

BYLAW No. 97-5


A BYLAW OF THE RURAL MUNICIPALITY OF EXCEL #71
FOR THE PURPOSE OF ENTERING INTO AN AGREEMENT
TO ESTABLISH, OPERATE, AND MAINTAIN A REGIONAL LIBRARY

WHEREAS the Rural Municipality of Excel #71, together with other municipal governments, pursuant to the PUBLIC LIBRARIES ACT, 1996, have associated themselves each with the others in establishing and operating a regional library known as THE PALLISER REGIONAL LIBRARY.

AND WHEREAS the terms of such association to be performed by each of the said municipalities have been set out in the agreement between those municipalities and have been confirmed by bylaw of each of the said municipalities.

NOW THEREFORE the Reeve and Council of the Rural Municipality of Excel #71, in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the Regional Library Bylaw.
2. It shall be lawful for the Rural Municipality of Excel #71 to enter into the an agreement with the said associated municipalities for the purpose as outlined in the agreement.
3. The Reeve and the Administrator is hereby authorized, empowered, and directed to execute the said agreement on behalf of the Rural Municipality, and to attach the Corporate Seal of the Rural Municipality 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. Bylaw No. 86-4 is hereby repealed.


REEVE

(S E A L)


ADMINISTRATOR

CERTIFIED A TRUE COPY OF
BYLAW NO. 97-5, ADOPTED BY
COUNCIL OF THE R.M. OF EXCEL #71
ON JUNE 3, 1997.


REEVE

(S E A L)


ADMINISTRATOR

An Agreement By and Between The Municipalities Comprising The Palliser Regional Library

AGREEMENT made between the municipalities comprising the Palliser Regional Library.

WHEREAS, the *Public Libraries Act, 1996* (the "Act") requires that the council of every municipality within the Palliser 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 R.M. EXCEL No. 71 has in accordance with the Act, passed a bylaw approving the association of the said Palliser Regional Library with every other municipality within the regional library boundaries which executes under seal a like agreement;

NOW THIS AGREEMENT WITNESSETH that the R.M. EXCEL No. 71 of _____ 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, undertaking 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 Palliser Regional Library (the "Library").

2. PURPOSE:

The purpose of the Library shall be to provide public library services within its boundaries in accordance with the Act and Regulations and the Library 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 Palliser Regional Library Board (the "Board") is dissolved in accordance with the Act and Regulations.
- b) The Board shall conduct a review of this Agreement at least once every five years and on the request of any party to the Agreement. A request for a review must be in writing to the secretary of the Board with a copy to the Provincial Librarian.

- c) The 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 this 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 this 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. PALLISER REGIONAL LIBRARY BOARD:

a) Name
 The general management, control and operation of the Library is vested in the Board, to be known as the Palliser Regional Library Board.

b) Board Composition
 The 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 Library.

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

c) Board Powers
 The 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 building 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 consider 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 purpose 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 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 service for the region.

The Board may enter into any agreements or arrangements necessary to facilitate the participation of Aboriginal peoples in the regional library system pursuant to section 66 of the Act.

The 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) **Board Duties**

It is the duty of the 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 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.

- e) The 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. BOARD MEETINGS/QUORUM:

- a) The Board shall meet at least twice a year and at such other times as it deems advisable. The 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 shall be fixed by the Executive Committee.
- c) At all meetings of the Board, members representing 30 percent of the participating municipalities shall form a quorum.

6. EXECUTIVE COMMITTEE:

- a) At its annual meeting, the Board shall elect from among its members a Chairperson and an Executive Committee to carry out the day-to-day business of the Board and the operation of the Library in accordance with the Act.
- b) Any other officers as determined by the Board shall be elected from and by the regional board members in accordance with the Act and the Library Bylaws.
- c) A majority of the members of the Executive Committee present constitute a quorum.

- d) The Director of the Library is the secretary to the Board and to all committees of the Board.
- e) The Executive Committee shall serve with the powers and responsibilities as determined in the Bylaws passed by the 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 Board.

8. FINANCE:

- a) The 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 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 the Board, the Board shall not require any increase in the amount of the grant unless the municipality agrees.
- d) The 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 Board.
- f) The councils of participating municipalities shall ensure that accommodation of local libraries is provide in accordance with the Regulations and contribute financially in an amount determined by the council for the provision and maintenance of that accommodation.
- g) Pursuant to section 6(1) of the Act, the Board has determined that one of the reasonable conditions of service is the payment of the annual levy by each participating municipality. If a participating municipality fails to pay its levy under the terms and conditions outlined in the Library Bylaws, public library service may be removed from residents of the said municipality.

9. DISESTABLISHMENT AND DISPOSAL OF ASSETS:

In the event of the discontinuance of the Library or the dissolution of the 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 provision of the Act or Regulations is severable from this Agreement without in any way invalidating the remaining terms or conditions of this Agreement.

11. APPLICABLE LAW:

This Agreement is to be construed in accordance with the law 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 all the parties, notwithstanding that all parties are not signatory to the same counterpart.

IN WITNESS WHEREOF THE R.M. EXCEL No. 71
hereto affixed its corporate seal and duly attested by the hands of its officers authorized on this behalf this 3rd day of June, 1997.

[Signature] Mayor, Reeve, or Overseer

[Signature] ~~Clerk, Secretary-Treasurer, or Administrator~~

Schedule A
Palliser Regional Library
Associated Municipalities

CITY

Moose Jaw

TOWNS

Assiniboia
Coronach
Craik
Davidson
Imperial
Mossbank
Rockglen
Rouleau
Willow Bunch

VILLAGES

Avonlea
Aylesbury
Belle Plaine
Bethune
Briercrest
Brownlee
Caronport
Chamberlain
Coderre
Dilke
Drinkwater
Elbow
Eyebrow
Fife Lake
Findlater
Girvin
Hawarden
Holdfast
Keeler
Liberty
Limerick
Loreburn
Marquis
Mazenod
Mortlach
Palmer
Pense
Penzance
Riverhurst
St. Victor
Strongfield
Tugaske
Tuxford
Viceroy
Wood Mountain

RESORT VILLAGES

Alice Beach
Etters Beach
Grandview Beach
Mistusinne
North Grove
South Lake
Sun Valley
Wee Too Beach

RURAL MUNICIPALITIES

11 Hart Butte
12 Poplar Valley
42 Willow Bunch
43 Old Post
71 Excel
72 Lake of the Rivers
73 Stonehenge
100 Elmsthorpe
101 Terrell
102 Lake Johnston
103 Sutton
130 Redburn
131 Baildon
132 Hillsborough
133 Rodgers
160 Pense
161 Moose Jaw
162 Caron
163 Wheatlands
190 Dufferin
191 Marquis
193 Eyebrow
221 Sarnia
222 Craik
223 Huron
224 Maple Bush
251 Big Arm
252 Arm River
253 Willner
254 Loreburn