



CITY OF MOOSE JAW

Moose Jaw Municipal Airport Authority Bylaw

Bylaw No. 5561

Date of Passage August 13, 2018
(effective date August 13, 2018)

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This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

BYLAW NO. 5561

MOOSE JAW MUNICIPAL AIRPORT AUTHORITY BYLAW

THE COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:

WHEREAS the Moose Jaw Municipal Airport is owned and operated by the City of Moose Jaw as a public asset;

AND WHEREAS the Council of the City of Moose Jaw has established the Moose Jaw Municipal Airport (MJMA) as a self-sustaining business operation such that the annual operating and capital budgets are funded by Airport revenues and revenue from other sources that do not necessarily include the City of Moose Jaw;

AND WHEREAS the Moose Jaw Municipal Airport Authority (MJMAA), be established for the future governance, management and operation of the MJMA; to ensure safety, security and effectiveness of the airport;

AND WHEREAS one of the purposes of the MJMA is to build assets to further the economic and social development of residents of The City of Moose Jaw and region;

AND WHEREAS the MJMAA be operated in accordance with *Canadian Aviation Regulations SOR/96-433* as a not-for profit, and incorporated as a non-profit corporation under the *Non-Profit Corporations Act, 1995, S.S. 1995, c N-4.2*;

AND WHEREAS *The Cities Act, S.S. 2002, c C-11.1*, in section 8, authorizes Council to establish bylaws in relation to, amongst other matters, the safety, health and welfare of people and the protection of people and property and transport and transportation systems, including carriers of persons or goods and to set services provided by or on behalf of the city, including establishing fees for providing those services;

AND WHEREAS the Council of the City of Moose Jaw wishes to establish the MJMAA as a select committee to advise and make recommendations to the Council of the City of Moose Jaw;

AND WHEREAS the City of Moose Jaw will appoint the MJMAA to operate the MJMA in accordance with City of Moose Jaw policies and develop an annual strategic plan recommended by the MJMAA and adopted by the Council of the City of Moose Jaw;

AND WHEREAS the City of Moose Jaw commissioned a study, *The Airport Authority Governance Model: Implications for the Moose Jaw Municipal Airport – RP Erickson & Associates*, Aviation Consultants of Calgary, Alberta in 2014

Now, therefore, the Council of the City of Moose Jaw in the Province of Saskatchewan enacts as follows:

1. TITLE

This Bylaw may be referred to as the Moose Jaw Municipal Airport Authority Bylaw.

2. INTERPRETATION

(1) Schedule "A" contains definitions of terms used in this Bylaw and, where not defined, are interpreted consistently with the *Cities Act*.

(2) A reference to any statute, regulation or Bylaw refers to that enactment as it may be amended or replaced from time to time.

(3) Words in the singular include the plural and gender specific terms include both genders and include corporations.

(4) The headings in this Bylaw are for convenience only and must not be construed as defining or in any way limiting the scope or intent of this Bylaw.

(5) If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

3. AUTHORITY ESTABLISHED

The Moose Jaw Municipal Airport Authority is established as a select committee of Council consisting of the members appointed under section 4 and the members will be required to create a non-profit corporation under the *Non-Profit Corporations Act, 1995 (Saskatchewan)*.

4. AUTHORITY MEMBERS

(1) The Authority consists of seven (7) individuals.

- (2) At least four (4) members must be residents of the City, and up to three (3) members may be appointed from the aviation and aerospace industries or from region, including, from the RM #161 Moose Jaw.
- (3) One (1) of the seven (7) members of the MJMAA is the Mayor. In the absence of the Mayor, the Deputy Mayor may attend meetings.
- (4) The City Manager is an ex-officio member of the MJMAA, or a delegated replacement.
- (5) Council shall appoint the members of the MJMAA, other than the Mayor, who is a member under subsection 3.
- (6) Council must appoint the chair and vice-chair of the MJMAA.
- (7) Subject to sections 6 and 7, and subject to Council discretion in relation to each appointment, the term of each member of the MJMAA is two (2) calendar years.
- (8) Despite subsection (5), an MJMAA member's term continues until a successor is appointed, or in the case of an elected official when their term expires.
- (9) Unless otherwise determined by Council, an individual can serve for up to six (6) consecutive years on the MJMAA.

5. **REMOVAL OF MEMBERS**

Council may remove any member of the MJMAA.

6. **REPLACEMENT OF MEMBERS**

Council may appoint a replacement member in the event of a member's death, resignation or removal.

7. **PURPOSES OF AUTHORITY**

(1) The following are the purposes of the MJMAA:

- a. Manage and operate the airport as a self-sustaining business operation such that annual operating and capital budgets are funded by airport revenues;

- b. Subject to the submission, prior to December 1st of each calendar year, an annual airport strategic and operational plan for approval by Council for the following calendar year, comprising of, at least, the following:
 - i. The annual operating and capital budget, including fees;
 - ii. Proposed leases or other dispositions of real property;
 - iii. Proposed acquisitions of real property;
 - iv. Human resources, in respect of staffing levels;
 - v. Procurement in accordance with the City's Purchasing Policy;
 - vi. Business and economic development and retention strategies; and
 - vii. A plan for the following calendar year, and the next ensuing four (4) years addressing in more general terms the matters listed in Subparagraphs i. through vi;
 - c. Make recommendations to Council on the acquisition and disposition of a parcel or area of real property;
 - d. Monitor the operational performance of the MJMA and report to Council any variances or inconsistencies from the strategic and operational plan approved by Council under section 8(1)(a); and
 - e. Establish MJMAA sub-committees from time to time.
- (2) Each member of the MJMAA is a brand ambassador for the MJMA in support of business and economic development in the City region, and greater business community. Each MJMAA member will also promote MJMA strategic initiatives to other orders of government pertaining to funding requests or policy decisions.

8. **RESPONSIBILITY OF THE MUNICIPAL AIRPORT AUTHORITY**

(1) A member of the MJMAA is not liable in his personal capacity for debt or liability of the Authority

9. **COUNCIL**

(1) Council will make the final decisions on the following:

- a. Approval of the strategic, operational and capital plans;
- b. Approval of the acquisition and disposition of real property; and
- c. Airport fees.

10. **MEETINGS**

- (1) The MJMAA must meet four (4) times per calendar year.
- (2) A quorum of the MJMAA is a simple majority of those members appointed to the MJMAA.
- (3) No act or other proceeding of the MJMAA is valid unless authorized by resolution at a meeting of the MJMAA.

11. **CONFLICT OF INTEREST**

Each member of the MJMAA is governed by, and subject to, the City's conflict of interest rules for committee members, as set out in the City's policies.

12. **COMING INTO FORCE**

This Bylaw comes into force and effect upon its passage thereof.

READ A FIRST TIME THE 23RD DAY OF JULY, 2018.

READ A SECOND TIME THE 23RD DAY OF JULY, 2018.

READ A THIRD TIME AND PASSED ON the 13TH day of AUGUST, 2018.


 MAYOR


 ACTING CITY CLERK

SCHEDULE "A" – DEFINITIONS

In this Bylaw:

"MJMA" means the Moose Jaw Municipal Airport, located on N50°26'05.0" W105°23'16.0" in the Rural Municipality of Moose Jaw, No. 161.

"MJMAA" means the Moose Jaw Municipal Airport Authority established under section 3.

"City" means the City of Moose Jaw.

"City Manager" is the chief administrative officer for the City, appointed under Bylaw No. 5175, City Administration Bylaw.

"Deputy Mayor" means the "Deputy Mayor", as set out in Bylaw No. 5176, Procedure Bylaw.

"Mayor" means the duly elected Mayor of the City.