

RURAL MUNICIPALITY OF LUMSDEN NO. 189

BYLAW NO. 2022-11

A BYLAW TO PROVIDE FOR THE ESTABLISHMENT OF A PUBLIC UTILITY BOARD PURSUANT TO Sections 23 and 33 of *The Municipalities Act*.

The Council of the Rural Municipality of Lumsden No. 189 in the Province of Saskatchewan, enacts as follows:

1. PURPOSE

The purpose of this Bylaw is to enable the Council to establish a Public Utility Board.

2. MUNICIPAL MEMBERSHIP ON PUBLIC UTILITY BOARD

- a) The Rural Municipality of Lumsden No. 189 is hereby authorized to establish a public utility board.
- b) The public utility board established pursuant to subsection 2(a) shall be known as the "Deer Valley Water & Sewer Board".

3. TERMS OF AGREEMENT

The terms of the agreement are defined in the corporate bylaw of the Deer Valley Utility Board which is identified as Exhibit "A" and is attached to and forms part of this Bylaw.

4. Bylaw No. 11-2017 is hereby repealed.

5. This bylaw shall come into effect on the day of its final passing.


READINGS

Read a first time this 1st day of September, 2022.

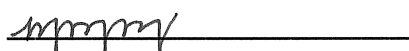
Read a second time this 15th day of September, 2022.

Read a third time this 15th day of September, 2022.





Reeve



Chief Administrative Officer

EXHIBIT "A" TO BYLAW NO. 2022-11

**CORPORATE BYLAW
Deer Valley Water & Sewer Board**

1. DEFINITIONS

In this bylaw:

- (a) "Act" means *The Municipalities Act*, as amended from time to time, and in the case of such amendment, any references to the bylaw of the Public Utility Board shall be read as referring to the amended provisions.
- (b) "Public Utility Board" or "Board" or "Utility" means the Deer Valley Water & Sewer Board a body of corporate established pursuant to Section 33 of the Act by the Rural Municipality of Lumsden No. 189.
- (c) "Municipality" shall mean the Council of the Rural Municipality of Lumsden No. 189.
- (d) "Subscriber" or "Subscribers" means a person(s) who subscribes in the prescribed form to receive the benefit of the Public Utility.

2. BUSINESS OF THE PUBLIC UTILITY BOARD

- (1) Fiscal Year
 - (a) The fiscal year of the Public Utility Board shall be the calendar year.
- (2) Annual Meeting
 - (a) The annual meeting of the Subscribers of the Public Utility Board shall be held no later than 90 days following January 1, of each year or such later date that the board may determine by resolution. Notice shall be:
 - (i) mailed to each Subscriber at least 15 days prior to the meeting, or
 - (ii) published by way of at least two notices in one local newspaper as well as email notification to Subscribers at least two weeks prior to the date set for the meeting.
 - (b) Failure by any Subscriber to receive notice of a meeting shall not invalidate that meeting.
- (3) Signing Officers
 - (a) 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 chairperson or vice-chairperson and either the administrator or a member of the Management Committee.
- (4) Borrowing Powers

The Board may:

 - (a) Borrow money on the credit of the Utility on such terms and conditions as the Board may determine.
- (5) Delegation of Powers
 - (a) The Public Utility Board shall have all the powers conferred on the council of a municipality by Sections 23 to Section 32 of the Act.

3. AUDITORS

The Board shall appoint an auditor pursuant to subsection 188(2) of the Act.

4. BOARD MEMBERSHIP

- (1) The Board shall consist of a minimum of three and a maximum of six elected members, to be elected by the Subscribers.
- (2) At the first meeting, the Subscribers shall elect from their membership a minimum of three and a maximum of six members, each of whom shall be members in good standing and elected for a three-year term in accordance with the requirements provided above. In subsequent years, The Board shall be elected by the Subscribers for 3-year terms.



5. BOARD DUTIES AND POWERS

- (1) (a) All Public Utility Board bylaws and amendments to be sent to the Municipality when passed by the Deer Valley Organized Hamlet Board.
- (b) The Municipality shall add to the tax roll the outstanding debts as certified by the Utility Administrator and received by the Board prior to December 31, annually.
- (c) The Public Utility Board shall report to the Deer Valley Organized Hamlet Board.
- (2) Board Appointments
The Board shall annually appoint:
 - (a) A chairperson and vice-chairperson from among their subscribers.
- (3) The Board may employ or contract such other employees and advisors as it deems necessary.
- (4) Chairperson Duties
The chairperson shall preside at all meetings of the board that he/she is present.
- (5) Vice-Chairperson Duties
The vice-chairperson, in the absence of the chairperson, shall discharge the duties of the chairperson.
- (6) Administrator Duties
The Board may enter into a contract with, and appoint an Administrator, whose duties shall include:
 - (a) Attend and keep minutes of all meetings of the board and of the Management Committee;
 - (b) Have charge of the seal, if any, of the Public Utility Board;
 - (c) Conduct the correspondence and have all charge of all financial corporate records, books, papers and documents of the Public Utility Board;
 - (d) Present to the Board regular financial statements in a form acceptable to the Board for review.
 - (e) 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.
- (7) Bonding
The Public Utility Board shall provide for security or fidelity bonding and insurance coverage as deemed necessary.

6. BYLAWS AND RULES

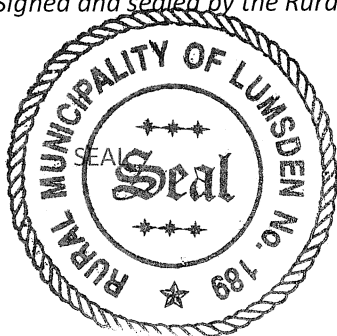
The Board may:


- (a) Enact, amend, repeal or replace bylaws, other than the corporate bylaw,
- (b) Make rules, not inconsistent with the corporate bylaw or the Act, governing the management of the Public Utility Board and for carrying out the provisions of this bylaw,
- (c) The Board shall register an easement against all properties where any water or sewer line is installed on land that is owned by a non-subscriber.

7. EFFECTIVE DATE

This bylaw becomes effective on this 15th day of September, 2022.

Signed and sealed by the Rural Municipality of Lumsden No. 189 this 15th day of September, 2022.





Reeve



Chief Administrative Officer