BYLAW NO. 1/97

BEING A BYLAW TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE MUNICIPALITIES COMPRISING THE SOUTHEAST REGIONAL LIBRARY

A BYLAW OF THE RURAL MUNICIPALITY OF WAWKEN NO. 93 IN THE PROVINCE OF SASKATCHEWAN, ENACTS:

WHEREAS the Rural Municipality of Wawken No. 93, together with the municipalities listed on the attached Schedule A, pursuant to the Public Libraries Act, 1997 have associated themselves each with the others in establishing and operating a regional library to be known as

THE SOUTHEAST REGIONAL LIBRARY

AND WHEREAS the terms of such association to be performed by each of the said municipalities have been set out in an agreement atatached as Schedule "A" to this Bylaw and have been confirmed by Bylaw of each of the said municipalities;

AND WHEREAS the said agreement provides for the admission of other municipalities for the said purpose and upon the same terms:

NOW THEREFORE the administrator and the council of the Rural Municipality of Wawken No. 93

IN OPEN MEETING ASSEMBLED ENACT AS FOLLOWS:

1. This Bylaw shall be known as the Regional Library Bylaw.

2. It shall be lawful for the Rural Municipality of Wawken No. 93 to enter into the said agreement with the said associate municipalities and with such other municipalities as have been or may be admitted as associated municipalities for the said purpose which agreement in incorporated as Scheduel "A" to this Bylaw and forms part hereof.

3. The administrator and reeve are herby authorized, empowered and directed to execute the said agreement on behalf of the Rural Municipality of Wawken No. 93 and to attach the Corporate Seal of the Rural Municipality of Wawken No. 93 thereto and to do or cause to be done all acts, matters, etc. which may be necessary for the due performance and fulfillment of the terms of the said agreement.

4. Bylaw No. 1/97 shall come into force and take effect from and after the day of the final passing thereof.

5. Bylaw No. 1/97 shall replace Bylaw No. 1/92 immediately.

[redacted]
Reeve

SEAL

[redacted]
Administrator

CERTIFIED a true copy, by
resolution of Council, dated
April 10, 1997.

SEAL

[redacted]
Administrator

An Agreement By and Between the Municipalities Comprising the Southeast Regional Library

Agreement made between the municipalities comprising the Southeast Regional Library.

WHEREAS, *The Public Libraries Act, 1996* (the "Act") requires that the council of every municipality within the Southeast Regional Library boundaries shall enter into a regional library agreement with the council of every other municipality within the regional library boundaries, for the purpose of providing regional library services within those boundaries; and

WHEREAS, the council of the Rural Municipality [City, Town, Village, or Rural Municipality] of Wawken No. 93 [Name of Municipality] has, in accordance with the Act, passed a bylaw approving the association of the said Southeast Regional Library with every other municipality within the regional library boundaries which executes under seal a like agreement;

NOW THIS AGREEMENT WITNESSETH that the Rural Municipality [City, Town, Village, or Rural Municipality] of Wawken No. 93 [Name of Municipality] hereby agrees to associate itself with every other municipality within the regional library boundaries in the establishment and operation of a regional library pursuant to the Act, and the regulations thereunder (the "Regulations"), and upon the following covenants, undertakings and conditions:

1. ASSOCIATION:

The municipalities listed in Schedule A, (the "participating municipalities"), hereby agree to associate and participate with each other in the operation of a regional library to be known as the Southeast Regional Library.

2. PURPOSE:

The purpose of the said regional library shall be to provide public library services within its boundaries in accordance with the Act and Regulations and Regional Library Board Bylaws and Policy Statements as amended from time to time.

3. TERM:

a) This Agreement is a continuing agreement and shall not be terminated unless the Regional Library Board is dissolved in accordance with the Act and regulations.

b) The Regional Library Board shall conduct a review of this Agreement at least once every five years and on the request of any party to this Agreement. A request for a review must be in writing to the secretary of the Regional Library Board with a copy to the Provincial Librarian.

c) The Regional Library Board shall conduct the review within 12 months of receiving the written request and, if appropriate, shall prepare a revised agreement for the approval of the municipalities.

d) Any changes to the Agreement brought about by a review are subject to the approval of two thirds of the participating municipalities representing two-thirds of the participating population. Changes to the Agreement are effective and binding on all participating municipalities when the changes have been approved in writing and signed by the appropriate signing officers of each of the participating municipalities representing two-thirds of the participating municipalities and representing two-thirds of the participating population.

e) Disputes arising out of the interpretation or performance of this Agreement are to be dealt with by mediation pursuant to section 23 of the Regulations and, where the mediation fails to resolve the dispute or the parties do not agree to mediation, by arbitration in accordance with section 11 of the Regulations, with any necessary changes.

4. REGIONAL LIBRARY BOARD

a) Name

The general management, control, and operation of a regional library is vested in a Regional Library Board, to be known as "The Southeast Regional Library."

b) Regional Library Board Composition

The Regional Library Board is a corporation, consisting of one member appointed by each municipality that participates in the regional library agreement for each 5,000 of its population, or fraction thereof, appointed from among the electors resident within the municipalities participating in the regional library.

If there is a local library board in a municipality that participates in a regional library agreement, the council shall appoint persons who are members of the local library board as members of the regional library board.

c) Regional Library Board Powers

The Regional Library Board may acquire, rent or lease and maintain any necessary lands and buildings, or erect any necessary buildings; sell, exchange, lease or otherwise dispose of any of its lands or buildings no longer required for public library purposes; borrow on the security of its assets for the purpose of operating the public library or for the purchase of equipment; establish and maintain a capital fund to be used for the acquisition or leasing of buildings and equipment; invest any part of the capital fund or other moneys of the public library board in any security or class of securities authorized for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*, and dispose of the investments it considers appropriate; accept any gift, grant, devise or bequest of any property or moneys made to it; act as a trustee of any moneys or property given in any manner for the support of the library system; enter into any agreements for the purposes of performing the duties imposed and exercising the powers conferred on it by the Act; and do anything that it considers necessary or incidental to carrying out its duties or exercising its functions or that it considers necessary or incidental to carrying out the purposes of the Act.

The Regional Library Board may designate, in co-operation with the council of a participating municipality that has a local library, any number of those local libraries as regional reference centres in order to provide information and reference services for the region.

The Regional Library Board may enter into any agreements or arrangements necessary to facilitate the participation of Aboriginal peoples in the regional library system.

A Regional Library Board may enter into an agreement with any other organization for the purpose of providing public library services pursuant to section 5 of the Act from a single facility.

d) Regional Library Board Duties

It is the duty of the Regional Library Board to provide public library services to the residents of Saskatchewan within the area it serves; subject to the approval of the minister, to designate the location of the headquarters of the regional library; to appoint staff; to prepare a policy statement to govern the operations of its libraries; to make bylaws; to administer regulations on the use of libraries and materials; and to keep records and accounts as provided in the Act and Regulations.

The Regional Library Board is not responsible for any disruption of services due to acts of God or other cause for which the Regional Library Board is not responsible.

5. REGIONAL LIBRARY BOARD MEETINGS/QUORUM:

a) A Regional Library Board shall hold its annual meeting between January 1 and May 15 in each year in accordance with Section 35 of the Act.

b) The date of the annual meeting may be fixed by the Executive Committee.

c) Except where a Regional Library Board, by bylaw, otherwise provides, a majority of the members of the Regional Library Board or of the executive committee present constitutes a quorum, in accordance with Section 36 of the Act.

6. EXECUTIVE COMMITTEE

a) At its annual meeting, the Regional Library Board shall elect from among its members a chairperson and an executive committee to carry out the day-to-day business of the Regional Library Board and the operation of the regional library in accordance with the Act.

b) Any other officers as determined by the Regional Library Board shall be elected from and by the regional board members in accordance with the Act and Regional Library Board bylaws.

c) The library director of the regional library is the secretary to the Regional Library Board and to all committees of the Regional Library Board.

d) The executive committee shall serve with the powers and responsibilities as determined in the bylaws passed by the Regional Library Board.

7. LIBRARY FACILITIES

a) The councils of participating municipalities shall ensure that accommodation for local libraries is provided and shall be in accordance with the standards prescribed for library facilities in accordance with the regulations.

b) The councils of participating municipalities whose residents use a local library shall make decisions regarding the local library facility and its location in consultation with the local library board and the regional library board.

8. FINANCE:

a) The regional library shall be financed by grants from the Provincial Government and by levy payments made by each municipality, in accordance with the Act and Regulations.

b) The Regional Library Board shall determine the amount of the annual levies to be made by each participating municipality.

c) Where a municipality contributes more than 25% of the annual municipal grants made to a Regional Library Board, the Regional Library Board shall not require any increase in the amount of the grant unless the municipality agrees.

d) The Regional Library Board, by bylaw, may set out procedures for the payment of levies, set the date by which levies shall be paid and set out the manner in which interest is to be calculated on amounts not paid when due.

e) Participating municipalities shall make payments of the levies and interest in accordance with the bylaw passed by the Regional Library Board.

f) The councils of participating municipalities shall ensure that accommodation for local libraries is provided in accordance with the Regulations and shall contribute financially in an amount determined by the council for the provision and maintenance of that accommodation.

9. DISESTABLISHMENT AND DISPOSAL OF ASSETS:

In the event of the discontinuance of the regional library or the dissolution of the Regional Library Board, the affairs and assets of the library will be wound up in accordance with the Act and regulations.

10. SEVERANCE:

Any term or condition of this Agreement that is or is held to be void, prohibited, unenforceable or inconsistent with the provisions of the Act or regulations is severable from the Agreement without in any way invalidating the remaining terms or conditions of the Agreement.

11. APPLICABLE LAW:

This agreement is to be construed in accordance with the laws of Saskatchewan.

12. COUNTERPARTS:

This Agreement may be executed in any number of counterparts and all these counterparts shall for all purposes constitute one agreement, binding on the parties, notwithstanding that all parties are not signatory to the same counterpart.

IN WITNESS WHEREOF THE Rural Municipality [City, Town, Village, or Rural Municipality] of Wawken No. 93 [Name of Municipality] hereto affixed its corporate seal and duly attests by the hands of its officers authorized in this behalf this 10th [Date] day of April [Month] A.D. 1997 [Year].

[redacted]

Mayor, Reeve, ~~or Overseer~~

[redacted]

~~Clerk or~~ Secretary- Treasurer

SCHEDULE A: ASSOCIATED MUNICIPALITIES

As of 1 January 1997

Cities (2)

City	Population	City	Population
Estevan	10,240	Weyburn	9,673

Towns (32)

Town	Population	Town	Population
Alameda	317	Milestone	593
Arcola	496	Moosomin	2,436
Balgonie	1,096	Ogema	383
Bengough	527	Oxbow	1,132
Bienfait	799	Pilot Butte	1,450
Broadview	797	Qu'Appelle	671
Carlyle	1,181	Radville	846
Carnduff	1,062	Redvers	936
Fort Qu'Appelle	1,953	Regina Beach	921
Francis	205	Rocanville	842
Grenfell	1,164	Sintaluta	185
Indian Head	1,827	Stoughton	721
Kipling	1,005	Wapella	429
Lampman	647	Wawota	654
Lumsden	1,477	Whitewood	1,064
Midale	497	Yellow Grass	535

Villages (52)

Village	Population	Village	Population
Alida	179	Kennedy	296
Antler	71	Kenosee	163
B-Say-Tah	174	Khedive	21
Benson	85	Kisbey	219
Buena Vista	276	Lake Alma	66
Carievale	234	Lang	206
Ceylon	163	Lebret	201
Colgate	45	Macoun	157
Creelman	134	Manor	326
Disley	60	Maryfield	408
Edenwold	175	McLean	262
Fairlight	68	McTaggart	122
Fillmore	328	Minton	124
Forget	68	Montmartre	471
Fort San	261	North Portal	164
Gainsborough	301	Odessa	239
Gladmar	53	Osage	33
Glen Ewen	152	Pangman	248
Glenavon	237	Roche Percee	154
Goodwater	34	Storthoaks	129
Grand Coulee	276	Torquay	285
Halbrite	111	Tribune	64
Hardy	18	Vibank	375
Heward	25	White City	862
Katepwa South	32	Wilcox	230
Kendal	90	Windthorst	246

SCHEDULE A: ASSOCIATED MUNICIPALITIES (Cont.)

Rural Municipalities (56)

R.M.		Population	R.M.		Population
1	Argyle	360	70	Key West	514
2	Mount Pleasant	486	91	Maryfield	489
3	Enniskillen	545	92	Walpole	527
4	Coalfields	440	93	Wawken	737
5	Estevan	1,139	94	Hazelwood	415
6	Cambria	391	95	Golden West	526
7	Souris Valley	444	96	Fillmore	422
8	Lake Alma	345	97	Wellington	424
9	Surprise Valley	274	98	Scott	343
10	Happy Valley	222	99	Caledonia	462
31	Storthoaks	478	121	Moosomin	522
32	Reciprocity	497	122	Martin	387
33	Moose Creek	460	123	Silverwood	639
34	Browning	550	124	Kingsley	584
35	Benson	496	125	Chester	588
36	Cymri	531	126	Montmartre	649
37	Lomond	436	127	Francis	803
38	Laurier	471	128	Lajord	1,032
39	The Gap	320	129	Bratt's Lake	391
40	Bengough	467	151	Rocanville	679
61	Antler	655	153	Willowdale	499
63	Moose Mountain	581	154	Elcapo	732
64	Brock	329	156	Indian Head	486
65	Tecumseh	383	157	South Qu'Appelle	1,128
66	Griffin	465	158	Edenwold	2,349
67	Weyburn	885	159	Sherwood	1,093
68	Brokenshell	348	187	North Qu'Appelle	717
69	Norton	346	189	Lumsden	1,279

Indian Bands (7)

Indian Band	Population	Indian Band	Population
Kahkewistahaw	302	Standing Buffalo	294
Muscowpetung	224	Cowesses Comm. Ctr.	255
Pasqua Indian Reserve	280	White Bear First Nation	703
Piapot First Nation	442		

SUMMARY

Municipalities	Population
2 Cities	19,913
32 Towns	28,848
52 Villages	9,721
56 Rural Municipalities	32,760
7 Indian Bands & Schools	2,500
149	93,742