

The Regional Parks Regulations

being

Saskatchewan Regulations 320/79 (effective October 30, 1979),
as amended by Saskatchewan Regulations 83/86.

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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SASKATCHEWAN REGULATION 320/79
under *The Regional Parks Act – Section 24*

Title

- 1 These regulations may be cited as the “Regional Parks Regulations”.

INTERPRETATION

Interpretation

- 2 In these regulations:

- (a) “**grant**” means monies to be paid by the Minister to the Regional Park Authority from monies appropriated by the Legislature for the purposes stated in Section 10 of the Act;
- (b) “**municipal bylaw**” means a bylaw approved by a municipality pursuant to the Act;
- (c) “**participant**” means a municipality that is represented on the regional park authority;
- (d) “**regional park agreement**” means an agreement entered into pursuant to Section 10 of the Act;
- (e) “**regional park fiscal year**” means a fiscal year commencing November 1 and terminating October 31 of the following year;
- (f) “**inventory evaluation**” means the evaluation of the eligible capital facilities in a regional park as compiled from time to time by the minister.

9 Nov 79 SR 320/79 s2.

Regional Park Authority

- 3 The Regional Park Authority shall provide:

- (a) for the election of a chairman;
- (b) for the appointment of a secretary;
- (c) for the signing of all documents on behalf of the Regional Park Authority;
- (d) for banking arrangements and an annual audit of the books, and the preparation and submission to the Minister and participating municipalities of an annual report and financial statement as prescribed by the Minister based on the regional park fiscal year;
- (e) for the election of an executive council from the members of the Regional Park Authority which council shall consist of not less than three and not more than seven members including the chairman of the Regional Park Authority who shall preside as chairman of the executive council to the Regional Park Authority;

- (f) for regular and special meetings;
- (g) make such other provisions as may be deemed necessary or desirable.

9 Nov 79 SR 320/79 s3.

Same

4 The Regional Park Authority shall:

- (a) provide for and maintain accounting procedures and records as prescribed by the Minister, which shall be open for inspection by the Minister or his representative on request;
- (b) conduct the administration of the Regional Park in accordance with the Act and the regulations;
- (c) hold an annual meeting which shall be open to the general public prior to June 15, of any year, unless otherwise authorized by the Minister, for which two weeks' notice in writing shall be forwarded to the Minister and each participating municipality;
- (d) submit to the Minister and to each participating municipality, fifteen days prior to the annual meeting, a copy of the annual report and a certified copy of the audited financial statement for the fiscal year concluded;
- (e) retain in safekeeping all records and documents associated with the administration of the Regional Park Authority for a period of time as directed by the Minister.

9 Nov 79 SR 320/79 s4.

Annual meetings

5 At each annual meeting, the Regional Park Authority shall:

- (a) adopt or amend its constitution;
- (b) elect officers;
- (c) consider and submit for approval the budget for the next regional park fiscal year;
- (d) consider and approve the annual report and financial statement for the past regional park fiscal year;
- (e) conduct such other business as may be deemed necessary;
- (f) consider the development plans or objectives for the remaining years of the regional park agreement.

9 Nov 79 SR 320/79 s5.

Bylaws and regulations

6 The Regional Park Authority shall prepare, adopt and enforce bylaws or regulations governing the operation and public use of the regional park.

9 Nov 79 SR 320/79 s6.

Regional Park Agreement

7 A Regional Park Agreement shall:

- (a) state the legal land description of the land lying within the boundary of the regional park;
- (b) prohibit the use of any area of the regional park for cottage sites or other residential purposes, except as agreed to by the Minister and the Regional Park Authority;
- (c) state the estimated cost of capital expenditures of the proposed development and the proportion of development costs payable by the parties;
- (d) specify the term of the agreement which shall not exceed five years;
- (e) vest the responsibility for development, operation and maintenance of the regional park in the Regional Park Authority.

9 Nov 79 SR 320/79 s7.

Minister's consent

8 Without the express consent of the Minister, no regional park shall be established where it:

- (a) contains less than fifteen acres of land for public use;
- (b) does not serve a distinct regional function;
- (c) lies within fifty miles of a provincial park;
- (d) lies within twenty-five miles of an existing regional park.

9 Nov 79 SR 320/79 s8.

No assistance

9 No assistance will be given by the Minister by grant or otherwise for:

- (a) the establishment, development or construction of any cottage subdivision or residential area or any roads or services connected with such subdivisions or area or for the purchase of property for such purposes;
- (b) the establishing within a regional park of any of the following:
 - museums
 - art exhibits
 - skating and curling rinks
 - community centres or gymnasiums
 - any commercial undertaking except camping facilities, concession facilities, trailer parks, golf courses, and swimming pools
 - institutional building facilities
 - swimming pools located within urban centres.

9 Nov 79 SR 320/79 s9.

Eligible capital costs, expenditures

10(a)(i) Where an agreement has been entered into pursuant to Section 10 of the Act, the Minister shall, subject to monies approved by the Legislature, undertake to pay two-thirds of the costs of eligible capital expenditures toward capital development in a park, during the term of the Regional Park Agreement.

(ii) Where capital costs are eligible for regional park funding, and undertaken under an alternative public capital program, the amount of dollars involved in the alternative cost-sharing program shall be deducted from the eligible capital cost for the same items listed in the capital development claim submitted.

(b) Subject to Section 12 of the Act, the Minister may pay a grant of 75% of eligible maintenance costs up to a maximum of 5% of the most recent certified inventory evaluation but no grant made hereunder shall be less than the amount of grant paid to the Regional Park Authority in the 1978-79 fiscal year.

(c) The Minister may, subject to monies being approved by the Legislature, make a matching grant to up to five hundred dollars per year to a Regional Park Authority towards the cost of recreation programs conducted in the park.

9 Nov 79 SR 320/79 s10.

Minister's decision final

11 In the event of a question as to the admissibility of a capital asset or a maintenance expenditure for inclusion into a capital or maintenance expenditure statement, or capital assets to be included in the capital inventory, the decision of the Minister shall be final.

9 Nov 79 SR 320/79 s11.

Term of maintenance grant

12(a) The period for which the maintenance grant can apply shall be limited to twenty consecutive years in respect of eligible capital assets as set out in the most recent inventory evaluation and no maintenance grant shall be paid in respect to maintenance of a regional park for two years after the initial acquisition or improvement of the facility or improvement to the land.

(b) For the purpose of assessing the maintenance grant payable by the Minister, the maintenance grant claim submitted shall be confined to maintenance expenditures incurred during one regional park fiscal year prior to the date of receiving the maintenance grant application.

9 Nov 79 SR 320/79 s12.

Exclusion

13 The following capital assets shall not be eligible for inclusion in the eligible capital assets as the basis of determining a maintenance grant:

(a) assets excluded under Section 9 of these regulations;

- (b) fully depreciated facilities, buildings, equipment or other capital assets of inferior quality acquired by the Regional Park Authority;
- (c) the value of land which comprises the area of the regional park.

9 Nov 79 SR 320/79 s13.

Assessment

14(a) For the purpose of assessing the annual maintenance grant:

- (i) one-half of the revenue which has accrued to a Regional Park Authority for the Regional Park fiscal year completed prior to the date of the maintenance claim, exclusive of seasonal and daily admissions, shall be deducted from the maintenance expenditures eligible for a maintenance grant.
- (ii) A minimum revenue requirement schedule, as an alternative revenue deduction as outlined in Section (a)(i), shall apply, where revenues generated by a Regional Park Authority is less than the minimum revenue requirement as stated in the following schedule:

| <i>Inventory Value</i> | <i>Minimum Revenue Requirement (Percentage of Inventory Value)</i> |
|------------------------|--|
| 0 to \$ 50,000 | 4% |
| \$ 50,000 to \$100,000 | 5% |
| \$100,000 to \$150,000 | 6% |
| \$150,000 to \$250,000 | 7% |
| \$250,000 to \$350,000 | 8% |
| \$350,000 to \$450,000 | 9% |
| \$450,000 and Over | 10% |

- (b) Any revenues accruing to a Regional Park Authority in any year from other provincial or federal public funding programs for the capital development or maintenance of a regional park shall be deducted in full from the maintenance or capital grant payable by the Minister.

9 Nov 79 SR 320/79 s14.

Application

15 Each application to the Minister for a maintenance grant shall be made prior to February 1 of any year, and shall be on a form prescribed by the Minister and shall be accompanied by such documents showing a record of expenditures and revenues as required by the Minister.

9 Nov 79 SR 320/79 s15.

Membership

16(1) Subject to subsection (2), no person who is employed by a regional park authority or who owns or operates any business, trade or other commercial undertaking within a regional park shall be appointed as, or remain as a member of, a regional park authority.

- (2) Subsection (1) does not apply to any person who:
- (a) is employed as a secretary or treasurer or secretary treasurer to a regional park authority; or
 - (b) performs services for or provides goods to a regional park authority pursuant to a contract awarded to the person following a process whereby the regional park authority called publically for tenders for the contract and awarded the contract to the person as the person submitted the lowest or most appropriate bid for the contract in the circumstances.

22 Aug 86 SR 83/86 s2.