

RURAL MUNICIPALITY OF DUNDURN NO. 314

BYLAW NO.02-01

A BYLAW TO PROVIDE FOR ENTERING INTO AN AGREEMENT WITH OTHER MUNICIPALITIES FOR THE PURPOSE OF ESTABLISHING A PUBLIC UTILITY BOARD PURSUANT TO SECTION 228.1 OF THE RURAL MUNICIPALITY ACT, 1989.

The Council of the Rural Municipality of Dundurn No. 314, in the Province of Saskatchewan, enacts as follows:

1. PURPOSE

The purpose of this bylaw is to enable the council to enter an agreement with neighboring municipalities to establish a Public Utility Board.

2. MUNICIPAL MEMBERSHIP OF PUBLIC UTILITY BOARD

- a) The Rural Municipality of Dundurn No. 314, is hereby authorized to create a public utility board in conjunction with the following municipalities:

Rural Municipalities

R.M. of Morris # 312
R.M. of Lost River # 313
R.M. of Dundurn # 314
R.M. of Blucher # 343

Urban Municipalities

Village of Zelma

- b) The Public Utility Board created pursuant to Subsection 2(A) shall known as Allan South Rural Water Utility.

3. TERMS OF AGREEMENT

The terms of agreement are defined in the corporate bylaw of the Allan South Rural Water Utility, which is identified as Exhibit "A" and is attached to and forms part of this bylaw.

SEAL

P. Sparke
Administrator
Vi Berna
Reeve Administrator

*Certified True Copy
of Bylaw No. 2-01*

Viola P. Berna
Administrator

EXHIBIT "A" To Bylaw No 02-01
CORPORATE BYLAW
PUBLIC UTILITY BOARD
ALLAN SOUTH RURAL WATER UTILITY

1) DEFINITIONS

In this by-law:

a) "Act" means the Rural Municipality Act, 1989, as amended from time to time, and in the case of such amendment, for any references in the bylaw of the Public Utility Board shall be read as referring to the amended provisions.

b) "Public Utility Board" means the Allan South Rural Water Utility, a body corporate created pursuant to Section 228.1 of the Act by joint agreement of the following municipalities:

Rural Municipalities

R.M. of Morris #312

R.M. of Lost River #313

R.M. of Dundurn #314

R.M. of Blucher #343

Urban Municipalities

Village of Zelma

c) "Board" means the board of the Public Utility Board.

d) "Member" and "Member Municipality" means a rural municipality or urban municipality involved in the agreement establishing the Public Utility Board.

e) "Subscribers" means persons who subscribe to receive the benefit of the public utility.

2) BUSINESS OF THE PUBLIC UTILITY BOARD

a) Fiscal Year

i) The fiscal year of the Public Utility Board shall be the calendar year.

ii) The annual meeting of the subscribers of the Public Utility Board shall be held not later than 90 days following January 1 of each year. Written notice shall be mailed to each subscriber at least 15 days prior to the meeting.

b) Signing Officers

i) Contracts, documents or other instruments requiring execution by the Public Utility Board shall be signed on behalf of the Public Utility Board by two persons; one of which shall be the Secretary-Treasurer and on the other Chairman or Vice-Chairman.

c) Borrowing Powers

The board may:

i) Borrow money on the credit of the Public Utility Board;

ii) Pledge debt obligations of the Public Utility Board;

iii) Mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the Public Utility Board owned or subsequently acquired, to secure any debt obligation of the Public Utility Board.

d) Delegate of Powers

The Public Utility Board shall have all the powers conferred on a council or a municipality by Section 226 to 240, not including Section 236.

3) AUDITORS

- a) The board shall appoint an auditor pursuant to Subsection 69 (2) of the Act.

4) BOARD MEMBERSHIP

- a) To establish the initial board, the 8 subscribers elected at a formation meeting shall serve until the first annual meeting to be held in 2002 pursuant to Section 2 (a) (ii).
- b) Following the initial establishment of the board, the subscribers shall annually elect at least six of their number who shall constitute the board.

5) BOARD DUTIES AND POWERS

a) Board Appointments:

The Board shall annually appoint:

- i) A Chairman and a Vice-Chairman from among their number; and
- ii) A secretary who may, but need not be, a representative;
- iii) Such other employees as it deems necessary.

b) Chairman Duties

The Chairman shall preside at all meetings of the Board.

c) Vice-Chairman Duties

The Vice-Chairman, in the absence of the Chairman, shall discharge the duties of the Chairman.

d) Secretary Duties

The Secretary shall:

- i) Attend and keep minutes of all meetings of the Board;
- ii) Have charge of the seal, if any, of the Public Utility Board;
- iii) Conduct the correspondence and have charge of all financial corporate records, books, papers and documents of the Public Utility Board;
- iv) Perform such other duties and exercise such other powers as are incidental to the office or as may be required, from time to time, by the Board.

e) Bonding

The Public Utility board may provide the security of fidelity bonding and insurance coverage as deemed necessary.

6) BYLAWS AND RULES

The board may

- a) Enact, amend, repeal or replace bylaws, other than the corporate bylaw, and
- b) Make rules, not inconsistent with the corporate bylaw of the Act, governing the management of the Public Utility Board and for carrying out the provision of the bylaw.

7) EFFECTIVE DATE

This bylaw becomes effective when all member municipalities have signed and sealed this bylaw.

Signed and sealed by the Rural Municipality of Morris No. 312 this 19th day of March, 2001.

SEAL

Jordan Dingle
Reeve
[Signature]
Administrator

Signed and sealed by the Rural Municipality of Lost River No. 313 this 12th day of February, 2001.

SEAL

[Signature]
Reeve
Christine Dyck
Administrator

Signed and sealed by the Rural Municipality of Dundurn No. 314 this 6th day of March, 2001.

SEAL

R. J. Lennick
Reeve
W. J. Bensen
Administrator

Signed and sealed by the Rural Municipality of Blucher No. 343 this 12 day of March, 2001.

SEAL

[Signature]
Reeve
[Signature]
Administrator

Signed and sealed by the Village of Zelma this 27th day of Feb., 2001.

SEAL

Theodore W. Shout
Mayor
M. A. Fischer
Administrator

Certified True Copy
of Bylaw No. 2-01
Vicent P. Basso
Administrator