

*The
Summer Resort
Village of Carlyle
Lake Resort Act*

being

Chapter 90 of the *Statutes of Saskatchewan, 1959*
(effective April 14, 1959) as amended by the
Statutes of Saskatchewan, 1971, c.54.

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 Power of village to enter into agreements with
Superintendent General of Indian Affairs
- 2 Power of village to establish facilities for recreation, etc.
- 3 Power of village to levy and collect fees for services
- 4 Mileage allowance to councillors and meetings of council
- 5 Bylaws passed under sections 2, 3 or 4 to be approved by
the minister
- 6 Temporary loans
- 7 Application of *Village Act*
- 8 Lieutenant Governor in Council may make regulations
- 9 Disorganization

1959

CHAPTER 90

An Act respecting The Summer Resort Village of Carlyle Lake Resort

(Assented to April 14, 1959)

Preamble

WHEREAS The Summer Resort Village of Carlyle Lake Resort, hereinafter referred to as the village, is wholly situated within the White Bear Indian Reserve No. 70 in the Province of Saskatchewan; and

Whereas all the lands within the boundaries of the village (exclusive of certain improvements thereon) are held by Her Majesty for the use and benefit of the White Bear Indian Band; and

Whereas by surrenders in writing made on the twentieth day of April, 1933, the White Bear Band of Indians resident on the said reserve (in council assembled for and acting on behalf of the whole people of the said band) surrendered the lands in the said reserve now within the boundaries of the village to His Majesty as then represented by the Superintendent General of Indian Affairs of the Dominion of Canada, his heirs and successor in trust with certain powers to lease the same; and

Whereas by an indenture dated the first day of January, 1934, the said Superintendent General, in the exercise of the powers as set forth in the said surrenders, demised and leased the said lands to the Municipal Corporation of the Town of Carlyle for a term expiring on the thirty-first day of December, 1958, for use as a summer resort; and

Whereas by chapter 71 of the *Statutes of Saskatchewan, 1934*, the action of the Town of Carlyle in entering into the said indenture was ratified, validated and confirmed, and by the same Act certain powers were conferred upon the Town of Carlyle for the carrying out of the terms and objects of the said indenture; and

Whereas the said Act was amended by chapter 57 of the *Statutes of Saskatchewan, 1949*, so as to confer upon the Town of Carlyle certain additional powers; and

Whereas the term created by the said indenture has now expired; and

Whereas it is deemed expedient that the village be empowered to perform certain functions previously performed by the Town of Carlyle with respect to the said lands and to raise moneys for that purpose:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Power of village to enter into agreements with Superintendent General of Indian Affairs

1 Subject to the approval of the Lieutenant Governor in Council, the council of The Summer Resort Village of Carlyle Lake Resort may enter into an agreement or agreements with the Superintendent General of Indian Affairs for purposes intended to facilitate the use of the lands within the boundaries of the village as a summer resort and for the promotion of the welfare of the inhabitants of the village and all persons visiting the same, and in particular, but not so as to restrict the generality of the foregoing, for all or any of the following purposes:

- (a) the use by the village of lands and premises within the boundaries of the village for summer resort purposes and purposes incidental thereto;
- (b) the construction, maintenance and use of roads, paths, ways and bridges within the boundaries of the village.

1959, c.90, s.1.

Power of village to establish facilities for recreation, etc.

2 Subject to the terms and conditions of any agreement entered into under section 1, the council may by bylaw:

- (a) provide for the establishment, operation and maintenance within the boundaries of the village of bathing beaches, boating facilities, golf courses, tennis courts, sports grounds and other facilities for recreation or amusement, and the imposition and collection of fees in respect thereof;
- (b) provide for the purchase, lease, acquisition, construction, maintenance and alteration by the village of any buildings or other works deemed necessary or convenient in the use of the said lands as a summer resort;
- (c) provide for the purchase, lease, acquisition, construction, maintenance and operation by the village of dance halls, hotels, cafes, restaurants, soda fountains, booths, camping grounds, tourist or trailer camps and lodging houses, and the imposition and collection of fees in respect thereof;
- (d) provide for the subletting of any of the premises, facilities or places mentioned in clause (a) of section 1 or clause (a), (b) or (c) of this section, and the collection of rentals in respect thereof;
- (e) provide for the granting of franchises or concessions for the operation of any of the premises, facilities or places mentioned clause (a) of section 1 or clause (a), (b) or (c) of this section, and the imposition collection of fees in respect thereof;
- (f) provide, by means of toll gates or otherwise for the imposition and collection of admission fees to be paid by all persons entering the resort area and for the exemption of designated persons or class of persons from liability for such admission fees.

1959, c.90, s.2.

Power of village to levy and collect fees for services

3(1) The council may by bylaw provide for the levy and collection of fees for services of any nature rendered by the village to the owners or occupants under lease of any lands or buildings within the boundaries of the village and for services rendered to persons entering upon or using any of such lands or buildings.

(2) Subsection (2) of section 13 of *The Municipal Public Works Act* applies *mutatis mutandis* with respect to any fees levied under subsection (1) except that any lien or charge arising in connection therewith shall extend to buildings and improvements only and not to the lands on which they are situated.

1959, c.90, s.3.

Mileage allowance to councillors and meetings of council

4(1) The council may by bylaw:

(a) provide for the payment to the members of the council of a sum not exceeding eleven cents per mile for each mile necessarily travelled by them, whether within or beyond the boundaries of the village, in going to or returning from any meeting of the council; provided that such mileage allowance shall be payable only where a *per diem* allowance for attending such meetings is payable;

(b) provide for holding all or certain meetings of the council at any designated city, town or village in Saskatchewan.

(2) Any bylaw passed under subsection (1) may be given retroactive effect to the date on which the village was erected.

1959, c.90, s.4.

Bylaws passed under sections 2, 3 or 4 to be approved by the minister

5 No bylaw passed under section 2, 3 or 4, and no amendment to or repeal of a bylaw passed under section 2, 3 or 4, shall have force or effect until approved by the Minister of Municipal Affairs.

1959, c.90, s.5.

Temporary loans

6(1) The council may by resolution authorize the overseer and secretary treasurer to borrow from any person, bank or corporation sums required to meet current expenditures until any fees or rentals mentioned in sections 2 and 3 are available for the current year.

(2) The provisions of section 250 of *The Village Act* shall be deemed to extend to and include such fees and rentals, as well as any taxes imposed by the village.

1959, c.90, s.6.

c. 90 SUMMER RESORT VILLAGE OF CARLYLE LAKE RESORT

Application of *Village Act*

7 Except as otherwise provided herein, the provisions of *The Village Act* in so far as they are applicable apply to The Summer Resort Village of Carlyle Lake Resort.

1959, c.90, s.7.

Lieutenant Governor in Council may make regulations

8 For the purpose of carrying out the provisions of this Act according to their true intent and of supplying any deficiency therein the Lieutenant Governor in Council may make regulations not inconsistent with the spirit of this Act which shall have the same force and effect as if incorporated herein.

1959, c.90, s.8.

Disorganization

9(1) The Lieutenant Governor in Council may, upon the recommendation of the Minister of Municipal Affairs:

- (a) where the Minister of Municipal Affairs deems it advisable and in the public interest; or
- (b) upon the request, by resolution, of the council;

by order, notice of which shall be published in the *Gazette*, declare that on and from a day therein to be specified, the village shall be disorganized; and on and from the day so specified the village is disorganized and the village and the council thereof shall cease to have any rights, powers or privileges vested in the village by this or any other Act.

(2) Where an order has been made under subsection (1), the Minister of Municipal Affairs may appoint one or more persons to adjust and settle the assets and liabilities of the village and all other matters arising from the disorganization of the village, and the person or persons so appointed shall, subject to such directions as may, from time to time, be given by the minister:

- (a) sell, dispose of and convert into money such assets of the village as are sufficient to liquidate the liabilities of the village and to make payment of his or their remuneration as fixed by the minister;
- (b) dispose of any remaining assets of the village; and
- (c) do such other things as the minister deems advisable to adjust and settle all other matters arising from disorganization.

1971, c.54, s.1.