

The Regional Parks Act, 1979

being

Chapter R-9.1 of the *Statutes of Saskatchewan, 1979* (effective June 1, 1979), as amended by the *Statutes of Saskatchewan*, 1979-80, c.M-32.01; 1983, c.77; 1988-89, c.46; [1989-90, c.14](#) and [c.54](#); 1990-91, c.28; 1998, c.C-45.2; 2004, c.T-18.1 and 50; 2005, c.M-36.1; 2007, c.10; and 2014, c.E-13.1.

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.

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CHAPTER R-9.1

An Act respecting Regional Parks

SHORT TITLE

Short title

1 This Act may be cited as *The Regional Parks Act, 1979*.

INTERPRETATION

Interpretation

2 In this Act:

- (a) **“bylaw”** means a bylaw of a municipality;
- (b) **“council”** means the council of a municipality;
- (c) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (d) **Repealed.** 2005, c.M-36.1, s.463.
- (e) **“regional park”** means a park established pursuant to this Act;
- (f) **“regional park authority”** means a regional park authority constituted or continued pursuant to this Act.

1979, c.R-9.1, s.2; 1979-80, c.M-32.01, s.54;
1983, c.77, s.65; 2005, c.M-36.1, s.463.

PURPOSES OF ACT

Purposes of Act

3 The purposes of this Act are:

- (a) to encourage the appreciation and use of natural and recreational resources throughout Saskatchewan;
- (b) to assist local government agencies in the establishment of regional parks with a view to making part of the natural and recreational resources of Saskatchewan available to every member of the public;
- (c) to facilitate the establishment and location of regional parks in such a way that every resident of Saskatchewan will be within a reasonable driving distance of a regional park.

1979, c.R-9.1, s.3.

Administration of Act

4 This Act and the regulations shall be administered by the department over which the minister presides.

1979, c.R-9.1, s.4.

CONSTITUTION OF REGIONAL PARK AUTHORITY**Application to establish regional park authority**

5 Any one or more municipalities may apply to the minister for the establishment of a regional park authority by submitting to the minister, in the form prescribed by the minister:

- (a) an application containing:
 - (i) a description of the land intended to be used as a regional park;
 - (ii) the names of the municipalities to be represented and the persons who will represent them on the regional park authority; and
 - (iii) an outline of a development program for a period of not more than five years and the projected development costs for the period of time for which the municipalities have made a financial commitment; and
- (b) a bylaw of the council of each municipality that is a party to the application:
 - (i) authorizing the municipality to make the application;
 - (ii) authorizing the financial contribution of the municipality; and
 - (iii) containing a schedule outlining the financial contribution of the municipality to the proposed regional park development program for the period of time for which the municipalities have made a financial commitment.

1979, c.R-9.1, s.5; 2004, c.50, s.3.

Constitution of regional park authority

6(1) Where an application has been made under section 5, the Lieutenant Governor in Council may, on the recommendation of the minister, by order, constitute a regional park authority consisting of the representatives appointed from time to time by the municipalities applying for the establishment of the regional park authority.

(2) Where a regional park authority consists of the representatives of one municipality only, the number of representatives shall be determined by that municipality.

(3) Where a regional park authority consists of the representatives of two or more municipalities, the number of representatives of each municipality shall be determined by agreement between the municipalities.

- (4) A regional park authority is a body corporate.
- (5) A municipality may at any time terminate the appointment of any of its representatives, and may, by resolution of the council, appoint in that person's place a substitute representative to the regional park authority.
- (6) A regional park authority shall, upon request, provide the minister with an accurate description of any land acquired for the purposes of a regional park.
- (7) The minister may, upon the request of a regional park authority, by order:
 - (a) establish or alter the boundaries of the regional park;
 - (b) designate the regional park authority responsible for the administration of the regional park;

and that order shall be published in the Gazette.

1979, c.R-9.1, s.6; 2004, c.50, s.4.

Non-participating municipality may join in development and operation of regional park

7 Any municipality that is not a party to the application mentioned in section 5 may enter into an agreement with the regional park authority to provide for participation by the municipality in the development and operation of the regional park and to determine the number of representatives that the municipality shall appoint to the regional park authority.

1979, c.R-9.1, s.7.

Agreements with contributing bodies

7.1(1) A regional park authority may enter into an agreement with any organization, other than a municipality, to provide for participation by that organization in the development and operation of a regional park.

(2) An agreement entered into pursuant to subsection (1) may specify the number of representatives of the organization that shall be appointed to the regional park authority.

1989-90, c.14, s.3.

POWERS OF REGIONAL PARK AUTHORITY

Powers of regional park authority

8 Subject to the other provisions of this Act and to the regulations, a regional park authority may establish and operate a regional park and for that purpose may:

- (a) acquire by purchase, lease, gift or otherwise any real property that it considers suitable for the purposes of the regional park;
- (b) accept grants from any person, municipality or organization in the form of money, land or any other thing that may be useful in the establishment, development or operation of the regional park;

- (c) raise moneys by the levy of lease fees, concession fees, gate tolls, camping fees, trailer and parking rentals, licences and other charges upon any person or in respect of any property in the regional park;
- (d) employ any persons required for the establishment or operation of the regional park;
- (e) enter into any agreements that it considers necessary to carry out its purposes;
- (f) make provision for the administration, operation, control and use of the regional park.

1979, c.R-9.1, s.8.

Regional park authority may make park bylaws

9(1) The provisions of *The Municipalities Act* with respect to the passing of a bylaw by the council of a rural municipality apply, with any necessary modification, to the making of park bylaws by a regional park authority.

- (2) A regional park authority may make park bylaws:
 - (a) providing for the health, protection, safety and general welfare of persons within the regional park;
 - (b) providing for the protection and safety of property within the regional park;
 - (c) designating any area of a regional park as a public campground;
 - (d) appointing, defining the duties of and fixing the remuneration of a constable for the purpose of enforcing the park bylaws within the regional park;
 - (e) providing for fire protection within the regional park;
 - (f) providing for the removal of wastes and the prevention of litter or other nuisances within the regional park;
 - (g) subject to *The Traffic Safety Act*:
 - (i) regulating the speed of motor vehicles within the regional park;
 - (ii) preventing or restricting and regulating the parking of vehicles within the regional park; or
 - (iii) restricting, controlling and regulating the movement of vehicles within the regional park;
 - (h) preventing the possession or use of firearms, poisons or other dangerous articles or materials within the regional park.

2007, c.10, s.7.

Transitional

9.01 Notwithstanding any other Act or law, all regulations made pursuant to section 9 of *The Regional Parks Act, 1979*, as that section existed before the coming into force of this section, and that are in force on the day that this section comes into force:

- (a) are continued as park bylaws as if made pursuant to section 9 until they are otherwise amended or repealed in accordance with that section; and
- (b) are declared valid notwithstanding that they were not filed in accordance with *The Regulations Act, 1995*.

2007, c.10, s.7.

Borrowing powers

9.1(1) A regional park authority may borrow any amount of moneys that it considers will be required to fund its operations or to fulfil its purposes.

(2) A regional park authority may provide any guarantee or security that it considers appropriate respecting a loan.

2004, c.50, s.6.

Loans not guaranteed by Minister of Finance

9.2 No loan made pursuant to section 9.1 is to be guaranteed by the Minister of Finance, and the Government of Saskatchewan is not liable for the repayment of that loan or any interest, principal or premium respecting that loan.

2004, c.50, s.6.

Investments

9.3 A regional park authority may:

- (a) invest any part of the capital or operating moneys of the regional park authority, and any proceeds of investment of those moneys, in:
 - (i) securities of the Government of Canada or of any province of Canada;
 - (ii) securities whose payment is guaranteed by the Government of Canada or of any province of Canada;
 - (iii) securities of a municipality or of any other municipal corporation, school division or regional health authority in Saskatchewan; or
 - (iv) deposit certificates or similar investments issued by a bank, trust corporation or credit union; and
- (b) dispose of any investments made pursuant to clause (a) on any terms and conditions and in any manner that the regional park authority considers appropriate.

2004, c.50, s.6.

Report on borrowings and investments

9.4(1) If requested by the minister, a regional park authority shall prepare and submit to the minister, in a form acceptable to the minister and within the time specified by the minister, a report on all outstanding borrowings and current investments of the regional park authority.

(2) In accordance with section 13 of *The Executive Government Administration Act*, the minister shall lay before the Legislative Assembly each report received by the minister pursuant to this section.

(3) A regional park authority shall provide to each municipality represented on the regional park authority a copy of every report that the regional park authority submits to the minister pursuant to this section.

2004, c.50, s.6; 2014, c.E-13.1, s.62.

ASSISTANCE TO REGIONAL PARK AUTHORITY**Agreement between minister and regional park authority**

10(1) The minister may, with the approval of the Lieutenant Governor in Council and subject to the terms and conditions specified in the regulations, enter into an agreement, for a term not in excess of five years, with a regional park authority to provide for the establishment of facilities and other works within a regional park and the operation and maintenance of that regional park.

(2) An agreement made pursuant to subsection (1) may contain provisions respecting:

(a) the land to be used for the purpose of, or in connection with, the regional park; and

(b) any planning, management, maintenance and financial arrangements that may be considered necessary.

(3) Subject to the approval of the Lieutenant Governor in Council and the municipalities and organization represented on the regional park authority, an agreement made under subsection (1) may:

(a) be renewed from time to time, but no renewed agreement shall be made for a term of more than five years;

(b) be amended to provide for:

(i) any changes in the development of a regional park that may be considered necessary; or

(ii) any changes that may be considered necessary by reason of:

(A) an agreement entered into between a municipality and the regional park authority pursuant to section 7; or

(B) an agreement entered into between an organization and the regional park authority pursuant to section 7.1.

1979, c.R-9.1, s.10; 1989-90, c.14, s.4.

11 Repealed. 1989-90, c.14, s.5.

Power of minister to pay maintenance grant

12 Subject to the terms and conditions specified in the regulations, the minister may, out of moneys appropriated by the Legislature for the purpose, make a maintenance grant to a regional park authority where it has expended funds for maintenance of the capital assets of a regional park.

1979, c.R-9.1, s.12; 1989-90, c.14, s.6.

Assistance by minister

13 The minister may, without charge, assist a regional park authority with respect to any matter that the minister considers necessary, including technical advice in planning, designing and operating a regional park.

1979, c.R-9.1, s.13; 2004, c.50, s.7.

Assistance by municipalities

14(1) A municipality may make grants to a regional park authority for the development of a regional park and may make annual grants for its maintenance.

(2) Where a municipality has agreed to make a grant mentioned in subsection (1), the municipality may, from time to time:

- (a) pay out of current revenues any sum that may be considered necessary;
- (b) subject to the provisions of the relevant municipal legislation and pursuant to a bylaw passed for the purpose, borrow any sum that may be considered necessary to satisfy the amount payable by the municipality.

1979, c.R-9.1, s.14; 1988-89, c.46, s.14.

DISSOLUTION OF REGIONAL PARK AUTHORITY

Dissolution of regional park authority

15 Subject to the approval of the Lieutenant Governor in Council, the minister may by order dissolve a regional park authority where:

- (a) the minister is satisfied that the regional park authority has failed to carry out its responsibilities; or
- (b) the regional park authority requests that it be dissolved.

1979, c.R-9.1, s.15; 2004, c.50, s.8.

Disposition of assets, etc., on dissolution

16 Before making an order pursuant to section 15, the minister may require the municipalities and organizations represented on the regional park authority to employ, at their own expense, a person who shall:

- (a) sell, distribute or release all the real property and other assets of the regional park authority;

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- (b) satisfy all valid claims against the regional park authority to the extent of the funds available;
- (c) on the first day of each month during the period of his or her employment, report fully respecting the discharge of his or her duties to the minister and the municipalities and organizations represented on the regional park authority;
- (d) pay any funds that remain after all valid claims have been satisfied pursuant to clause (b) to the Government of Saskatchewan and the municipalities and organizations represented on the regional park authority in the same proportion that each of them contributed towards the development of the regional park.

1989-90, c.14, s.7.

Termination of certain agreements on dissolution

17 Where a regional park authority is dissolved, every agreement entered into:

- (a) by the regional park authority;
- (b) between municipalities;
- (c) between municipalities and organizations; or
- (d) between organizations;

with respect to the establishment or operation of a regional park by that regional park authority is deemed to be terminated on the day of dissolution.

1989-90, c.14, s.7.

GENERAL**Disposal of land**

18 No land acquired by a regional park authority under a lease or purchase agreement shall be withdrawn or sold from the area designated as a regional park without the consent of the minister and the municipalities and organizations that are represented on the regional park authority.

1979, c.R-9.1, s.18; 1989-90, c.14, s.8.

Deposit of moneys by regional park authority

19 All moneys received by a regional park authority shall be deposited in a bank or in a credit union incorporated under *The Credit Union Act, 1998* or any former *Credit Union Act* and those moneys shall only be expended pursuant to a resolution of the regional park authority.

1979, c.R-9.1, s.19; 1998, c.C-45.2, s.476.

Liability of regional park authority for costs, claims, etc.

20 All costs, claims and charges arising out of the establishment or operation of a regional park shall be the responsibility of the regional park authority which established or operates the regional park, and no action arising out of that establishment or operation shall be brought against the minister or any municipality and organization represented on the regional park authority.

1979, c.R-9.1, s.20; 1989-90, c.14, s.9.

Appointment of auditor

21 A regional park authority shall, not later than November 30 in each year, appoint an auditor, but no one shall be appointed who:

- (a) is, or has been during the year in which the appointment is made, a member of the regional park authority;
- (b) has, or has had during the year in which the appointment is made, directly or indirectly, any share or interest in a contract entered into by the regional park authority; or
- (c) is, or has been during the year in which the appointment is made, employed by the regional park authority in any capacity except that of auditor.

1979, c.R-9.1, s.21.

Audit

22(1) The auditor mentioned in section 21 shall prepare and submit an audited statement to the regional park authority not later than December 31 in the year in which he or she is appointed.

(2) The statement mentioned in subsection (1) shall be considered at the next regular meeting of the regional park authority and copies of the statement shall be sent to the minister and to each municipality and organization represented on the regional park authority not later than January 31 in the year following the preparation of the report.

1979, c.R-9.1, s.22; 1989-90, c.14, s.10; 2004, c.50, s.9.

Establishment of parks not restricted

23 Nothing in this Act or the regulations prevents a municipality:

- (a) from participating in the establishment or operation of more than one regional park;
- (b) from establishing or operating a park that is not a regional park.

1979, c.R-9.1, s.23.

Regulations

24 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) respecting the constitution of a regional park authority;
- (c) prescribing the powers and duties of a regional park authority;
- (d) respecting the administration, operation, control and use of regional parks in a manner that will ensure that the public derives the greatest benefit from those parks;
- (e) respecting the terms and conditions of an agreement entered into pursuant to section 10;
- (f) respecting the financial assistance provided to regional park authorities, including eligibility for that assistance;
- (g) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

2004, c.50, s.10.

Offence and penalty

25 Any person who violates any provision of this Act or the regulations is guilty of an offence and liable on summary conviction to a fine of not more than \$300.

1979, c.R-9.1, s.25.

REPEAL AND TRANSITIONAL**Regional park authorities constituted under former Act continued; transitional**

26(1) Every regional park authority constituted under any former *Regional Parks Act* is continued and for all purposes is deemed to have been constituted under this Act.

(2) The municipalities represented on a regional park authority mentioned in subsection (1) are deemed to have agreed that each municipality shall be represented on the regional park authority by the same number of representatives as the number of its representatives on the regional park authority on the day before the coming into force of this Act.

(3) A contract entered into under the authority of any former *Regional Parks Act* is deemed to have been entered into under the authority of this Act.

1979, c.R-9.1, s.26.

R.S.S. c.R-9 repealed

27 *The Regional Parks Act* is repealed.

1979, c.R-9.1, s.27.