

RURAL MUNICIPALITY OF LOREBURN NO. 254

BYLAW NO. 03-06

**PROVIDE FOR ENTERING INTO AN AGREEMENT WITH OTHER MUNICIPALITIES
FOR THE PURPOSE OF ESTABLISHING A PUBLIC UTILITY BOARD**

A BYLAW of the Rural Municipality of Loreburn No. 254 in the Province of Saskatchewan, to provide for entering into an agreement with other municipalities for the purpose of establishing a public utility board.

THE COUNCIL OF THE RURAL MUNICIPALITY OF LOREBURN NO. 254, 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 Loreburn No. 254, is hereby authorized to create a public utility board in conjunction with the following municipalities:

Rural Municipalities

R.M. of Rosedale No. 283

R.M. of Rudy No. 284

R. M. of Loreburn No. 254

- b) The Public Utility Board created pursuant to Subsection 2(A) shall be known as Cutbank Rural Pipeline Utility.

3. TERMS OF AGREEMENT

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

Certified to be a true copy of
Bylaw No. 03/06 adopted by the
Rural Municipality of Loreburn
No. 254 on the 14th day of June, 2006




REEVE


ADMINISTRATOR


ADMINISTRATOR



EXHIBIT "A" To Bylaw No. 03-06
CORPORATE BYLAW
PUBLIC UTILITY BOARD
CUTBANK RURAL PIPELINE UTILITY

1. DEFINITIONS:

In this by-law:

- (a) **"Act"** means the Municipalities Act, 2006 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 Cutbank Rural Pipeline Utility, a body corporate created pursuant to Section 33 (2) of the Act by joint agreement of the following municipalities:
 - Rural Municipalities**
 - R.M. of Loreburn No. 254
 - R.M. of Rosedale No. 283
 - R.M. of Rudy No. 284
- (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 one of the 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 this 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 23 to 32.

3. AUDITORS

The board shall appoint an auditor.

4. BOARD MEMBERSHIP

- (a) To establish the initial board, each council shall point two members to serve until the first annual meeting to be held in 1994 pursuant to Section 1 (b).
- (b) Following the initial establishment of the board, the subscribers shall annually elect at least six of their ~~number~~ members who shall constitute the board.

members

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

Exhibit "A" to Bylaw No. 03-06

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 or fidelity bonding and insurance coverage as deemed necessary.

6. BYLAWS AND RULES

The Board may

- (i) enact, amend, repeal or replace bylaws, other than the corporate bylaw; and
- (ii) 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.

Exhibit "A" to Bylaw No. 03-06

Signed and sealed by the Rural Municipality of Loreburn No. 254 this 14th day of June 2006.




REEVE


ADMINISTRATOR

Signed and sealed by the Rural Municipality of Rosedale No. 283 this 6th day of September 2006.




REEVE


ADMINISTRATOR

Signed and sealed by the Rural Municipality of Rudy No. 284 this 14 day of September 2006.




REEVE


ADMINISTRATOR