall be entitled to receive his actual disbursements for expenses in visiting or superintending the park when such expenses are approved by the Board.

Secretary-Treasurer.

16. The Board shall appoint a Secretary-Treasurer and fix his remuneration, and the said Secretary-Treasurer shall keep distinct and regular accounts of the receipts, payments, credits, and liabilities, and the accounts of the Board shall be audited each year as directed by the Board.

Chairman.

17. A Chairman shall be elected by a majority of the members present at the first meeting of the Board each year, and should a vacancy occur in such office during the year such vacancy may thereafter be filled by a majority vote of the members present at a meeting.

Expenditure limited.

18. The power of the Board to expend moneys shall be limited to the money received from operating the said park, together with such sums as may be granted by the municipalities aforesaid, and the Board shall furnish each Council with a statement of current receipts and expenditures as at the thirty-first day of December in each year.

Sale of goods within park.

19. The Board shall have power to grant authority or permission to any person or persons to sell or expose for sale, within the limits of the park, refreshments or other goods of whatsoever nature or description, as specified in such written authority or permission, and may fix the conditions under which such selling or exposing for sale may be carried on, provided that such permission shall not be granted for a period exceeding five years.

20. No member of the Board shall have any contract with the Board or be pecuniarily interested, directly or indirectly, in any matter relating to the park or park's property, other than under subclauses (b) and (c) of section 14 hereof.

21. Every person who sits as a member of the Board while disqualified or subject to disqualification, or who commits a breach of the provisions of this Act or of any of the by-laws of the Board, shall be liable, on summary conviction, to a fine not exceeding fifty dollars; and the person so offending shall also be liable to an action at the suit of the Board for any damages caused by him. Penalties.

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