

BYLAW NO. 2/12

**A BYLAW OF THE VILLAGE OF BUENA VISTA IN THE PROVINCE OF
SASKATCHEWAN TO ESTABLISH A REGIONAL LIBRARY BYLAW**

WHEREAS the Village of Buena Vista, together with the municipalities listed on the attached schedule, pursuant to the *Public Libraries Act, 1996*, have associated themselves each with the other 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 attached 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 said terms:

NOW THEREFORE THE Mayor and the Council of the Village of Buena Vista

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 Village of Buena Vista 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 Schedule "A" to this Bylaw and forms part hereof.
3. The Mayor and Clerk are hereby authorized, empowered and directed to execute the said agreement on behalf of the Village of Buena Vista thereto and to do or cause to be done all acts, matters and things which may be necessary for the due performance and fulfillment of the terms of the said agreement.
4. The Bylaw shall come into force and take effect from and after the day of the final passing thereof.
5. Bylaw No. 7/97 is hereby repealed.


INTRODUCED

AND READ A FIRST TIME THIS 12th DAY OF April, 2012.

READ A SECOND TIME THIS 12th DAY OF April, 2012.

READ A THIRD TIME THIS 12th DAY OF April, 2012.


Mayor


Chief Administrative Officer

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11. APPLICABLE LAW:

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

12. COUNTERPARTS:

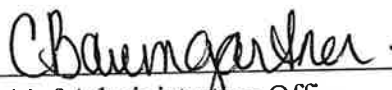
This Agreement may be executed in any number of counterparts and all these counterparts shall for all purposes constitute one agreement, binding on the parties, notwithstanding that all parties are not signatory to the same counterpart.

IN WITNESS WHEREOF THE Village of Buena Vista hereto affixed its corporate seal and duly attests by the hands of its officers authorized in this behalf this 12th day of April, 2012.



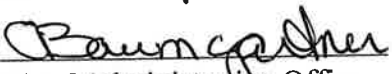


Mayor



Chief Administrative Officer

Certified a true copy of
Bylaw No. 2/12 adopted by
resolution of council on the
12th day of April, 2012.



Chief Administrative Officer

Schedule A: Associated Municipalities

As of March 14, 2012

Cities (2)

City	Population
Estevan	11,054
Weyburn	10,484

Towns (33)

Town	Population
Alameda	342
Arcola	649
Balgonie	1, 625
Bengough	313
Bienfait	780
Broadview	574
Carlyle	1,441
Carnduff	1,126
Fort Qu'Appelle	2,034
Francis	176
Grenfell	1,049
Indian Head	1,815
Kipling	1,051
Lampman	713
Lumsden	1,631
Midale	562
Milestone	618
Moosomin	2, 485
Ogema	368
Oxbow	1,285
Pilot Butte	1,848
Qu'Appelle	668
Radville	860
Redvers	975
Regina Beach	1,081
Rocanville	857
Sintaluta	120
Stoughton	694
Wapella	333
Wawota	560
White City	1,894
Whitewood	950

Yellow Grass 440

Villages (48)

Village	Population
Alida	131
Antler	41
B-Say-Tah	187
Buena Vista	524
Carievale	236
Ceylon	99
Creelman	115
Disley	111
Edenwold	238
Fairlight	40
Filmore	255
Forget	35
Fort San	187
Gainsborough	291
Gladmar	58
Glen Ewen	144
Glenavon	176
Goodwater	35
Grand Coulee	571
Halbrite	108
Heward	40
Katepwa South	403
Kendal	77
Kennedy	241
Kenosee	258
Khedive	10
Kisbey	139
Lake Alma	30
Lang	200
Lebret	218
Macoun	246
Manor	322
Maryfield	365
McLean	304
McTaggart	125
Minton	60
Montmarte	476
North Portal	143
Odessa	239
Osage	20
Pangman	214

Roche Percee	153
Storchoaks	93
Torquay	236
Tribune	25
Vibank	374
Wilcox	339
Windthorst	215

Rural Municipalities (56)

R.M.	Population
1 Argyle	1,139
2 Mount Pleasant	383
3 Enniskillen	452
4 Coalfields	382
5 Estevan	1,139
6 Cambria	304
7 Souris Valley	240
8 Lake Alma	250
9 Surprise Valley	193
10 Happy Valley	148
31 Storchoaks	304
32 Reciprocity	386
33 Moose Creek	372
34 Browning	399
35 Benson	490
36 Cymri	524
37 Lomond	304
38 Laurier	321
39 The Gap	230
40 Bengough	329
61 Antler	536
63 Moose Mountain	480
64 Brock	238
65 Tecumseh	270
66 Griffin	398
67 Weyburn	1,048
68 Brokenshell	308
69 Norton	259
70 Key West	287
91 Maryfield	319
92 Walpole	338
93 Wawken	559
94 Hazelwood	246
95 Golden West	315

96	Filmore	255
97	Wellington	356
98	Scott	176
99	Caledonia	257
121	Moosomin	504
122	Martin	333
123	Silverwood	466
124	Kingsley	421
125	Chester	373
126	Montmartre	488
127	Francis	676
128	Lajord	993
129	Bratt's Lake	350
151	Rocanville	533
153	Willowdale	297
154	Elcapo	481
156	Indian Head	380
157	South Qu'Appelle	1,271
158	Edenwold	4,167
159	Sherwood	929
187	North Qu'Appelle	728
189	Lumsden	1,733

Indian Bands (7)

Indian Band	Population
Kahkewistahaw	523
Muscowpetung	365
Pasqua Indian Reserve	546
Piapot First Nation	464
Standing Buffalo	651
Cowesses Comm. Ctr.	672
White Bear First Nation	738

Summary

<u>Municipalities</u>	<u>Population</u>
2 Cities	21,538
33 Towns	31,917
48 Villages	9,147
56 Rural Municipalities	30,057

7 Indian Bands & Schools

3,959

146

96,618

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 Village of Buena Vista has, in accordance with the Act, passed a bylaw approving the association of the said Southeast Regional Library with every municipality within the regional library boundaries which executes under seal a like agreement;

NOT THIS AGREEMENT WITNESSETH that the Village of Buena Vista 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.

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.

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.

- 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.