

The Organized Hamlet Regulations, 1990

Repealed

by Chapter M-36.1 Reg 1 (effective January 1, 2006).

Formerly

Chapter R-26.1 Reg 1
(effective January 25, 1990).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

1	Title	11	Vacancies
2	Interpretation, "Act"	12	Unexpended funds
3	First meeting	13	Revenues of waterworks or sewage systems
4	Notice, etc., of first meeting	14	Report respecting funds
5	Manner of voting	15	Appoint of appeal board
6	Annual meeting	16	Duties of appeal board
7	Meetings	17	Decision final
8	Officers and term of office	18	Chairperson to forward decision
9	Duties of secretary	19	Sask. Reg. 103/69 repealed
10	Minutes		

CHAPTER R-26.1 REG 1
The Rural Municipality Act, 1989

Title

1 These regulations may be cited as *The Organized Hamlet Regulations, 1990*.

Interpretation, "Act"

2 In these regulations, "**Act**" means *The Rural Municipality Act, 1989*.

2 Feb 90 cR-26.1 Reg 1 s2.

First meeting

3 Where the minister has designated an area of a municipality as a hamlet and declared it to be an organized hamlet, the council of the municipality shall appoint:

- (a) the time and date for the first meeting of the voters of the organized hamlet; and
- (b) a person to make the necessary arrangements for the meeting mentioned in clause (a).

2 Feb 90 cR-26.1 Reg 1 s3.

Notice, etc., of first meeting

4 The person appointed pursuant to clause 3(b) shall:

- (a) advertise the first meeting in the manner directed by the council; and
- (b) preside at the first meeting until the voters present at the meeting elect a chairperson for the meeting.

2 Feb 90 cR-26.1 Reg 1 s4.

Manner of voting

5 The voters of an organized hamlet shall vote at meetings by secret ballot, show of hands or standing vote as the voters determine.

2 Feb 90 cR-26.1 Reg 1 s5.

Annual meeting

6(1) The hamlet board shall hold annually a meeting of the voters of the organized hamlet.

(2) The annual meeting of the voters of an organized hamlet shall be held at the time and place determined by the voters of the organized hamlet at the latest annual meeting of those voters.

R-26.1 REG 1**ORGANIZED HAMLET, 1990**

(3) When the voters of an organized hamlet, at the latest annual meeting of the voters of the organized hamlet, have not determined the time and place of an annual meeting of the voters of the organized hamlet, the annual meeting of the voters shall be held at the time and place determined by the hamlet board of the organized hamlet.

(4) The hamlet board shall give at least seven clear day's notice of the time and place of the annual meeting of the voters by posting notices of the meeting in three separate conspicuous places in the organized hamlet.

2 Feb 90 cR-26.1 Reg 1 s6.

Meetings

7 Subject to subsection 6(3), meetings of the voters of an organized hamlet shall be held at the times and places determined by the voters.

2 Feb 90 cR-26.1 Reg 1 s7.

Officers and term of office

8 The members of a hamlet board shall:

- (a) hold office until their successors are elected; and
- (b) elect a chairperson and a secretary from among their number.

2 Feb 90 cR-26.1 Reg 1 s8.

Duties of secretary

9 The secretary of the hamlet board shall prepare and submit to the voters of the organized hamlet at the annual meeting of the voters a report of the:

- (a) hamlet board's activities carried out after the most recent report of the secretary; and
- (b) business of any appeal board constituted pursuant to section 15.

2 Feb 90 cR-26.1 Reg 1 s9.

Minutes

10(1) The secretary of the hamlet board shall transmit to the council of the municipality in which the hamlet is situated a copy of the minutes of each meeting of the hamlet board within 30 days after the meeting is held.

(2) The minutes of all meetings of a hamlet board shall be open to inspection at the annual meeting of the organized hamlet.

2 Feb 90 cR-26.1 Reg 1 s10.

Vacancies

11 If a vacancy occurs in the membership of a hamlet board by reason of a member's death, resignation or otherwise, the hamlet board:

- (a) may call a meeting of the voters of the organized hamlet for the purpose of filling the vacancy for the unexpired term of the person being replaced; and

(b) if a meeting is called pursuant to clause (a), shall advertise the public meeting in the manner provided in subsection 6(4).

2 Feb 90 cR-26.1 Reg 1 s11.

Unexpended funds

12 Any unexpended portion of the tax revenues allotted to a hamlet board pursuant to clause 15(1)(b) of the Act, shall be accumulated and reserved to the credit of the hamlet board.

2 Feb 90 cR-26.1 Reg 1 s12.

Revenues of waterworks or sewage systems

13 Where the council of a municipality, on the request of the hamlet board of an organized hamlet in the municipality, has provided for the installation of a waterworks system or sewage system or both in the organized hamlet, any:

- (a) revenue arising from the operation of the waterworks system or sewage system shall be used by the council in payment for the maintenance and operating costs of the waterworks or sewage system including the payment of any instalments of principal and interest of debentures issued to provide funds for the construction of the system; and
- (b) deficiency in the revenue mentioned in clause (a) to meet the costs mentioned in that clause shall be charged against the allotment made by the council to the organized hamlet pursuant to clause 15(1)(b) of the Act.

2 Feb 90 cR-26.1 Reg 1 s13.

Report respecting funds

14 On or before each January 20, the council of a municipality shall provide the hamlet board of each organized hamlet in the municipality with a statement of:

- (a) the amount of funds allotted to the hamlet board and expenditures made from those funds during the previous year;
- (b) the balance of the accumulated reserve standing to the credit of the hamlet board; and
- (c) the revenues and expenditures relating to the operation of any waterworks or sewage system provided to the organized hamlet.

2 Feb 90 cR-26.1 Reg 1 s14.

Appoint of appeal board

15(1) Where a dispute arises between the council of a municipality and the hamlet board of an organized hamlet within the municipality, there shall be an appeal board appointed in accordance with subsection (2) to hear and determine the dispute.

- (2) Subject to subsection (3), the appeal board shall consist of:
 - (a) one person appointed by the council of the municipality;
 - (b) one person appointed by the hamlet board; and
 - (c) one person appointed by the minister.

(3) No person who is a member of the council of the municipality or of the hamlet board shall be appointed to or sit as a member of an appeal board.

(4) The person appointed pursuant to clause (2)(c) shall be the chairperson of the appeal board.

2 Feb 90 cR-26.1 Reg 1 s15.

Duties of appeal board

16 Where the council of a municipality or the hamlet board with which it has a dispute refers the matter of the dispute to the appeal board, the appeal board shall:

- (a) appoint a time and a place for hearing the dispute;
- (b) give at least seven day's notice to the council of the municipality and the hamlet board of the time and place appointed pursuant to clause (a);
- (c) allow the council of the municipality and the hamlet board to:
 - (i) present oral or written evidence;
 - (ii) cross-examine witness; and
 - (iii) rebut evidence submitted by the party adverse in interest;
- (d) render its decisions with respect to the dispute in writing; and
- (e) apportion the costs of the hearing and the appeal board between the council of the municipality and the hamlet board in any manner the appeal board considers appropriate.

2 Feb 90 cR-26.1 Reg 1 s16.

Decision final

17 The decision of the appeal board is binding on the council of the municipality and the hamlet board.

2 Feb 90 cR-26.1 Reg 1 s17.

Chairperson to forward decision

18 The chairperson of the appeal board shall cause a copy of the decision of the appeal board to be sent to:

- (a) the council of the municipality;
- (b) the hamlet board; and
- (c) the minister.

2 Feb 90 cR-26.1 Reg 1 s18.

Sask. Reg. 103/69 repealed

19 Saskatchewan Regulation 103/69 is repealed.

2 Feb 90 cR-26.1 Reg 1 s19.