

Rural Municipality of Crapaud
A Bylaw to Regulate Reserve Funds
Bylaw # 2022 – 02

BE IT ENACTED by the Council of the Rural Municipality of Crapaud as follows:

1. Title

- 1.1. This bylaw shall be known and cited as the “Reserve Funds Bylaw.”

2. Authority

- 2.1. Section 155.(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., enables council to establish, by bylaw, one or more Reserve Funds in the name of the municipality for any municipal purpose.

3. Application

- 3.1. This bylaw applies to Council who may establish one or more Reserve Funds to facilitate efficient financial planning and ensure greater transparency and accountability to the public.
- 3.2. This bylaw also allows for the consolidation of the authority for all Reserve Funds into one bylaw.

4. Definitions

- 4.1. “Act” means the Municipal Government Act.
- 4.2. “Chief Administrative Officer” or “CAO” means the administrative head of the municipality.
- 4.3. “Council” means the Mayor and other members of the Council of the municipality.
- 4.4. “Councillor” means a member of Council other than the Mayor.
- 4.5. “Municipality” means the Rural Municipality of Crapaud.
- 4.6. “Official Trustee” means the official appointed by the Minister of Communities and Fisheries pursuant to Section 220(1)(b) of the Act
- 4.7. “Reserve Fund” means money set aside for a specific purpose by approval of Council.

5. Principles

- 5.1. The principles regarding Reserve Funds are as follows:
- (a) Reserve Funds are important long term financial planning tools;
 - (b) Reserve Funds must be used to promote sound fiscal stewardship and management;
 - (c) Reserve Funds provide resources for balancing the use of long-term debt to provide for reoccurring or anticipated expenditures;
 - (d) Reserve Funds are intended to maintain a prudent level of financial resources to protect against the need to reduce service levels or raise taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures;

- (e) Money set aside in Reserve Funds must only be approved by Council for the purposes identified in this bylaw;
- (f) The Chief Administrative Officer (CAO) will administer and monitor all transactions involving Reserve Funds.

6. Criteria and Conditions for Reserve Fund Contributions, Transfers, Withdrawals

- 6.1. The Reserve Funds listed in Column I of Schedule A of this bylaw are hereby established and money shall be deposited into them as allocated by the Council for the purpose(s) described in each "Reserve Fund Policy" established by Council.
- 6.2. Any interest derived from a Reserve Fund is reported as Revenue Fund earnings and shall be considered part of the Fund.
- 6.3. All withdrawals from the Reserve Fund must be approved by a resolution of Council.
- 6.4. All contributions and/or withdrawals from each Reserve Fund must be approved by Council resolution either generally as part of the annual budget approval process or specifically by resolution at a duly constituted meeting of the Council. Council is required to approve all transactions related to Reserve Funds in accordance with the Reserve Fund policies established by Council.

7. Closure of Reserve Funds

- 7.1. A Reserve Fund may not be closed, and any remaining money may not be withdrawn, until such time as Council determines the following:
 - (a) That the purpose for which the Reserve Fund was established has been achieved;
 - (b) That the Reserve Fund is no longer required to achieve the long term financial planning goals of Council; or
 - (c) That the money set aside in a Reserve Fund would be better used for an alternate purpose
- 7.2. If Council determines that a Reserve Fund is to be closed, Council must, by resolution, close the Reserve Fund and must amend Schedule "A" of this Reserve Fund Bylaw to reflect the closure date of the Reserve fund. Schedule "A" can be amended in accordance with Section 135 of the MGA.

8. Reporting

- 8.1. Reserve Fund projected contributions and planned expenditure or withdrawals must be presented in the annual financial plan. Reserve Fund balances, actual contributions, expenditures or withdrawals must be presented in the year-end financial statements.

9. Effective Date

- 9.1. This Reserve Funds Bylaw, Bylaw# 2022-04, shall be effective on the date of approval and adoption below.

First Reading:

This Reserve Funds Bylaw, Bylaw# 2022-04, was read a first time at the Council meeting held on the 29th day of March, 2022.

This Reserve Funds Bylaw, Bylaw# 2022-04, was approved by the Official Trustee at the Council meeting held on the 29th day of March, 2022.

Second Reading:

This Reserve Funds Bylaw, Bylaw# 2022-04, was read a second time at the Council meeting held on the 19th day of April, 2022.

This Reserve Funds Bylaw, Bylaw# 2022-04, was approved by the Official Trustee at the Council meeting held on the 19th day of April, 2022.

Approval and Adoption by Council:

This Reserve Funds Bylaw, Bylaw# 2022-04, was adopted by the Official Trustee at the Council meeting held on the 19th day of April, 2022.

10. Signatures

Mayor/Official Trustee (signature sealed) **Chief Administrative Officer** (signature sealed)

This Reserve Funds Bylaw adopted by the Council of the Rural Municipality of Crapaud on April 19th, 2022 is certified to be a true copy.

Chief Administrative Officer Signature

Date

Schedule A – Reserve Funds

Name	Year Established	Purpose	Date of Fund Closure
Capital Reserve		To provide for expenditures associated with major construction, maintenance or improvement of a municipal asset	
Capital Infrastructure Reinvestment		To provide for expenditures associated with the rehabilitation or replacement of existing capital infrastructure	
Insurance		To provide for costs incurred for insurance coverage and payment of claims	
Library Expansion		To provide for expenditures related to library expansion, enhancement or improvement	
IRAC and Legal Hearings		To provide for the cost of legal or administrative costs associated with participation in IRAC hearings or other legal matters	
Parkland Dedication		To provide for the purchase and development of parkland in developing areas and redeveloping areas and/or supports the upgrading of existing parks/facilities (neighbourhood or community) provided the need to upgrade is due to intensification of the surrounding neighbourhood	
Protective Services Reserve (CFD)	2022	To provide for the replacement of existing protective services equipment	
Sick Leave and Vacation Liability		To provide financing for the accumulated sick leave benefit payable to eligible employees upon retirement, termination or death	
Computer/Operating Equipment Replacement		To provide for the cost of maintenance, repair or replacement of computer and other operating equipment	
Community Priority and Contingency Reserve		To provide for unforeseen expenditures that may occur within a year which are not part of the approved budget, but that Council	

		determines to be necessary or of considerable merit	
Economic Development		To provide one-time funding for opportunities to enhance the business environment and to create a catalyst to stimulate and support continued economic growth	
Facilities Maintenance		To provide funds for emergency maintenance requirements at municipal facilities not funded through the Capital Reserve Fund	
Recreation and Facility Services		To provide funding to support ongoing equipment replacement and enhancement at recreation facilities	
Emergency Management		To provide funds for costs incurred in clean-up after a disaster that cannot be accommodated in the operating budget and for future-proofing the municipality against the costs resulting from a disaster to minimize financial implications	
Elections		To provide annual contributions for costs associated with municipal elections	