

BYLAW NO. 5/95

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 Lumsden No. 189, in
the Province of Saskatchewan, enacts as follows:

1. PURPOSE:

The purpose of this bylaw is to enable council to enter an
agreement with neighbouring municipalities 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 create a public utility board in conjunction
with the following municipalities:


Rural Municipality of Dufferin No. 190

b.) The public utility board created pursuant to subsection
2(a) shall be known as the Dufferin Water Association.

3. TERMS OF AGREEMENT:

The terms of the agreement are defined in the corporate
bylaw of the Dufferin Water Association, which is identified
as Exhibit A and is attached to and forms a part of this
bylaw.

4. Bylaw No. 4/93 is hereby repealed.

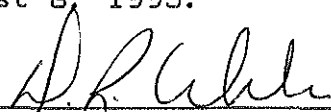


REEVE



ADMINISTRATOR

CERTIFIED A TRUE COPY TO
Bylaw No. 5/95 passed by
Council of The Rural Municipality
of Lumsden No. 189 on Tuesday
August 8, 1995.



REEVE



Administrator

Exhibit "A" to Bylaw No. 5/95

CORPORATE BYLAW
PUBLIC UTILITY BOARD
DUFFERIN WATER ASSOCIATION

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, any references in the bylaws of the Public Utility Board shall be read as referring to the amended provisions.

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

Rural Municipality of Dufferin No. 190

Rural Municipality of Lumsden No. 189

(c) "Board" means the board of the public utility board.

(d) "Member" and "member municipality" means a rural municipality or urban municipality involved in agreement establishing the public utility board.

(e) "Subscribers" means persons who are taxpayers of member municipalities who subscribe to receive the benefit of the public utility.

(f) "Water User" means persons who are receiving the Water Service regardless of ownership of the land.

2. BUSINESS OF THE PUBLIC UTILITY BOARD

(1) Fiscal Year

(a) The fiscal year of the public utility board shall be the calendar year.

(b) The annual meeting of the subscribers of the public utility board shall be held in November of any year starting in 1995. Written notice shall be mailed to each subscriber at least 15 days prior to the meeting.

(2) Signing Officers

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 chairman or vice-chairman.

(3) Borrowing Powers

The board may:

- (a) borrow money on the credit of the public utility board;
- (b) pledge debt obligations of the public utility board;
- (c) 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.

(4) Delegation of Powers

The public utility board shall have all the powers conferred on a council of a municipality by sections 227 to 240, not including section 236 of the Act.

3. AUDITORS

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

4. BOARD MEMBERSHIP

The Board shall consist of six Water Users.

The Board, which shall consist of the original Steering Committee, shall be appointed by the R.M. of Dufferin No. 190 until December 31, 1994

In subsequent years The Board shall be elected by Water Users, with three members of the Board being elected for a 2 year term, and three to be elected for a three year term, in the first year.

The Water Users shall annually elect at least three of their number thereafter for a two year term.

5. BOARD DUTIES AND POWERS

(1) Board appointments

The board shall annually appoint:

- (a) a chairman and vice-chairman from among their number;
- (b) a secretary who may, but need not be a board member; and
- (c) such other employees as it deems necessary.

(2) Chairman Duties

The chairman shall preside at all meetings of the board.

(3) Vice-chairman Duties

The vice-chairman, in the absence of the chairman, shall discharge the duties of the chairman.

(4) Secretary Duties

- (a) attend and keep minutes of all meetings of the board;
- (b) have charge of the seal of the public utility board;
- (c) conduct the correspondence and have charge of all financial corporate records, books, papers and documents of the public utility board.
- (d) 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.

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 or the Act, governing the management of the public utility board and for the carrying out of the provisions of this bylaw.

