

BYLAW NO. 04/20

PUBLIC NOTICE BYLAW

A **BYLAW** of the 501 Utility Authority Inc., in the Province of Saskatchewan, to provide for a Policy to Give Public Notice of 501 Utility system matters.

The BOARD OF DIRECTORS for the 501 UTILITY AUTHORITY INC., in the Province of Saskatchewan, enacts as follows;

1. PURPOSE

- 1.1 The purpose of this Policy is to set out the minimum notice requirements, the methods of notice to be followed in providing such notice, and the minimum time for giving notice with respect to any matters for which public notice is required to be given by the Board either by legislation or as recommended by the owner Municipalities.

2. DEFINITIONS

- 2.1 For the purpose of this policy, the following terms and words shall have the following meanings:
- (a) the term “**affected parties**” shall mean those subscriber members and/or the corporate partners (owner municipalities) of the Utility who are, in the opinion of the Board, directly and uniquely affected by a matter under consideration by the Board, to an extent greater than other members of the general public;
 - (b) The “**owner municipalities**”, sometimes also referred to as the founders or corporate partners are; the Rural Municipality of Frenchman Butte No. 501, the Town of St. Walburg and the Village of Paradise Hill;
 - (c) the term “**Board**” means the appointed officials (or elected if applicable) of the 501 Utility Authority Inc.;
 - (d) the term “**Administrator**” used only if applicable means the person appointed as the Administrator for the 501 Utility Authority or his/her duly authorized representative or designate;
 - (e) the term “**clear days**” shall mean the number of calendar or business days, including the day of original posting, publishing or mailing, as the case may be, but excluding the day of the Board or Special Meeting.

3. MATTERS FOR WHICH NOTICE MUST BE GIVEN

- 3.1 Public notice in accordance with this policy shall be given before the Board initially considers the following matters:
- (a) acquisition or disposition of utility lands or buildings;
 - (b) selling or leasing utility land or buildings for less than fair market value and without a public offering;

- (c) borrowing money, lending money or guaranteeing the repayment of a loan;
- (d) imposing a special levy or fee or determining the use to which excess revenue from a special levy or fee is to be put;
- (e) establishing a purchasing policy;
- (f) setting remuneration for Board or Committee members and other bodies established by the Board or Corporate Partners;
- (g) increasing or decreasing the number of Directors on the Board;
- (h) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- (i) any matter where holding a public hearing is required under *The Municipalities Act* or any other Act except where the Act contains its own public notice provisions;
- (j) discussing a matter at a public meeting held as a result of a petition signed by the required number of subscribers; and
- (k) the amendment or repeal of a bylaw or resolution when the resolution or bylaw was passed as a result of a vote of the board, owners or subscribers where at least three years have passed from the date that the bylaw or resolution was passed and a vote of the voters is not being held regarding the proposed current action.

4. NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES

- 4.1 Notice shall be given to the general public for all matters set out in subsection 3.1 (a to k) in accordance with this section:
- (a) notice of the matter shall be posted at the Utility Office, if applicable and the Municipal Offices of the three owner Municipalities at least seven (7) clear days prior to the meeting at which the Board will initially consider the matter; and
 - (b) notice of the matter shall be posted in a conspicuous place in each municipality and on their respective websites at least seven (7) clear days prior to the meeting at which the Board will initially consider the matter.
- 4.2 In addition to the general notice requirements of section 4.1, public notice shall be circulated to the municipal offices for the following:
- (a) the meeting schedule for the current fiscal year;
 - (b) the availability of the agenda for the upcoming meeting which should be available at all Municipal offices and/or the Utility office (if applicable)
 - (c) the availability of the minutes of the recent meeting which should be accessible in draft to all Utility board members for input within five (5) business days following the meeting. All minutes should be available on the website of the Utility (if applicable), once approved by the Board of Directors
 - (d) the availability of the Audited Financial Statements, which should be available for viewing or pick-up at the Utility office, if applicable, and/or on the website(s) of the Utility, if applicable and the offices and websites of the member municipalities.

5. NOTICE OF FURTHER DEALINGS RESPECTING A MATTER

5.1 The notice requirements provided for in this policy shall only be applied when the Board initially considers a matter. For purposes of clarity, unless otherwise directed by the Board, no notice, including notice to affected parties, will be given of any subsequent meeting of the Board at which the matter will be considered.

6. DISCRETION OF THE BOARD

6.1 The notice requirements set forth in this policy are minimum requirements and are not intended to limit the Board's discretion to provide additional notice, utilizing different or additional methods or repeating notices, as may be deemed appropriate by the Board.

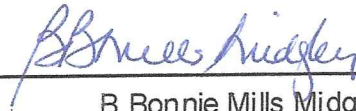
7. RESPONSIBILITIES OF ADMINISTRATOR, CHAIR OR ACTING DESIGNATE

7.1 The Administrator/Chair shall be responsible to the Board for ensuring compliance with this policy and may, in his/her absolute discretion:

- (a) refuse to place any item on the agenda of the Board, where there has been substantive non-compliance with the notice requirements of this Policy; or
- (b) where there have been deficiencies in meeting the notice requirements provided for in this Bylaw, place any item on the agenda of the Board, with a caution to members of the Board that the matter should be tabled pending full compliance with the notice requirements set forth in this Policy.

8. Coming Into Force

This Bylaw comes into force on January 1, 2020.



B Bonnie Mills Midgely, Chair

Date March 2nd 2020



Merle Bielecki, Vice-Chair

Read a third time and adopted

this 28th day of January 2020

Bonnie Mills Midgeley
B Bonnie Mills Midgeley, Chair