

TOWN OF BIRCH HILLS
BYLAW 5/97

A BYLAW TO AUTHORIZE A REVISED MUNICIPAL AGREEMENT BY AND BETWEEN THE MUNICIPALITIES COMPRISING THE WAPITI REGIONAL LIBRARY.

WHEREAS the TOWN OF BIRCH HILLS, in the Province of Saskatchewan, is a member of the Wapiti Regional Library, organized pursuant to the Public Libraries Act, 1996, under agreement enter into, by and between the municipalities comprising the Wapiti Regional Library.

AND WHEREAS it is deemed desirable to enter into a new agreement to be effective on, from and after the 1st day of January 1997.

NOW THEREFORE, the Council of the TOWN OF BIRCH HILLS, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw shall be known as the "Regional Library Bylaw 5/97.
2. Danny Birkland, Mayor and Darlene Cochrane, Administrator of the TOWN OF BIRCH HILLS are hereby authorized, empowered and directed to execute the agreement hereto attached and identified as the Wapiti Regional Library Municipal Agreement.

INTRODUCED AND READ A FIRST TIME THIS 22ND DAY OF APRIL 1997.

READ A SECOND TIME THIS 22ND DAY OF APRIL 1997.

READ A THIRD TIME AND PASSED BY COUNCIL THIS 22ND DAY OF APRIL 1997.



Mayor

Administrator

Certified a true copy
of Bylaw 5/97 passed by
Council this 22nd day of
April 1997.

Administrator

Wapiti Regional Library

Municipal Agreement



1997

**An agreement by and between the
municipalities comprising the Wapiti Regional Library**

AGREEMENT made between the municipalities comprising the **Wapiti Regional Library**.

WHEREAS, *The Public Libraries Act, 1996* requires that the council of every municipality within the Wapiti 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 Town [~~city, town, village,~~ ~~or rural municipality~~] of Birch Hills [name of municipality] has, in accordance with *The Public Libraries Act, 1996*, passed a bylaw approving the association of the said Wapiti Regional Library with every other municipality within the regional library boundaries which executes under seal a like agreement.

NOW THIS AGREEMENT WITNESSETH that the Town [~~city, town,~~ ~~village, or rural municipality~~] of Birch Hills [name of municipality] hereby agrees to associate with every other municipality within the regional library boundaries in the establishment and operation of a regional library pursuant to *The Public Libraries Act, 1996*, and the Regulations thereunder, (the "Regulations") and upon the following covenants, undertakings and conditions:

1. ASSOCIATION:

The associated 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 Wapiti Regional Library.

2. PURPOSE:

- a) The purpose of said regional library shall be to provide public library services within its boundaries in accordance with the Act, Regulations and regional library board bylaws and policy statements as amended from time to time.

3. TERM:

- a) The regional library 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 the agreement at least once every five (5) 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 twelve (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 shall 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 the regional library is vested in the regional library board, to be known as Wapiti Regional Library.
- b) Regional Library Board Composition
The regional library board is a corporation, consisting of one (1) 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 monies 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.

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, 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.

- e) The regional library board shall not be 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 Wapiti 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 Wapiti 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 Wapiti 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 Wapiti Regional Library Board.

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

g) The Wapiti Regional Library Board has determined that a "reasonable condition" for service is payment of the public library levy by the municipality in which a patron resides. [Public Libraries Act - 1996 6 (1) and Wapiti Regional Library Bylaws 7.5].

If a municipality fails to pay its levy under the terms and conditions provided for in the Wapiti Regional Library Bylaws, the Wapiti Regional Library Board shall withdraw public library service from said residents one hundred and twenty (120) days after the due date.

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 the Province of Saskatchewan.

12. COUNTERPART:

This agreement may be executed in any number of counterparts and all these counterparts shall for all purposes constitute one (1) agreement, binding on the parties, not withstanding that all parties are not signatory to the same counterpart.

SCHEDULE "A"
WAPITI REGIONAL LIBRARY

PARTICIPATING MUNICIPALITIES

| Cities | Villages | Rural Municipalities |
|----------------------------|-----------------------------|----------------------------|
| City of Prince Albert | Village of Albertville | RM of Arborfield #456 |
| City of Melfort | Village of Alvena | RM of Barrier Valley #397 |
| | Village of Archerville | RM of Birch Hills #460 |
| TOTAL CITIES (2) | Village of Aylsham | RM of Bjorkdale #426 |
| | Village of Beauty | RM of Big River #555 |
| A Towns | Village of Big Shell | RM of Blaine Lake #434 |
| Town of Hudson Bay | Village of Bjorkdale | RM of Buckland #491 |
| Town of Humboldt | Village of Candle Lake | RM of Canwood #494 |
| Town of Nipawin | Village of Canwood | RM of Connaught #457 |
| Town of Tisdale | Village of Carragana | RM of Duck Lake #463 |
| | Village of Chitek Lake | RM of Fish Creek #402 |
| TOTAL A TOWNS (4) | Village of Christopher Lake | RM of Flett's Springs #429 |
| | Village of Codette | RM of Garden River #490 |
| | Village of Debden | RM of Grant #372 |
| | Village of Domremy | RM of Hoodoo #401 |
| | Village of Echo Bay | RM of Hudson Bay #394 |
| | Village of Leask | RM of Humboldt #370 |
| B Towns | Village of Leoville | RM of Invergordon #430 |
| Town of Arborfield | Village of Love | RM of Kinistino #459 |
| Town of Big River | Village of Marcelin | RM of Lakeland #521 |
| Town of Birch Hills | Village of Meath Park | RM of Lake Lenore #399 |
| Town of Blaine Lake | Village of Middle Lake | RM of Leask #464 |
| Town of Carrot River | Village of Mistatim | RM of Moose Range #486 |
| Town of Choiceland | Village of Paddockwood | RM of Nipawin #487 |
| Town of Cudworth | Village of Parkside | RM of Paddockwood #520 |
| Town of Duck Lake | Village of Pebble Baye | RM of Pleasantdale #398 |
| Town of Kinistino | Village of Pilger | RM of Porcupine #395 |
| Town of Naicam | Village of Pleasantdale | RM of Prince Albert #491 |
| Town of Porcupine Plain | Village of Prud'homme | RM of St. Louis #431 |
| Town of Shellbrook | Village of Ridgodalc | RM of Shellbrook #493 |
| Town of Spiritwood | Village of Shell Lake | RM of Spiritwood #496 |
| Town of Star City | Village of Smeaton | RM of Star City #428 |
| Town of Vonda | Village of St. Benedict | RM of Three Lakes #400 |
| Town of Wakaw | Village of St. Louis | RM of Tisdale #427 |
| | Village of Tobin lake | RM of Torch River #488 |
| | Village of Valparaiso | RM of Willow Creek #458 |
| TOTAL B TOWNS (16) | Village of Wakaw | |
| | Village of Weekes | TOTAL RURAL |
| | Village of Weirdale | MUNICIPALITIES (36) |
| | Village of Weldon | |
| | Village of White Fox | |
| | Village of Yellow Creek | |
| | Village of Zenon Park | |
| TOTAL VILLAGES (44) | | |

IN WITNESS WHEREOF THE

MUNICIPALITY OF

THE TOWN OF BIRCH HILLS

Address: Box 206

Birch Hills, Sask.

Seal

Phone: 1-306 - 749-2232

Fax: 1-306 - 749-2220

hereto affixed its corporate seal and duly attests by the hands of its officer authorized in

this behalf this 22nd day of April month A.D. 1997 year.

Mayor/Reeve
or Overseer 

Clerk or
Secretary-Treasurer 



Wapiti Regional Library
145 - 12th Street East
Prince Albert, Saskatchewan
S6V 1B7
Phone: 1-306-764-0712
Fax: 1-306-922-1516