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O.C. 967/2003

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This consolidation is current to April 22, 2025.

## ***Community Charter***

# **BYLAW REVISION REGULATION**

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## **Revision of bylaws**

- 1** (1) A council may, by bylaw, authorize the revision of all or any of the bylaws of the municipality.

- (2) A bylaw under subsection (1) may authorize one or more of the following:

- (a) consolidating a bylaw by incorporating in it all amendments to the bylaw;
- (b) omitting and providing for the repeal of a bylaw or a provision of a bylaw that is expired, inoperative, obsolete, spent or otherwise ineffective;
- (c) omitting, without providing for its repeal, a bylaw or a provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the municipality;
- (d) combining 2 or more bylaws into one, dividing a bylaw into 2 or more bylaws, moving provisions from one bylaw to another and creating a bylaw from provisions of one or more bylaws;
- (e) altering the citation and title of a bylaw and the numbering and arrangement of its provisions;
- (f) adding, changing or omitting a note, heading, title, marginal note, diagram, map, plan or example to a bylaw;
- (g) omitting the preamble and long title of a bylaw;

- (h) omitting forms or schedules contained in a bylaw that can more conveniently be contained in a resolution, and adding to the bylaw authority for forms or schedules to be established by resolution;
- (i) correcting clerical, grammatical and typographical errors;
- (j) making changes, without changing the substance of the bylaw, to bring out more clearly what is considered to be the meaning of a bylaw or to improve the expression of the law.

### **Revision may consolidate existing bylaws into code or other general bylaw**

- 2 Unless restricted by the [Community Charter](#), a bylaw under section 1 may authorize a revision to consolidate and revise bylaw provisions respecting any or all matters within the jurisdiction of the municipality into a general bylaw.

### **Bylaw required to adopt revision**

- 3 (1) In order to be effective, a revised bylaw must be adopted by bylaw.
- (2) Before a bylaw under subsection (1) is given third reading, the corporate officer must certify that the proposed revised bylaw has been revised in accordance with the bylaw authorizing the revision.
- (3) After a proposed revised bylaw is certified under subsection (2) and before it is adopted it may be amended only if the change made by the amendment is made in accordance with the bylaw authorizing the revision.
- (4) A bylaw under subsection (1) must specify the date on which the revised bylaw is to come into force.

### **Effect of revised bylaws**

- 4 (1) When a revised bylaw comes into force, the bylaw provisions that it revises are repealed to the extent that they are incorporated in the revised bylaw.
- (2) A reference in an enactment or document to a provision of a bylaw that has been repealed under subsection (1) is deemed, in respect of any transaction, matter or thing occurring after the revised bylaw comes into force, to be a reference to the provision of the revised bylaw that has been substituted for the repealed provision.
- (3) A revised bylaw does not operate as new law but has effect and must be interpreted as a consolidation of the law contained in the bylaw provisions replaced by the revised bylaw.
- (4) To the extent that a provision of a revised bylaw has the same effect as the provision of a previous bylaw for which it is substituted, the provision of the revised bylaw operates retrospectively as well as prospectively and is deemed to have come into force on the date on which the previous bylaw provision came into force.

- (5) If a provision of a revised bylaw does not have the same effect as the provision of a previous bylaw for which it is substituted,
- (a) the provision of the previous bylaw prevails with respect to all transactions, matters and things occurring before the date on which the revised bylaw comes into force, and
  - (b) the provision of the revised bylaw prevails with respect to all later transactions, matters and things.

### **Correction of revision errors**

- 5 If an error is made in the revision of a bylaw and the revised bylaw has been adopted under section 3, the error may be corrected by bylaw in accordance with the bylaw under section 1 (1) authorizing the revision.

*[This regulation applies also to regional districts by reason of section 794 (6) of the Local Government Act and to local trust committees under the Islands Trust Act by reason of section 26 (1.2) of the Islands Trust Act.]*

[Provisions of the [Community Charter](#), S.B.C. 2003, c. 26, relevant to the enactment of this regulation: section 140]