

RURAL MUNICIPALITY OF DUFFERIN

BY-LAW NO. 1756

Being a by-law of the Rural Municipality of Dufferin to authorize an amendment to the public recreation commission in conjunction with the Town of Carman and the Dufferin Agricultural Society.

WHEREAS Section 232(1) of The Municipal Act provides as follows:

“A council may pass by-laws for municipal purposes respecting the following matters: ...


- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation; ...”, and

WHEREAS it is expedient to amend the make up of the public recreation commission in conjunction with the Town of Carman and the Dufferin Agricultural Society; now

THEREFORE the Rural Municipality of Dufferin enacts as follows:

1. THAT the Rural Municipality of Dufferin does hereby agree to enter into an agreement with the Town of Carman and the Dufferin Agricultural Society for the purpose of amending the public recreation commission in accordance with the terms and provisions of an agreement in the form annexed hereto as Schedule “A”.
2. THAT upon the Council of the Town of Carman passing a by-law similar hereto and upon property authorization from the Dufferin Agricultural Society, the Reeve and Chief Administrative Officer do and they are hereby authorized to execute such agreement and to affix the corporate seal of the Rural Municipality of Dufferin thereto.
3. THAT By-Law No. 1605 and 1666 of the Rural Municipality of Dufferin be and hereby is repealed.
4. THAT this by-law shall be in full force and effect on the 1st day of January A.D., 2003.

DONE AND PASSED as a by-law of the Rural Municipality of Dufferin in open Council duly assembled in the Town of Carman in the Province of Manitoba, this the 2nd day of December A. D. 2002.



Reeve



Chief Administrative Officer

Read a first time this the 8th day of October A.D., 2002.

Read a second time this 2nd day of December A. D. 2002.

Read a third time this 2nd day of December A. D. 2002.

TOWN OF CARMAN

BY-LAW NO. 02/1854

Being a by-law of the Town of Carman to authorize an amendment to the public recreation commission in conjunction with the Rural Municipality of Dufferin and the Dufferin Agricultural Society.

WHEREAS Section 232(1) of *The Municipal Act* provides as follows:

“A council may pass by-laws for municipal purposes respecting the following matters: ...

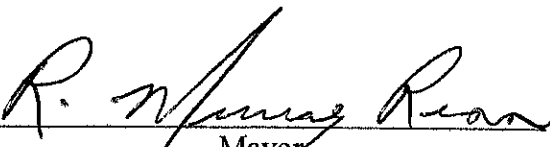
- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation; ...”, and

WHEREAS it is expedient to amend the make up of the public recreation commission in conjunction with the Rural Municipality of Dufferin and the Dufferin Agricultural Society; now

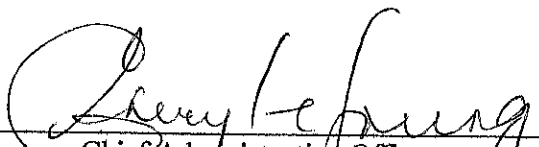
THEREFORE the Council of the Town of Carman enacts as follows:

1. THAT the Town of Carman does hereby agree to enter into an agreement with the Rural Municipality of Dufferin and the Dufferin Agricultural Society for the purpose of amending the public recreation commission in accordance with the terms and provisions of an agreement in the form annexed hereto as Schedule “A”.
2. THAT upon the Council of the Rural Municipality of Dufferin passing a by-law similar hereto and upon property authorization from the Dufferin Agricultural Society, the Mayor and Chief Administrative Officer do and they are hereby authorized to execute such agreement and to affix the corporate seal of the Town of Carman thereto.
3. THAT By-Law No. 90/1655 and 94/1751 of the Town of Carman be and hereby is repealed.
4. THAT this by-law shall be in full force and effect on the 15th day of November A. D., 2002.

DONE AND PASSED as a by-law of the Town of Carman in open Council duly assembled in the Town of Carman in the Province of Manitoba, this 14th day of November A. D. 2002.



Mayor

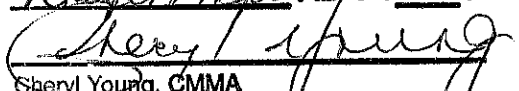


Chief Administrative Officer

Read a first time this 26th day of September A. D. 2002.
Read a second time this 10th day of October A. D. 2002.
Read a third time this 14th day of November A. D. 2002.

Certified to be a true and correct copy. Dated at the Town of Carman, Province of Manitoba this

this 10th day of November AD 2002



Cheryl Young, CMMA
Chief Administrative Officer
Town of Carman

TOWN OF CARMAN

BY-LAW NO. 02/1854

- (i) All those members appointed by the Town of Carman shall be residents of the said Town.
- (ii) All those members appointed by The Rural Municipality of Dufferin shall be residents of the said Rural Municipality.
- (iii) The six member-at-large appointments shall be made by the Rural Municipality of Dufferin and Town of Carman as follows:

Rural Municipality of Dufferin – three;
Town of Carman – three.

Such appointments to be made in each year of the year of a regular municipal election and shall be for the term of four years coinciding with the terms of the elected council members.

- (c) The appointment of the chairman of the Commission shall in each and every year be made from among those members of the Commission, and for no more than a two-year term.
- (d) The members of the Commission, unless they are disqualified by reason of place of residence, shall be eligible for reappointment.
- (e) The Commission shall annually appoint a Secretary-Treasurer, who shall hold office for a term of one year, but shall be eligible for reappointment.
- (f) Where the Chairman or Secretary-Treasurer is absent or unable to act, the Commission may appoint a temporary Chairman or Secretary-Treasurer.

All orders and proceedings of the Commission shall be entered in books to be kept for that purpose and shall be signed by the Chairman and the Secretary-Treasurer.

Proper books of account, showing all receipts and disbursements of moneys shall be kept by the Secretary-Treasurer. All moneys received shall be deposited with all due dispatch in an account in a chartered bank or credit union to the credit of the Commission and all disbursements shall be made by cheques thereon signed by the Chairman and the Secretary-Treasurer. The Secretary-Treasurer shall supply monthly statements to the members of the Commission.

The members of the Commission appointed by the Rural Municipality of Dufferin shall serve with compensation as established for all committee members at large by resolution of Council. Other members of the Commission shall serve without compensation, but each member shall be entitled to receive his/her actual disbursements for expenses in visiting or superintending recreation facilities in the Town or Municipality when the visit or service is made or rendered by the direction of the Commission.

RURAL MUNICIPALITY OF DUFFERIN

BY-LAW NO. 1756

SCHEDULE "A"

This agreement made in duplicate this 14th day of November A. D. 2002.

BETWEEN

THE TOWN OF CARMAN

of the first part,

- and -

THE RURAL MUNICIPALITY OF DUFFERIN

of the second part,

- and -

THE DUFFERIN AGRICULTURAL SOCIETY

of the third part.

The parties hereto, pursuant to the authority granted them under Section 232(1) of *The Municipal Act*, do hereby amend the make up of the public recreation known as the Carman Dufferin Public Recreation Commission , hereinafter referred to as the "Commission".

The Commission shall operate, supervise and control all public recreation grounds and facilities in the community, as designated by the councils of The Town of Carman and The Rural Municipality of Dufferin.

The Commission shall strive to establish such recreation grounds and facilities which may be deemed necessary by the Commission to carry on a comprehensive recreation program.

The Commission shall encourage, initiate and supervise the public recreation program, which will include physical recreation, social recreation, artistic and group recreation, intellectual recreation and audience entertainment, continually striving to meet the recreation needs of the community.

The Commission shall be composed of nine members, to be appointed as follows:

- (a) The Dufferin Agricultural Society shall appoint one member. This member shall hold office for a term of one year or until their respective successor is appointed.
- (b) The Town of Carman shall appoint one member of the Council of the said Town and The Rural Municipality of Dufferin shall appoint one member of the Council of the said Rural Municipality. The members of the respective councils appointed to the Commission shall hold office for a term of one year or until their respective successors are appointed.

RURAL MUNICIPALITY OF DUFFERIN

BY-LAW NO. 1756

The remaining six members of the Commission shall be appointed by The Town of Carman and The Rural Municipality of Dufferin in the manner and for the terms of office and under the conditions hereinafter set forth:

- (i) All those members appointed by the Town of Carman shall be residents of the said Town.
- (ii) All those members appointed by The Rural Municipality of Dufferin shall be residents of the said Rural Municipality.
- (iii) The six member-at-large appointments shall be made by the Rural Municipality of Dufferin and Town of Carman as follows:

Rural Municipality of Dufferin – three;
Town of Carman – three.

Such appointments to be made in each year of the year of a regular municipal election and shall be for the term of four years coinciding with the terms of the elected council members.

- (c) The appointment of the chairman of the Commission shall in each and every year be made from among those members of the Commission, and for no more than a two-year term.
- (d) The members of the Commission, unless they are disqualified by reason of place of residence, shall be eligible for reappointment.
- (e) The Commission shall annually appoint a Secretary-Treasurer, who shall hold office for a term of one year, but shall be eligible for reappointment.
- (f) Where the Chairman or Secretary-Treasurer is absent or unable to act, the Commission may appoint a temporary Chairman or Secretary-Treasurer.

All orders and proceedings of the Commission shall be entered in books to be kept for that purpose and shall be signed by the Chairman and the Secretary-Treasurer.

Proper books of account, showing all receipts and disbursements of moneys shall be kept by the Secretary-Treasurer. All moneys received shall be deposited with all due dispatch in an account in a chartered bank or Credit Union to the credit of the Commission and all disbursements shall be made by cheques thereon signed by the Chairman and the Secretary-Treasurer. The Secretary-Treasurer shall supply monthly statements to the members of the Commission.

RURAL MUNICIPALITY OF DUFFERIN

BY-LAW NO. 1756

The members of the Commission appointed by the Rural Municipality of Dufferin shall serve with compensation as established for all committee members at large by resolution of Council. Other members of the Commission shall serve without compensation, but each member shall be entitled to receive his/her actual disbursements for expenses in visiting or superintending recreation facilities in the Town or Municipality when the visit or service is made or rendered by the direction of the Commission.

The Commission shall annually present its budget to the councils of The Town of Carman and the Rural Municipality of Dufferin on or before the thirty-first day of January and shall annually arrange to meet with the said councils at as early a date in each year as it is convenient for the purpose of discussing such budget and the means whereby the necessary moneys can be provided.

No member of the Commission or member of the council shall have any contract with the Commission, or have any pecuniary interest, directly or indirectly, in any contract or work relating to the Commission, its activities, or its property. No such person shall be deemed to have any contract or to be pecuniarily interested by reasons of being a shareholder in an incorporated company having dealings or contract with the Commission unless he holds a beneficial interest, direct or indirect, of fifty percent (50%) or more of the issued capital stock of the incorporated company.

The books and financial affairs of the Commission shall be audited annually by one of the municipal auditors of either the Town of Carman or the Rural Municipality of Dufferin to be selected annually by the Councils of the Town of Carman and the Rural Municipality of Dufferin to audit the municipal books of the parties hereto and the report of the auditors shall be made available to the parties hereto forthwith upon its receipt.

IN WITNESS WHEREOF The Town of Carman and The Rural Municipality of Dufferin and The Dufferin Agricultural Society have caused their respective corporate seals to be hereunder affixed, duly attested by the hands of their respective proper officers in that behalf on the day and date first above written.

Reeve
Rural Municipality of Dufferin

Chief Administrative Officer
Rural Municipality of Dufferin

Mayor
Town of Carman

Chief Administrative Officer
Town of Carman

President
Dufferin Agricultural Society

Secretary
Dufferin Agricultural Society