

Approved and ordered this 24th day of November, A.D. 1959.

At the Executive Council Chamber, Victoria,

*J. G. G. G.*  
Lieutenant-Governor.

PRESENT:

The Honourable

in the Chair.

Mr. Martin  
Mr. Williston  
Mr. Black  
Mr. Kiernan  
Mr. Gaglardi  
Mr. Wicks  
Mr. Chant  
Mr.  
Mr.  
Mr.  
Mr.

*ak*  
*CS*  
To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to report:

*Amn. 90 2987/60, 714/65, 4216/72*

THAT a petition has been presented by a number of owners of land on Saltspring Island, British Columbia, praying that the tract of land hereinafter mentioned and the owners of land in the said tract be incorporated into an improvement district.

THAT the petitioners have complied with the requirements of the Water Act relative to such petitions.

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

AND TO RECOMMEND:

THAT in accord with Section 50 of the Water Act, being Chapter 361 of the Revised Statutes of British Columbia, 1948, Letters Patent, in the terms of the Letters Patent herewith, be issued incorporating the tract of land therein described and the owners of land in the said tract into an improvement district under the name "Saltspring Island Fire Protection District" and with the rights, powers, privileges and obligations conferred and imposed on improvement districts under the said Act except as otherwise specified in the said Letters Patent.

DATED the 23<sup>rd</sup> day of November 1959.

APPROVED the 23<sup>rd</sup> day of November 1959.

*Fay Williston*  
Minister of Lands and Forests.

*W. H. H. H.*  
Presiding Member of the Executive Council.

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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.

  
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 within Saltspring Island (Cowichan) District  
and Victoria Land Registration District more particularly described  
as Saltspring Island together with all that foreshore and land  
covered by water adjoining the above described area and lying between  
high water mark and a line drawn 1,000 feet perpendicularly distant  
from and parallel to the said high water mark, save and except  
thereout:

(1) That part of Saltspring Island and adjoining foreshore  
and land covered by water which lies south and east of a  
line commencing at the north-east corner of the south half  
of Section 76, South Division being a point on the high  
water mark of Captain Passage; thence westerly along the

northerly boundaries of the south halves of Sections 76 and 77 to the north-west corner of the south half of Section 77; thence southerly along the easterly boundaries of Sections 78 and 70 to the most southerly corner of Section 70; thence south-easterly along the north-easterly boundaries of Sections 11, 12, 13, 14 and 15, Range 2 to the most easterly corner of Section 15, Range 2; thence south-westerly along the south-easterly boundary of Section 15, Range 2 to the northerly boundary of the south-west quarter of Section 60; thence easterly along the northerly boundary of the south-west quarter of said Section 60 to the north-east corner of the south-west quarter thereof; thence southerly along the easterly boundaries of the west halves of Section 60 and Fractional Section 53 to the south-east corner of the north-west quarter of Fractional Section 53; thence westerly along the southerly boundary of the north-west quarter of Fractional Section 53 to the south-west corner thereof being a point on the high water mark of Fulford Harbour on the easterly shore thereof.

(2) That part of Saltspring Island and adjoining foreshore and land covered by water lying south and west of a line commencing at the most easterly corner of Lot 29 of Sections 64 and 68, South Division, Plan 1914, being a point on the high water mark of Burgoyne Bay on the southerly shore thereof; thence south-westerly along the north-westerly boundary of Section 1, Range 1, to the most westerly corner thereof; thence south-easterly along the north-easterly boundaries of Fractional Sections 64, 63, 62 and 51 to the most northerly corner of Fractional Section 52; thence southerly and easterly along the westerly and southerly boundaries of Fractional Section 52 to the south-east corner of the south-west quarter thereof; thence southerly and easterly along the westerly and southerly boundaries of the north-east quarter of Fractional Section 42 to the south-east corner thereof; thence southerly and easterly along the westerly and southerly boundaries of Fractional

Section 41 to the south-east corner thereof being a point on the high water mark of Fulford Harbour on the westerly shore thereof.

and all subdivisions thereof 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 improvement district shall be known as the "Saltspring Island Fire Protection District."

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 things incidental thereto.

4. There shall be five Trustees of the 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 election shall be the persons qualified as aforesaid to vote and their wives and husbands.

6. Mr. Chalmer Norman Peterson, Box 128, Ganges, B.C., 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 seven days before the date of the meeting, post in seven conspicuous places within the area hereinbefore described and publish in a newspaper circulating in the area 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 five candidates. The Returning Officer shall declare

the result of the election and shall notify the Comptroller 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 1963, the candidates elected for whom the second and third greatest numbers of votes are cast shall hold office until the annual general meeting of 1962, and the candidates elected for whom the fourth and fifth greatest numbers of votes are cast shall hold office until the annual general meeting of 1961, 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, 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 1960, 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 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.

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 seven conspicuous places within the district and published in a newspaper circulating in the district.

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 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 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 FRANK MACKENZIE ROSS, C.M.G., M.C., Lieutenant-Governor of Our said Province, in Our City of Victoria, this twenty-fourth day of November, in the year of our Lord one thousand nine hundred and fifty-nine, and in the eighth year of Our Reign.

By Command:



*W. D. Black*  
Provincial Secretary