

**TRIVILLAGE REGIONAL SEWAGE SERVICES COMMISSION  
(THE "COMMISSION")**

**BYLAW NO. 14-2021**

**BEING A BYLAW RESPECTING THE PROVISION OF SERVICES AND THE ADMINISTRATION OF  
THE COMMISSION**

**WHEREAS:**

- A. the Commission has been established by Ministerial Order;
- B. pursuant to Section 602.09(1)(b) of the *Municipal Government Act*, the Commission must pass a bylaw respecting the process for changing the Directors of the Board and the Chair of the Commission, and for setting the terms of office for the Directors of the Board and the Chair; and

**NOW THEREFORE** the Board of Directors of the Commission enacts the following:

**1. DEFINITIONS**

- 1.1. "Act" means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;
- 1.2. "Board" means the Board of Directors of the Commission;
- 1.3. "Chair" means the Chairperson of the Board;
- 1.4. "Commission" means the TriVillage Regional Sewage Services Commission;
- 1.5. "Committee" means any committee appointed by the Board in accordance with this Bylaw;
- 1.6. "Director" means a person appointed to the Board of Directors of the Commission in accordance with this Bylaw;
- 1.7. "Member" or "Members" means the member municipal authorities as set out in the Ministerial Order;
- 1.8. "Secretary-Treasurer" has the meaning ascribed to it in Article 5 herein; and
- 1.9. "Vice-Chair" means the Vice-Chairperson of the Board.

**2. REPEAL**

- 2.1. This Bylaw repeals and replaces Commission Bylaw No. 5-02 and Commission Bylaw No. 6-07.

**3. OBJECT**

- 3.1. The Commission shall supply sewage transmission and treatment services to all Members and such additional persons as the Board may determine from time to time.

#### 4. BOARD MEETINGS AND COMMITTEE MEETINGS

- 4.1. The Board shall meet on such date, time, and place as may be directed by the Chair or as may be determined from time to time by the Board.
- 4.2. A quorum for meetings of the Board shall be three (3) Directors consisting of one (1) representative from each Member municipality.
- 4.3. The meetings of any Committee shall be held on such date, time, and place as may be directed by the Chair of such Committee or as may be determined from time to time by the Board.
- 4.4. Meetings may be held by telephone, electronic (such as video conferencing), or other communication facility that permits all participants to communicate adequately with each other during a meeting, should the Chair or Vice-Chair and the Secretary-Treasurer deem it necessary or appropriate to do so. Any person participating in a meeting by such means is deemed to be present at the meeting and may vote by means of any telephonic, electronic or other communication facility that the Commission has made available for that purpose.

#### 5. DUTIES OF BOARD, CHAIR, AND VICE-CHAIR

- 5.1. The duties of the Board shall include the following
  - 5.1.1. presiding over the general direction and supervision of the affairs and business of the Commission;
  - 5.1.2. appointing Committees consisting of its Directors from time to time for the furtherance of the objects of the Commission and, in so doing, delegating any of the powers or duties of the Board except those powers and duties that may not be delegated pursuant to Part 15.1 of the Act;
  - 5.1.3. causing the Commission to enter into contracts with any person or corporation or municipality for the provision of any service or commodity necessary for the efficient operation of the Commission;
  - 5.1.4. appointing a chairperson to act as such at any meeting in the absence of both the Chair and the Vice-Chair; and
  - 5.1.5. any other duties or activities as outlined in this Bylaw.
- 5.2. The duties of the Chair shall include the following:
  - 5.2.1. setting the time, date, and place of meetings of the Board and providing notice to the Directors of the same;
  - 5.2.2. preserving order and deciding on all questions of order; and
  - 5.2.3. any other duties or activities which may be delegated by the Board to the Chair from time to time.
- 5.3. The duties of the Vice-Chair shall include the following:
  - 5.3.1. fulfilling the duties of the Chair in the absence of the Chair; and

- 5.3.2. any other duties or activities which may be delegated by the Board to the Vice-Chair from time to time.

## **6. SECRETARY-TREASURER AND OTHER OFFICIALS**

- 6.1. The Board shall appoint a Secretary-Treasurer who shall act as the chief administrative officer of the Commission.
- 6.2. The duties and responsibilities of the Secretary-Treasurer shall include the following:
- 6.2.1. advising the Board of all information relevant and necessary for the performance of its legislated duties and responsibilities and of alternatives for policy development;
- 6.2.2. reporting to the Board on all matters which will or may be relevant to their responsibilities as the governing body; and
- 6.2.3. performing such other duties related to the mandate as the Board may direct from time to time.
- 6.3. The Board shall appoint such other officials as the Board deems necessary from time to time to serve the needs of the Commission. The Board shall define the duties and responsibilities of any such official so appointed.

## **7. SEAL**

- 7.1. The Board shall adopt a seal of the Commission and the seal shall be in the custody of the Secretary-Treasurer under the control of the Board.

## **8. FINANCIAL REPORTS AND BANKING**

- 8.1. The Board shall cause to be kept proper books of account and records and such books of accounts and records together with all papers and other documents relating to the Commission shall be kept at the office of the Commission and shall be open during regular Board meetings for inspection and examination by any Director of the Board.
- 8.2. The Board shall appoint an auditor or auditors who shall be a member or members of the Institute of Chartered Accountants who shall audit the accounts and affairs of the Commission in accordance with the requirements of the Act.
- 8.3. The Board shall cause minutes to be made and books to be provided for the purpose of recording all resolutions passed by and of all proceedings of any meeting of the Board and any Committee and shall cause to be recorded the names of all persons present at such meeting.
- 8.4. The Board shall at all times ensure that the requirements of the Act relating to the delivery of reports, financial statements, and information to the Members of the Commission are met.
- 8.5. The Board shall from time to time appoint a bank or banks as banker or bankers for the Commission and the Board shall designate those officials and Members of the Board who are authorized to sign cheques on behalf of the Board.

**9. HONORARIA AND EXPENSES FOR BOARD DIRECTORS**

9.1. The Board shall from time to time designate the remuneration payable to the Directors of the Board and provide for the reimbursement of Directors and their alternates for expenses incurred in the course of their duties as Directors.

**10. AMENDMENTS**

10.1. A bylaw to amend this Bylaw does not come into force until the bylaw is passed by a majority of the Board.

READ A FIRST TIME this 16<sup>TH</sup> day of SEPTEMBER, 2021

READ A SECOND TIME this 16<sup>TH</sup> day of SEPTEMBER, 2021

READ A THIRD TIME and duly passed this 16<sup>TH</sup> day of SEPTEMBER, 2021

  
CHAIRPERSON

  
CAO