

**A BYLAW TO PROVIDE FOR THE ESTABLISHMENT OF 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 establish a Public Utility Board.

2. MUNICIPAL MEMBERSHIP ON PUBLIC UTILITY BOARD

- a) The Rural Municipality of Blucher, No. 343 is hereby authorized to establish a public utility board.
- b) The public utility board established pursuant to subsection 2 (a) shall be know as Elstow North Rural Water Utility.

3. TERMS OF AGREEMENT

The terms of the agreement are defined in the corporate bylaw of the Elstow North 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
_____, 1999.

Administrator

EXHIBIT "A" TO BYLAW NO. 1-99

CORPORATE BYLAW ELSTOW 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, any references to the bylaws of the Public Utility Board shall be read as referring to the amended provisions.
- b) "Public Utility Board" means the Elstow North Rural Water Utility, a body corporate established pursuant to Section 228.1 of the Act by the Rural Municipality of Blucher, No. 343.
- c) "Board" shall mean the Board of Directors 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

(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 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.

(2) 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 secretary-treasurer and one of the Chairperson or Vice-Chairperson.

(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 the council of a municipality by Sections 226 to 240, not including Sections 227 and 236 of the Act.

3. AUDITORS

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

4. BOARD MEMBERSHIP

1. The Board shall consist of six members elected by the subscribers from their members. There shall be an additional member appointed yearly who is to be a member of the Council of the R. M. of Blucher. At each annual meeting, the subscribers shall elect from their members two members, each of whom shall be elected for a three-year term.
2. If the subscribers, at their annual meeting, fail to elect their members to fill all vacant board positions, the Council of the R. M. of Blucher shall make appointments to fill the positions.

5. BOARD DUTIES AND POWERS

1.
 - a) All Utility Board bylaws and amendments to be sent to all member municipalities when passed by the Utility Board.
 - b) Subscriber collection levy notice shall be forwarded to subscriber municipality prior to December 31, annually.
2. Board Appointments

The Board shall:

 - (a) annually appoint a chairperson and vice-chairperson from among their number; and
 - (b) appoint or hire a secretary-treasurer who may, but need not be, a representative
 - (c) appoint or hire such other employees and advisors as it deems necessary.
3. Chairperson Duties

The chairperson shall preside at all meetings of the board which he/she is present.
4. Vice-Chairperson Duties

The vice-chairperson, in the absence of the chairperson, shall discharge the duties of the chairperson.
5. Secretary-Treasurer Duties

The secretary-treasurer shall:

 - (a) attend and keep minutes of all meetings of the board;
 - (b) have charge of the seal, if any, 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. 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, 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 the provision of this bylaw.
- (c) the board shall pay the administrator of the municipality the sum of \$10.00 for every account to be added to the tax roll upon collection thereof.
- (d) the board shall register an easement against all properties affected by the works and also, register a caveat where financing is involved.

7. EFFECTIVE DATE

This bylaw becomes effective on _____, _____.

Signed and sealed by the Rural Municipality of Blucher this _____ day of _____, _____.

Reeve

SEAL

Administrator

Certified a true copy of the bylaw adopted by resolution of the Council on the _____ day of _____, 1999.

Administrator