

BYLAW NO. 2009-08

**A BYLAW TO PROVIDE FOR ENTERING INTO AN AGREEMENT
RESPECTING THE ESTABLISHMENT OF A DISTRICT BOARD OF
REVISION**

WHEREAS provision is made in *The Municipalities Act Subsection 222(1)* permitting a municipality to enter into an agreement with other municipalities to provide for the creation of, and the appointment of members to, a District Board of Revision and

WHEREAS the Council of the Town of Lumsden deems it expedient to enter into a District Board of Revision bylaw with the Rural Municipality of Lumsden No 189, Town of Regina Beach, the Village of Buena Vista and the Village of Craven.

NOW THEREFORE the Council of the Town of Lumsden, in the Province of Saskatchewan enacts as follows:

- (1) THAT the agreement hereunto annexed and marked as Schedule "A" to this Bylaw and which is deemed to be a part of this Bylaw, being a quintuplicate agreement:

*BETWEEN: THE TOWN OF LUMSDEN
 THE RURAL MUNICIPALITY OF LUMSDEN NO. 189,
 THE TOWN OF REGINA BEACH
 THE VILLAGE OF BUENA VISTA. AND
 THE VILLAGE OF CRAVEN*

BE and the same is hereby ratified and confirmed.

- (2) THAT the Mayor and Administrator for the **TOWN OF LUMSDEN** are hereby authorized and empowered to sign the said agreement on behalf of the said Municipality and affix thereto the corporate seal of the Town of Lumsden.
- (3) THAT Bylaw 02/97 and 08/97 are hereby **repealed**.

EFFECTIVE DATE

This bylaw shall come into force and take effect on the final day of passing.

READINGS

1st Reading the _____ 27th _____ day of April, 2009
 2nd Reading the _____ 27th _____ day of April, 2009
 Adoption on the _____ 11th _____ day of May, 2009.



[Signature]

 MAYOR

[Signature]

 ADMINISTRATOR

Certified to be a true copy of Bylaw No. 2009-08
 adopted by the Council of the Town of Lumsden
 on the 11 day of May 2009

[Signature]

 Administrator

SCHEDULE "A"
DISTRICT BOARD OF REVISION AGREEMENT

THIS AGREEMENT made on the 11th day of May, 2009.

**BETWEEN: THE TOWN OF LUMSDEN,
THE RURAL MUNICIPALITY OF LUMSDEN No. 189,
THE TOWN OF REGINA BEACH
THE VILLAGE OF BUENA VISTA and
THE VILLAGE OF CRAVEN**

all in the Province of Saskatchewan.

THIS AGREEMENT WITNESSETH AS FOLLOWS:

CONSTITUTION:

1. That under the authority of and in accordance with The Municipalities Act, a District Board of Revision be established.

DEFINITION:

In this bylaw:

1. "District Board of Revision" means a board of revision to hear and decide assessment appeals within the municipalities which are signatories to this agreement.
2. "Municipality" means the municipalities which are signatories to this agreement.

COMPOSITION OF THE BOARD:

1. The board shall be comprised of seven members as follows:
 - (a) Each municipality to appoint one member annually with the other two members to be appointed at large with a majority of the member municipalities agreeing to the appointments.
 - (b) The committee shall, at their first meeting after appointments, appoint a chairman and vice chairman. The chairperson shall be appointed for a two year term and the vice chairperson shall be appointed for a three year term, in the first year. The chairperson and vice chairperson are to be appointed thereafter for two year terms. The committee shall notify each participating municipality of the appointments.
 - (c) The secretary to the board shall be appointed annually by majority approval of the member municipalities.
2. The Board and the members thereof and their successors and each of them shall be jointly and severally fully indemnified and held harmless of, from, against and with respect to all claims made against them collectively, individually or as the Board and arising out of the performance or non-performance by them or any of them or as the Board of their duties as the Board, and all costs thereof or related thereto. This indemnification shall remain in full force and effect until the said Acts are amended to include provision for such indemnification in a form satisfactory to the members of the Board.
3. Remuneration for the board members and secretary shall be as follows:
 - (a) Board members will be paid \$75.00 seventy five dollars for sitting as a board for three hours or less and \$125.00 one hundred twenty five dollars per diem for sitting for longer than three hours in any one day. These rates shall also apply for board members attending training sessions. Travel for board members while on board business shall be reimbursed at the rate of \$.44 (Forty four cents) per kilometre plus any necessary meal expenses.


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- (b) The Secretary will be remunerated at the same rate as board members plus an additional \$25.00 per hour for such required work as board minutes, written board decisions and any other board requested correspondence.
- 4. The board shall have all of the powers, duties and responsibilities as provided in The Municipalities Act.
- 5. The Secretary to the board shall ensure that a filing fee of \$50.00 has been paid by the appellant, for each property being appealed to the District Board of Revision. Where an appellant is successful with the appeal, the \$50.00 filing fee shall be refunded.
- 6. Cost sharing for the operation of the board shall be as follows:
 - (a) Each municipality shall be responsible for an equal share of start-up costs and training of the board members and the secretary.
 - (b) The cost of board sittings and subsequent costs related to a sitting to hear appeals for a member municipality shall be the sole responsibility of that municipality.
- 7. The board may sit in panels of three members to hear appeals with the board chairperson selecting the panel members. At the board's discretion, each panel may have either the chair or vice chairperson as a member. The board will sit to hear appeals at a location and time that is mutually acceptable with the municipality.
- 8. The board will follow the procedure for hearing of appeals as set out in The Municipalities Act.
- 9. The secretary to the board shall transmit all of the information to the municipality for which the district board of revision sat in a like manner as required to be transmitted to the "appeal board", as set out in The Municipalities Act.
- 10. It is understood that this agreement shall be continuous, but that any municipality may terminate their participation in the district board of revision by giving written notice to the other municipalities ninety (90) days prior to December 31 in any year.

RURAL MUNICIPALITY OF LUMSDEN No.189



Reeve

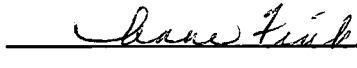


Administrator

THE VILLAGE OF BUENA VISTA




Mayor

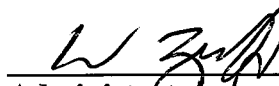


Administrator

THE TOWN OF LUMSDEN



Mayor



Administrator

THE TOWN OF REGINA BEACH

Duane W. Applegate
Mayor

Paul Peters
Administrator

VILLAGE OF CRAVEN

Adrian V. ...
Mayor

Stephen ...
Clerk