

**BYLAW NO. 2018-11**

**BOARDS AND COMMITTEES BYLAW**

**A BYLAW TO ESTABLISH BOARDS AND GRANT AUTHORITY TO VOLUNTEER COMMITTEES OF THE TOWN OF LEMBERG OWNED RECREATIONAL AND COMMUNITY FACILITIES.**

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WHEREAS it is deemed expedient and in the public interest to establish Boards and Committees for the oversight and operation of certain Town owned facilities to support and facilitate the achievement of the Town of Lemberg's vision and goals, and to advise Council on matters relevant to the committee mandates.

The purpose of this Bylaw is to also document, quantify and clarify the rights and responsibilities of both the rec-facility boards and the Town so as to provide a guide for the relationship between the Town of Lemberg and the boards.

This Bylaw will form the policy for the future relationships between the Town of Lemberg and the rec-facility boards and clubs that utilize the rec-facilities.

NOW THEREFORE the Council of the Town of Lemberg, in the Province of Saskatchewan, enacts as follows:

**PART 1 – SHORT TITLE**

1. This Bylaw may be cited as “The Boards and Committees Bylaw.”

**PART II – DEFINITIONS**

2. In this Bylaw:
  - a) **“Board/Committee”** means a Board/Committee established by Council pursuant to this bylaw, which Board/Committee may consist entirely of Councillors, a combination of Councillors and Members at Large, or entirely of Members at Large.
  - b) **“Council”** means the Council of the Town of Lemberg.
  - c) **“Ex-Officio”** means membership by virtue of one's office. Ex-officio members form part of the quorum only when present at committee meetings, and when present, they shall vote.
  - d) **“Member At Large”** means a member of the public appointed by Council to a Board/Committee pursuant to this Bylaw.
  - e) **“Terms of Reference”** means those terms pertinent to the establishment and mandate of an individual committee and which are in addition to or beyond the parameters of this Bylaw.

- f) Town Owned Rec Facilities are:
- Lemberg Arena
  - Lemberg Curling Rink
  - Community Hall Complex
  - Lemberg Bowling Alley
  - Celebration Park
  - Lemberg Cemetery
  - Lemberg Sportsgrounds
  - Lemberg Driving Range
  - Lemberg Library
- g) **Town** Facility Boards, **Committees** and Organizations are:
- Lemberg Community Hall Complex Board
  - Lemberg Rink Complex Board
  - Lemberg Parkland Regional Library Board
  - Lemberg Recreation Board
  - Lemberg Driving Range Committee
  - Lemberg Youth Program Committee

### **PART III – PURPOSE**

3. The purpose of this bylaw is to govern the establishment and regulation of Council Board/Committees and to deem **Town** Facility Boards, **Committees and** Organizations as committee of council.

### **PART IV – ESTABLISHMENT OF COMMITTEES**

4. a) Council hereby establishes these Board/Committees as set out in Part 2 Section G.
- b) Each Board/Committee is deemed to be a Board/Committee of Council and shall be responsible and accountable to Council.
- c) Board/Committee terms of reference are to be reviewed on an annual basis to ensure that they reflect the current mandate of the Board/Committee with respect to the responsibility conferred upon the Board/Committee by Council.
- d) Each Board/Committee shall submit to Council for ratification, on an annual basis, a list of its members and executive members.
- e) A Board/Committee shall have the authority to form ad hoc Committee and task forces from among its members, to assist it in carrying out its objectives and responsibilities under this Bylaw.
- f) Ad hoc Committees and task forces established by a Board/Committee shall report to the Board/Committee in a manner determined by the Board/Committee.
- g) A Board/Committee may adopt rules, consistent with the provisions of The Municipalities Act or of this Bylaw, governing its conduct and procedures and may vary such rules from time to time by a vote of a two-thirds majority of all the members of the Board/Committee.

h) A Board/Committee shall not have the power to pledge the credit of the Town, to pass bylaws or to enter into any contractual agreements that extend to the Town, without the Town's written express consent.

## **PART V – COMMITTEE DUTIES AND RESPONSIBILITY**

5. The duties of the Board/Committee shall be to:
  - a) Act in an advisory capacity to Council in all matters pertaining to that Board/Committee's mandate and terms of reference, and to cooperate with other governmental agencies and civic groups in the advancement of sound planning and programming.
  - b) Formulate policies on matters pertaining to that Board/Committee's mandate and terms of reference.
  - c) Make periodic assessment of services that exist or may be needed pertaining to that Board/Committee's mandate and terms of reference.
  
6. All Boards/Committees of Council shall provide Council the following by July of each year:
  - a) the most recent financials of the Board/Committee, as well as annual financial statements, by July 1st of each year,
  - b) the report from the most recent Annual General Meeting, as well as annual AGM reports within 60 days of passing,
  - c) an Activity Report, in writing, for the activities of the previous year, as well as annual Activity Reports, by July 1st of each year
  - d) a list of regular users/lessees of the facility managed by the Board/Committee, as well as a yearly updated list of users, by July 1st of each year,
  - e) an annual list of Officials of the Committee, by July 1st of each year.
  
7. The duties of the Board/Committee shall be to (if applicable):
  - a) Manage and operate the facilities.
  - b) Collect for rent and user fees.
  - c) May register for Non-Profit with Corporations Branch.
  - d) Hold regular meeting as required.
  - e) Have control of own bank accounts.
  - f) Provide council with copies of AGM Minutes and Annual Financials.
  - g) Responsible to pay for facility telephone.
  - h) May hire or contract caretaker services.
  - i) All maintenance, upgrades or renovation must comply with building codes.
  - j) All functions serving alcohol must have required permits.
  - k) Maintain a record of major acquisitions or renovation for insurance purpose.
  - l) Request council approval for any major contracts or loans.
  - m) May engage in any fund raising activities.

## **PART VI – RESPONSIBILITIES OF THE TOWN OF LEMBERG**

8. The duties of the Town of Lemberg shall be to (if applicable):
  - a) Retain ownership of the Recreational and Community Facilities.
  - b) Pay:

- Supply water/sewer and garbage pickup at no charge
  - ~~Pay Sask Power and Sask Energy-~~ line removed
- c) Issue building permits for new construction and major renovations.
  - d) Approve loans or major contracts over \$10,000.00.
  - e) Shall resume ownership of all assets in the event of dissolution (Non Profit Corporation regulations).
  - f) Grant the Boards and Committees the autonomy to manage and operate the facilities.
  - g) Have facilities evaluated for Insurance purposes.
  - h) Issue tax receipts for donations.

## **PART VII – INSURANCE**

9. The Board/Committee shall be listed as Additional Insureds under the Town’s liability insurance policy pursuant to the Board/Committee’s duties performed for the Town under this Bylaw.

10. Each Board/Committee is required to provide an Annual list of assets owned by the Board/Committee that is require by our insurance annually by July 1st.

11. Board/Committee appointed to manage municipally owned assets are required to maintain insurance approved by the Town of Lemberg Council. Boards/Committees not requiring insurance through the Town of Lemberg must provide a minimum of one year notice to terminate coverage by July 1 in any year.

12. Should it be necessary for any Board/Committee to make a claim of insurance, property or liability, the Town of Lemberg will be responsible for initiating the claim.

13. The Town shall assume the defence of and safe harmless the Board/Committee from and against all claims, damages, costs, expenses, actions and suits caused by, or arising out of, or in connection with, whether directly or indirectly, the carrying out of the Board/Committee’s duties; or by reason of matter or thing done, permitted or omitted to be done by the Town, its agents, or employees and whether occasioned by the negligence of the Town, its agents, employees or otherwise.

14. The Board/Committee shall obtain Special Events Insurance for any activity that is not in the normal operation of their responsibility.

## **PART VII – PENALTIES**

15. Any Board/Committee who is in contravention of this bylaw will have their insurance cancelled and will be required to maintain their own liability and property insurance.

## **PART IX - COMING INTO FORCE AND EFFECT**

16. This Bylaw shall come into force and take effect upon third reading thereof.

[SEAL]

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Mayor

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Administrator

First Reading:  
Second Reading:  
Third and Final Reading:

Certified a True Copy of Bylaw 2018-11  
adopted by Resolution of the Council  
of the Town of Lemberg, in the  
Province of Saskatchewan on  
the      day of                      , 2018.

seal

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Administrator