

Information Bulletin

Advisory Services – 2023

Summary of *The Municipalities (Organized Hamlet) Amendment Regulations, 2023*

In August 2023, [Order in Council 410/2023](#) was issued implementing multiple amendments to Part IV of *The Municipalities Regulations (Regulations)* pertaining to organized hamlets (OH). The amendments focused on clearly defining the roles and responsibilities for organized hamlet boards and rural municipality councils to improve local governance, accountability and increased transparency. This resource provides a snapshot of the changes to the Regulations affecting OHs.

This bulletin is not a substitute for the actual legislation. The complete chapter may be viewed on the Publications Saskatchewan website. Please visit [Publications Saskatchewan](#) to view the Regulations and *The Municipalities Act (Act)* in their entirety.

| Section | Description |
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| NEW Section 22.1 | <i>Interpretation of Part</i> <ul style="list-style-type: none">Provides definitions pertaining to Part IV:<ul style="list-style-type: none">municipality;resident; andvoter.Clarifies that the definition of an “active hamlet board” is any hamlet board that does all of the following:<ul style="list-style-type: none">holds an annual general meeting each year;submits meeting minutes to the municipality in accordance with section 27.1;conducts regular meetings in accordance with section 27; andsubmits an annual budget pursuant to section 69.1 of the Act. |
| NEW Section 22.2 | <i>Board policies for organized hamlet</i> <ul style="list-style-type: none">Requires hamlet boards to establish policies prior to the 2024 annual general meeting regarding:<ul style="list-style-type: none">notice;hamlet board meetings; andelection of board members;Clarifies that policies are to be submitted to the municipality and must be available for public inspection at the municipal office. |

Organized Hamlet
Policies

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| NEW Section 22.3 | <p><i>Municipal policies for organized hamlets</i></p> <ul style="list-style-type: none"> Requires municipalities to establish policies prior to the OH's 2024 annual general meeting regarding: <ul style="list-style-type: none"> the requirements for the hamlet board's budget submission to the municipality; the format and timing of joint meetings between the municipality and hamlet board; and the first meeting of an OH (if a new OH is established by the Minister). Clarifies that policies must be available for public inspection at the municipal office. |
| AMENDED Section 23 | <p><i>First annual general meeting</i></p> <ul style="list-style-type: none"> Requires the municipality to establish the time and date for the first annual general meeting, to provide public notice and to appoint a chairperson when the Minister declares an OH is established. |
| AMENDED Section 24 | <p><i>Notice</i></p> <ul style="list-style-type: none"> Requires the hamlet board to establish notice policies for: <ul style="list-style-type: none"> annual general meetings; board meetings; board minutes; board policies; and other matters relating to the procedures of hamlet boards. Clarifies the minimum notice requirements to be given by a hamlet board regarding established policies and sets out methods by which that notice may be relayed to the residents of the OH. |
| AMENDED Section 26 | <p><i>Annual general meeting</i></p> <ul style="list-style-type: none"> Clarifies that the annual general meeting is for OH residents and open to the public. Requires the following to occur at an annual general meeting: <ul style="list-style-type: none"> an election of hamlet board members (if required); an announcement of the date and time set for the next annual general meeting; and reports prepared by the hamlet board secretary are to be made available to residents regarding the OH's: <ul style="list-style-type: none"> annual financial statements provided by the municipality; final approved budget for the previous year; proposed budget for current year; minutes from last annual general meeting; minutes of all hamlet board meetings held since previous annual general meeting; and ongoing and/or concluded disputes with the municipality (if applicable). |

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| AMENDED Section 27 | <p><i>Board Meetings</i></p> <ul style="list-style-type: none"> • Clarifies that regular hamlet board meetings can be virtual or in person. • Requires that hamlet board meetings must be held at least four times per year not exceeding 120 days between meetings. |
| NEW Section 27.1 | <p><i>Minutes</i></p> <ul style="list-style-type: none"> • Requires the secretary to take minutes at every hamlet board meeting and submit the minutes to the municipality within 10 days after the board meeting. • Requires the hamlet board secretary to take minutes at every annual general meeting. |
| NEW Section 27.2 | <p><i>Nominations to board</i></p> <ul style="list-style-type: none"> • Clarifies that any voter of the OH is eligible to be nominated to the board unless they are an employee of the municipality. • Requires the hamlet board to establish a policy for the nomination of board members. The policy may include: <ul style="list-style-type: none"> ○ deadline for nominations; ○ form and manner of nomination submissions; and ○ information required to be submitted with a nomination. |
| NEW Section 27.3 | <p><i>Election of hamlet board</i></p> <ul style="list-style-type: none"> • Clarifies that hamlet board member(s) are elected according to the procedures set out in the hamlet board policy. • Requires that: <ul style="list-style-type: none"> ○ the results of the vote be announced at the annual general meeting in which the vote was conducted; and ○ the official results must be posted according to the hamlet boards' notice policy no later than five (5) days after the annual general meeting. |
| AMENDED Section 28 | <p><i>Terms of Office</i></p> <ul style="list-style-type: none"> • Clarifies the terms of office of a hamlet board member. |
| AMENDED Section 31 | <p><i>Vacancies</i></p> <ul style="list-style-type: none"> • Clarifies the process a hamlet board may follow should a vacancy occur due to a member's death, resignation, disqualification or otherwise. |
| NEW Section 31.1 | <p><i>Conflict of interest</i></p> <ul style="list-style-type: none"> • Requires members of the hamlet board to comply with section 141 and 141.1, subsections 142(1), (2) and (6) and sections 143, 144, 144.1 and 144.2 of the Act which pertain to conflict of interest. • Requires hamlet board members who have a conflict of interest follow subsection 144(1) of the Act and states that every |

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| | declaration of a conflict of interest must be recorded in the minutes of the meeting. |
| NEW Section 31.2 | <p><i>Disqualification and removal of organized hamlet board members</i></p> <ul style="list-style-type: none"> • Clarifies a hamlet board member can be disqualified if they are: <ul style="list-style-type: none"> ○ absent from three (3) consecutive board meetings; ○ convicted while in office of an offence punishable by imprisonment for five (5) years or more, or an offence pursuant to section 123, 124 or 125 of the <i>Criminal Code</i>; or ○ no longer a voter of the OH. • Requires a hamlet board member who is disqualified to resign immediately or sections 148 and 150 of the Act apply. |
| AMENDED Section 33 | <p><i>Revenues of waterworks or sewage systems</i></p> <ul style="list-style-type: none"> • Clarifies how the revenue from the operation of the waterworks system or sewage system shall be used by the municipality. |
| AMENDED Section 34 | <p><i>Report respecting funds and budget</i></p> <ul style="list-style-type: none"> • Requires the municipality to establish a procedure for the preparation, submission and approval of the hamlet budget that must include: <ul style="list-style-type: none"> ○ the required format and content of the budget submission; ○ deadlines for the initial submission, any required revisions and final approval of the budget; and ○ procedures for communicating with the hamlet board when revisions are required. • Clarifies that the hamlet budget must include: <ul style="list-style-type: none"> ○ percentage of municipal taxes to be allocated to the hamlet account; ○ percentage of special levy, if any, to be allocated to the hamlet account; and ○ the mill rate of the hamlet, if different from the mill rate of the municipality. • Clarifies that on or before January 20 of each year, the municipality must provide to the hamlet board a statement of the revenue and expenditures allocated to the hamlet account during the previous year, accumulated reserves of the hamlet and the revenues and expenditures in relation to the operation of any waterworks or sewage works. • Clarifies that the amount of taxes retained by the municipality must be sufficient to cover all services and administrative costs provided to the OH. • Requires the municipality to approve the hamlet budget by resolution or bylaw. • Clarifies that the approval of the budget constitutes an agreement by the municipality to pay any expenditures for that fiscal year included in the budget. |

Budget
requirements

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| NEW Section 34.1 | <i>Amount/percentage of taxes</i> <ul style="list-style-type: none"> Clarifies that the percentage allocated to the hamlet account may be agreed to for a period of up to five (5) years. |
| NEW Section 34.2 | <i>Unexpended funds</i> <ul style="list-style-type: none"> Clarifies that the municipality must allocate any unexpended revenues of the hamlet to a reserve account. Requires that the accumulated surplus allocated to the hamlet account must be available for expenditures as stated in the approved budget. Clarifies that the hamlet board may prepare and adopt a capital works plan for a period of not less than five (5) years which includes estimates of capital costs and proposed sources for financing. |
| AMENDED Section 35 | <i>Appeal Board</i> <ul style="list-style-type: none"> Clarifies who can be appointed to an appeals board pursuant to section 77 of the Act and how the board is to proceed in the event an appeal board member is unable to act. |
| AMENDED Section 36 | <i>Duties of appeal board</i> <ul style="list-style-type: none"> Outlines the duties of the appeal board should the municipality and hamlet board have a dispute. Clarifies the process of the scheduled hearing, deadline in which the appeal board decision is to be rendered and the responsibility of associated costs for the hearing. |
| AMENDED Section 37 | <i>Appeal of decision</i> <ul style="list-style-type: none"> Clarifies that the appeal board's decision may be appealed to the Saskatchewan Municipal Board. |
| NEW Section 38 | <i>Chairperson to forward decision</i> <ul style="list-style-type: none"> Requires the chairperson of the appeal board to send a copy of the decision of the appeal board to the council, the hamlet board and the minister. |

Further information

Questions about information contained this bulletin can be directed to a municipal advisor by calling 306-787-2680 or emailing muninfo@gov.sk.ca.