

SUMMER VILLAGE OF MEWATHA BEACH

Bylaw 4/95

A Bylaw of the Summer Village of Mewatha Beach, in the Province of Alberta, for the purpose of entering into an agreement to establish an intermunicipal agency.

WHEREAS the municipal Council of the Summer Village of Mewatha Beach desires to authorize the execution of the Agreement attached as Schedule "A" to this bylaw for the establishment of an intermunicipal agency known as the Alberta Municipal Safety Codes Services Commission; and

WHEREAS the members of the Alberta Municipal Safety Codes Service Commission, recognizing their independence and collective strengths, desire to work together to:

- a. provide quality Safety Code services in a cost effective manner where required by a member;
- b. eliminate duplication of service by making documentation available to its members;
- c. encourage cooperation and collaboration among members in accordance with Schedule "A" attached hereto.

WHEREAS the Municipal Government Act, cM-26.1, Statutes of Alberta 1994, allows a municipality to enter into an agreement with other municipalities for the performance of any matter or thing judged to be of benefit to them; and

WHEREAS the Safety Codes Act, Statutes of Alberta, 1991, allows two or more municipalities to be jointly authorized to administer in common, all or part of the Act; and

WHEREAS the Council of the Summer Village of Mewatha Beach considers it beneficial to enter into an agreement with certain other municipalities for the provision of certain services;

NOW THEREFORE, the municipal Council of the Summer Village of Mewatha Beach, in the Province of Alberta, duly assembled herein enacts as follows:

1. The Agreement establishing an intermunicipal committee to be known as the Alberta Municipal Safety Codes Service Commission, a copy of which is attached hereto, is hereby ratified and approved; and the Mayor and Administrator are hereby authorized to execute the said agreement for and on behalf of the Summer Village of Mewatha Beach.
2. This bylaw shall come full force and effect upon third reading.

Read a 1st time this 19th day of June A.D. 1995.

Read a 2nd time this 19th day of June A.D. 1995.

Read a 3rd time this 19th day of June A.D. 1995 with unanimous consent and passed.


Mayor - Barry Walker


Administrator - Don Baillie

BYLAW 4/95

MASTER AGREEMENT FOR MEMBERSHIP IN THE
ALBERTA MUNICIPAL SAFETY CODES SERVICE COMMISSION (PROTEM)
ENTERED EFFECTIVE JUNE 19th, 1995

BETWEEN:

SUMMER VILLAGE OF MEWATHA BEACH

AND

EACH OF THE MUNICIPALITIES WHO HAVE
EXECUTED THIS AGREEMENT IN COUNTERPART

AUTHORITY

WHEREAS the Municipal Government Act, c.M-26.1, Statutes of Alberta 1994, allows a municipality to enter into an agreement with other municipalities for the performance of any matter or thing judged to be of benefit to them; and

WHEREAS the Safety Codes Act, Statutes of Alberta, 1991, allows two or more municipalities to be jointly authorized to administer in common, all or part of the Act: and

WHEREAS the municipalities executing this agreement wish to set up an inter municipal organization to provide them with an inter municipal commission for the administration and performance of services including Safety Code Services previously provided by the Department of Labor.

THEREFORE the municipalities (the "members") agree as follows:

PREAMBLE

Whereby the members of the Alberta Municipal Safety Codes Service Commission (Protem), recognizing their interdependence and collective strengths, hereby resolve to work together to:

- a) Provide Quality Safety Code Services in a cost effective manner where required by a member;
- b) Eliminate duplication of services by providing applicable documentation to its members;
- c) Encourage cooperation and collaboration among members in accordance with this agreement.



PART 1

1. Establishment of Commission

- 1.1 There is hereby established a joint municipal body to be known as the Alberta Municipal Safety Codes Service Commission (Protem) (the "Commission").

PART 2

2. Initial Organizational Meeting

- 2.1 As soon as possible, after five municipalities have by letter of intent agreed to join the Commission, the Commission shall hold an Initial Organization Meeting at which an interim Chairman, Vice Chairman, and first Executive Committee shall be elected with all powers set out below, to hold office until the first annual meeting prior to June 30th, 1995.

PART 3

3. The Board of Directors

- 3.1 a. All municipal elected officials are to be associated representatives of the new Commission and may attend the annual general meeting. All associate members may also attend Board meetings as observers.
- b. The Board of Directors is to be composed of elected representatives of the member municipalities who have agreed to the terms of membership outlined in Part 7. Representation will be based on one elected official for each member municipality.
- c. The Board of Directors, from time to time, may appoint such committees as it considers necessary.
- 3.2 Unless the Board decides otherwise, it shall meet at the call of the Chair.
- 3.3 A quorum for members of the Board shall be forty percent of the members plus one.



3.4 The Board's duties shall be to oversee the operations of the Commission; including, but not necessarily limited to, the following:

- a. to contract the Manager to act as the Executive Director of the organization and, if necessary, to release any such Manager;
- b. to set a budget for the forthcoming year;
- c. to appoint signing authorities for cheques, contracts and other documents;
- d. to appoint an auditor;
- e. to ensure that the Commission is fully insured against claims that may be made for negligence or other liability;
- f. to insure that any surplus funds are returned to members in a fair manner;
- g. to provide formal approval of private contracts with Safety Codes Officers.

3.5 Members of the Executive Committee may receive an honorarium for their attendance.

- 3.6
- a. The Commission shall be governed by an Executive Committee. It is composed of five elected members, including the Chairman and Vice-Chairman of the Commission, with each officer having one vote. These are elected by the Commission at the annual meeting.
 - b. The Executive Committee provides ongoing advice to the Manager on general policy matters and the Manager implements the Commission's financial and personnel policy in consultation with the Executive Committee.



PART 4

4. Administration

- 4.1 In order to provide the services contemplated under this agreement, the Commission may;
- a. enter into service agreements with non-member municipalities;
 - b. sell its services to non-member municipalities where required;
 - c. sell its services to the private sector where required;
 - d. enter into leases for office space and equipment; and
 - e. purchase and dispose of assets such as office equipment, computer hardware and software, and other things necessary to undertake Safety Codes work for the members.

PART 5

5. Operations and Sources of Funds

- 5.1 Operational start-up costs may be financed in part by the collection of an initial membership fee.
- 5.2 The Commission will provide its members with services, in accordance with the permit fee schedule adopted by the board at the annual meeting.
- 5.3. The operations of the Commission will be financed in part by collection of the permit fees for the services requested by the members.
- 5.4 The Commission may sell goods and services to municipalities which are not members of the Commission, other governments and the private sector at fees or within a range of fees established by the Board from time to time.
- 5.5 The Commission may pursue other sources of income as authorized by the Board but the Board may not levy any increased amount on members other than the annual adoption of the permit fee schedule.




PART 6

6. Fiscal Year and Inspection of Books and Records

- 6.1 The Commission's fiscal year shall be January 1st to December 31st.
- 6.2 The financial books and records shall be maintained in such a manner as may be designated by the Board from time to time.
- 6.3 The books and records of the Commission shall be open to the inspection of the authorized representatives of the parties hereto at all times.

PART 7

7. Membership

- 7.1 Membership in the Commission by a municipality is automatic when a municipality by bylaw enters into this agreement and pays the one time membership fee, as outlined in Schedule 1, prior to June 21st of 1995.
 - 7.2 In subsequent years, notice of intent to join must be received by the Executive Director by September 30th, with the appropriate membership fee due on or before December 31st of that same year.
 - 7.3 Membership of the Commission is ongoing and does not require reaffirmation by members.
 - 7.4 A member may terminate its membership in the Commission upon three months notice being given, in the form of a resolution of its Council, prior to the end of the term and the annual review of the Quality Management Plan.
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7.5 Upon termination of membership under clause 7.4, a member;

- a. shall not be entitled to any distribution or share of any assets of the Commission.
- b. shall be entitled to all files, records and documents respecting the Safety Code Services which have been provided by the Commission to such member.

PART 8

8. The Manager

8.1 The Manager shall:

- a. be the Executive Director and financial officer of the Commission;
- b. engage and dismiss staff according to the budget and any policy directions received from the Board;
- c. oversee the work of the office and allocate responsibilities to employees;
- d. provide services to the members as a "Working Manager"; and
- e. be proactive in the future development of the Commission.

8.2 The Manager will:

- a. be qualified in no less than three disciplines under the Safety Codes Act;
- b. have a thorough knowledge of the Safety Codes Act;
- c. have proven management experience; and
- d. maintain contact and liaison with the Board, the Government, the Safety Codes Council, and with the public.



PART 9

9. Committees

9.1 The Commission shall establish;

- a. such committees, as may be required from time to time, to fulfill the roles and perform the duties of the Commission; and
- b. confer decision making authority on the committee; other than policy, finance, and other matters otherwise specifically provided for elsewhere in this agreement.

PART 10

10. Annual Meetings

10.1 The annual meeting of the Commission shall be held before June 30th of each year.

10.2. Each Commission member has the opportunity to be represented by a person(s) appointed by resolution of its Council

10.3 Each Commission member is entitled to attend the annual meeting and to vote on all matters.

10.4 Each member shall have one vote.

10.5 At the annual meeting, the Executive Director shall present the audited financial statements and shall report on the activities of the past year.

10.6 At the annual meeting, the Chairman shall present the budget for the fiscal year for adoption by the members.

10.7 At the annual meeting, the members shall elect the Chairman, Vice Chairman and members of the Executive Committee.



PART 11

11. Subscription to Services

- 11.1 Members may choose desired services in accordance with Schedule 2.
- 11.2 Members may add or delete services upon three months notice being given, in the form of a resolution of their Council, prior to the end of the term and the annual review of the Quality Management Plan.

PART 12

12. Date of Commencement

- 12.1 The Commission shall come into existence when at least five municipalities have issued a letter stating their intent to enact the necessary bylaw and sign this agreement.

PART 13

13. Termination

- 13.1 This agreement may be terminated and the Commission may be wound up by resolution passed, at the annual meeting or at a special meeting called by not less than five members upon 30 days prior written notice to all members, by a two-thirds majority present and voting.
- 13.2 If it is determined that the Commission be wound up, the net assets after payment of all liabilities, shall be distributed to the members at that time in proportion to their permit purchase of the previous 3 years.

PART 14

14. Amendment of this Agreement

- 14.1 This agreement may be amended at the annual meeting or at a special meeting called by not less than five members upon 30 days prior written notice to all other members by resolution passed by a two-thirds majority of the members present and voting.

A handwritten signature in dark ink, appearing to be 'fws', is located in the bottom right corner of the page.

PART 15

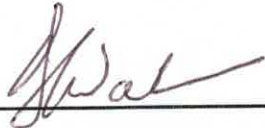
15. Execution in Counterpart

- 15.1 This agreement may be executed in counterpart and shall be binding upon and be enforceable by all of the municipalities so executing the same.

EXECUTED this 19th day of JUNE, 1995

SUMMER VILLAGE OF MEWATHA BEACH
(Name of Municipality)

Per: Barry Walker, Mayor



Per: D.C. (Don) Baillie, Administrator

(c/s)



SCHEDULE 1

Membership Fees:

| | |
|-----------------|-----------|
| Cities | \$1500.00 |
| Towns | \$1200.00 |
| M.D.'s | \$1200.00 |
| Counties | \$1200.00 |
| Villages | \$ 900.00 |
| Summer Villages | \$ 600.00 |

The one time membership fee is due prior to June 21st 1995

SCHEDULE 2

| Service Offered | Required | Not Required |
|------------------------------|----------|--------------|
| Building | | |
| Plumbing | | |
| Gas | | |
| Electrical | | |
| Elevators | | |
| Amusement Rides | | |
| Public Ropeways | | |
| Boilers and Pressure Vessels | | |
| Fire (Inspection) | | |
| Fire (Investigation) | | |

The appropriate boxes should be checked and initialed by the Mayor/Reeve.

