



THE CITY OF DAWSON

Reserves Fund Bylaw

Bylaw No. 2022-13

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;

THEREFORE, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS:**

PART I - INTERPRETATION

1.00 Short Title

1.01 This bylaw may be cited as the *Reserves Fund Bylaw*.

2.00 Purpose

2.01 The purpose of this bylaw is to establish reserve accounts and to set out the purpose of each account and the method by which the accounts will be administered.

3.00 Definitions

3.01 In this Bylaw:

- (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act (RSY 2002, c. 125)* shall apply;
- (b) “city” means the City of Dawson;
- (c) “council” means the council of the City of Dawson.

PART II – APPLICATION



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4.00 Establishment of Reserves

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

5.00 Funding of Reserves

5.01 Each Reserve shall be funded in accordance with this Bylaw. All Reserves are to be fully funded within 30 days of the release of the annual audit.

5.02 All Reserves shall be held in a segregated account or investments. These funds may be held in a consolidated account, but must be accounted for in a manner that makes it possible at all times to determine the identity of each Reserve.

5.03 Money placed into the consolidated account to the credit of a particular Reserve shall not, except by bylaw, be expended, pledged or applied to a purpose other than that for which the Reserve was established.

5.04 A Reserve shall not accumulate funds in excess of any amount specified under the purpose of the Fund.

6.00 Utilization of Reserve Funds

6.01 The SFO shall include all anticipated reserve transfers in the City's annual budget.

6.02 The SFO shall administer all Reserves and report each year to Council on the status of each reserve.

6.03 Council shall review the status of each Reserve and determine the adequacy of the Reserve annually.

6.04 Any reserve transfers not included in the annual budget shall require a resolution of Council approving the use of these funds.

6.05 Interest earned from all Reserves shall be credited to the general revenues of the City, except for the following Reserve Funds: Parking, Load Capacity, Water and Sewer, and Facilities.

6.06 With the exception of the donated portion of any Fund, Council may, by resolution, reallocate monies from one reserve account to another.



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PART III – FORCE AND EFFECT

700 Severability

7.01 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

8.00 Bylaw Repealed

8.01 Bylaw 11-21 and 12-14, and amendments thereto, are hereby repealed.

9.00 Enactment

9.01 This bylaw shall come into force on the day of the passing by council of the third and final reading.

10.00 Bylaw Readings

Readings	Date of Reading
FIRST	May 4, 2022
SECOND	June 1, 2022
THIRD and FINAL	June 1, 2022

Original signed by:

William Kendrick, Mayor

Presiding Officer

Cory Bellmore, CAO

Chief Administrative Officer



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APPENDIX 'A'

NAME	FUNDING SOURCE/LEVELS	CASH FUNDED	PURPOSE, CRITERIA, CONDITIONS OF USE
Parking Reserve	<p>From Developers who do not wish to construct off-street parking.</p> <p>This reserve shall hold a balance equal to the total funds received less amounts expended for the creation of parking spaces.</p>	Yes	To track funds taken in by the City as cash in lieu of parking requirements and reserved for the future development of parking spaces in the City.
Load Capacity Reserve	<p>From new developments placing increased load upon the water/sewer system.</p> <p>The balance of this reserve shall be the total of all funds received as load capacity charges less amounts expended for the enhancement of the water and sewer system.</p>	Yes	To track funds taken in by the City of Dawson as a load capacity charge on new developments and which are to be used for the enhancement of the City's water and sewer system.
Heritage Fund Reserve	As directed by Council or as donated to by any person.	Yes	<p>To assist with any of the following:</p> <ul style="list-style-type: none"> -Restoration, enhancement or renovation of Municipal Historic Sites;



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			<p>-Acquisition of Municipal Historic Sites by the City of Dawson;</p> <p>- Provision of financial assistance to owners or lessees of Municipal Historic Sites for restoration, enhancement or renovation of the site;</p> <p>-Increasing public awareness of heritage resources and heritage management of the City;</p> <p>-Other heritage purposes as specified by resolution of Council.</p>
Land Development Reserve	As directed by Council	Yes	<p>Funds from the Land Development Reserve may be expended for:</p> <ul style="list-style-type: none"> - The acquisition 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	<p>As directed by Council</p> <p>Target balance for this fund shall be \$500,000.</p>	Yes	To provide funds for unbudgeted emergency purposes.
Equipment Replacement Reserve	As directed by Council	Yes	To set aside funds for the purpose of funding the City's 10-year Equipment Replacement plan.



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Water and Sewer System Reserve	As directed by Council	Yes	To set aside funds to allow for repairs and/or enhancements to the water and sewer system.
Cable Television Reserve	As directed by Council The target balance of this reserve shall be \$100,000.	Yes	To set aside funds for the purpose of being able to fund repair, replacement of, or upgrades to the Cable Television system.
Road Maintenance	As directed by Council	Yes	To set aside funds for the purpose of absorbing impact of major cost increases associated with unusual snow and/or ice conditions.
Waste Management Reserve	As directed by Council	Yes	To set aside funds for the purpose of undertaking work at the municipal landfill site or initiating programs associated with waste collection and waste diversion.
Facilities Reserve	Annual contribution of an amount equal to the revenue generated by a 0.1% tax rate plus interest earned.	Yes	To accumulate funds to be used for the planning, siting, or construction of new facilities.
Green Initiatives Reserve	Annual Carbon Tax payment	Yes	To set aside funds for the purpose of undertaking clean energy and/or green initiatives. Funds may be expended for Climate change projects undertaken by the City.