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## TOWN OF FARO BYLAW 2023-09

### **A Bylaw to establish reserve accounts and to set out the purpose of each account and the method by which the accounts will be administered by Council of the Town of Faro**

**WHEREAS** Section 220 of the *Municipal Act*, Chapter 154, Statutes of the Yukon provides that Council may create bylaws;

**AND WHEREAS** Section 244 of the *Municipal Act* (2002) provides that Council may by bylaw establish one or more reserve funds in the name of the municipality;

**AND WHEREAS** Section 244 (2) of the *Municipal Act* (2002) provides that a bylaw to establish a reserve fund shall specify the purpose for which the reserve fund is established, whether or not the reserve fund is cash funded, the method of calculating contributions to the reserve fund, and the criteria and conditions governing withdrawals from the reserve fund;

**NOW THEREFORE** the Municipal Council of the Town of Faro in the Yukon Territory, in open meeting assembled, hereby ENACTS AS FOLLOWS:

#### **1.0 Citation of Bylaw**

1.1 This bylaw may be cited as the **"Reserves Bylaw"**.

#### **2.0 Definitions**

In this Bylaw, the following terms shall have the meanings shown:

- 2.1 "Act" means the *Municipal Act*, revised Statutes of the Yukon 2002, Chapter 154, and associated regulations and amendments;
- 2.2 "CAO" means the Chief Administrative Officer for the Town of Faro, the Deputy Chief Administrative Officer, or their delegate;
- 2.3 "Council" means the duly elected Council for the Town of Faro;
- 2.4 "Faro" means the municipal corporation of the Town of Faro;
- 2.5 "Mayor" means the Chief Elected Official who leads the municipality and acts as the public spokesperson for Council and the municipality;

#### **3. Purpose and Application**

3.1 The Town of Faro is hereby authorized to establish and maintain reserves for future expenditures as identified in Appendix "A" attached hereto and forming part of this bylaw.

- 3.2 The CAO shall include all anticipated reserve transfers in Faro's annual budget. These budgeted transfers shall be made upon the approval of Council.
- 3.3 Any reserve transfers not included in the annual budget shall require a resolution of Council approving the use of these funds.
- 3.4 Notwithstanding Paragraph 3.3, the funds allocated to the reserve accounts can be invested as per the Investment Bylaw for the purpose of earning interest.
- 3.5 With the exception of any donated portion of the Recreation, Heritage, and Tourism Reserve, Council may, by resolution, reallocate monies from one reserve account to another. Any funds that are donated for a specific purpose shall be respected by Council and Administration and only used for that sole purpose.

**4.0 Effective Date**

- 4.1 Bylaw 2015-05 shall be rescinded.
- 4.2 This Bylaw shall come into effect upon Third and Final Reading.

READ A FIRST TIME this 2<sup>nd</sup> day of May 2023.

READ A SECOND TIME this 2<sup>nd</sup> day of May 2023.

READ A THIRD TIME and finally passed this 20<sup>th</sup> day of June 2023.

  
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Jack Bowers, Mayor

  
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Larry Baran, CAO



## Schedule "A"

NAME	FUNDING SOURCE or LEVELS	CASH FUNDED	PURPOSE, CRITERIA, and CONDITIONS OF USE
Land Development Reserve	As directed by Council	Yes	To assist with any of the following: - The acquisition or disposition of properties through the tax lien procedure; - Engineering, surveying, town planning, and other related studies for any proposed municipal development; - Any development approved by Council, such as building or upgrading of streets, roads, lanes, storm drains, water lines, sewer lines, water storage, sidewalks, parks, etc.
Contingency Reserve	As directed by Council	Yes	To assist with any of the following: - To provide funds for emergency purposes; - To set aside funds for the purpose of accommodating un-budgeted expenditures as determined by Council; - This fund may also be used as a short investment mechanism to earn interest on monies not immediately required for operations; - To set aside funds for the purpose of absorbing impact of major cost increases associated with unusual snow and/or ice conditions and winter emergencies.
Firefighting & Protective Services Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding of Protective Services.
Public Works Equipment Replacement Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the replacement or repair of Public Works equipment.
Recreation, Heritage, and Tourism Reserve	As directed by Council or as donated to by any person.	Yes	To assist with any of the following: - Replace any Recreation equipment &/or parks & trails - Restoration, enhancement or renovation of Municipal Historic Sites and items; - Increasing public awareness of heritage resources and heritage management of the Town; - Other heritage purposes as specified by resolution of Council; - Promotion of tourism and special events.
Roads, Streets, Water, and Sewer Systems Reserve	As directed by Council	Yes	To set aside funds for the purpose of upgrading and maintaining roads and streets, as well as to allow for repairs and/or enhancements to the water and sewer system.
Waste Management Reserve	As directed by Council	Yes	To set aside funds for the purpose of initiating programs associated with the closure of the landfill.