

5-2001

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 Blucher, #343, in the Province of Saskatchewan hereby 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 ON PUBLIC UTILITY BOARD

- a) The Rural Municipality of Blucher, No. 343 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

Urban Municipalities

Village of Zelma

- b) The public utility board created pursuant to subsection 2 (a) shall be known as Allan South Rural Water Utility.

3. TERMS OF AGREEMENT

The terms of the 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.

Reeve

SEAL

Administrator

Certified a true copy of the bylaw
adopted by resolution of the Council
on the _____ day of
_____, 2001.

Administrator

EXHIBIT “A” TO BYLAW NO. 5-2001

**CORPORATE BYLAW
PUBLIC UTILITY BOARD
ALLAN SOUTH RURAL WATER UTILITY**

1. DEFINITIONS

In this bylaw:

- 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” mean persons who subscribe to receive the benefit of the public utility.

2. BUSINESS OF THE PUBLIC UTILITY BAORD

- 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 one of the Chairperson or Vice-Chairperson.
- c) Borrowing Powers
 - The Board may:
 - ii) Borrow money on the credit of the Public Utility Board;
 - iii) Pledge debt obligations of the Public Utility Board;
 - iv) 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) Delegation of Powers
 - The public utility board shall have all the powers conferred on a council or a municipality by Sections 226 to 240, not including Sections 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 Chairperson and a Vice-Chairperson 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) Chairperson Duties
The Chairperson shall preside at all meetings of the Board.
- c) Vice-Chairperson Duties
The Vice-Chairperson, in the absence of the Chairperson, shall discharge the duties of the Chairperson.
- d) Secretary Duties
The Secretary shall:
 - i) Attend and keep minutes of all meeting 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 shall 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 this bylaw.

6. 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 _____ day of _____, _____.

Reeve

SEAL

Administrator

Signed and sealed by the Rural Municipality of Lost River, No. 313 this _____ day of _____, _____.

Reeve

SEAL

Administrator

Signed and sealed by the Rural Municipality of Dundurn, No. 314 this _____ day of _____, _____.

Reeve

SEAL

Administrator

Signed and sealed by the Rural Municipality of Blucher, No. 343 this _____ day of _____, _____.

Reeve

SEAL

Administrator

Signed and sealed by the Village of Zelma this _____ day of _____, _____.

Reeve

SEAL

Administrator