

BYLAW NO. 2-2012

ADMINISTRATIVE BYLAW

A BYLAW of the Town of Preeceville, in the Province of Saskatchewan, to provide for the Administration of the Municipal Corporation and to Set Forth the Duties and Powers of the Designated Officers for the Town of Preeceville.

THE COUNCIL FOR THE TOWN OF PREECEVILLE IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the Administration Bylaw

PART I

PURPOSE AND DEFINITIONS:

Purpose and Scope

2. The purpose of this Bylaw is to:
 - (a) establish the office of Administrator and Assistant Administrator; and
 - (b) establish who may sign specified municipal documents on behalf of the municipality; and
 - (c) establish the powers, duties and functions of municipal officials and/or employees of the municipality

3. Definitions

- (a) "Act" means *The Municipalities Act*.
- (b) "Administrator" means the Administrator of the Town of Preeceville appointed pursuant to Section 110 of *The Municipalities Act*.
- (c) "Assistant Administrator" means the person appointed as Assistant Administrator.
- (d) "Chief Administrative Officer (CAO)" means the Chief Administrative Officer of the Town of Preeceville appointed to the position of Administrator pursuant to Section 110 of *The Municipalities Act*.
- (e) "Council" means the Town Council of the Town of Preeceville.
- (f) "Municipality" means the Town of Preeceville.

PART II

ADMINISTRATOR:

Establishment of Position

4. The position of Administrator is established pursuant to Section 110 of the Act.
 - (a) Council shall by resolution appoint an individual to the position of Administrator.
 - (b) Council shall establish the terms and conditions of employment of the Administrator.
 - (c) The Administrator shall be the Chief Administrative Officer of the municipality.
 - (d) Any person appointed to the position of Administrator must be qualified as required by *The Urban Municipal Administrators Act*.

Duties of the Administrator

5. The Administrator shall perform the duties and exercise the powers and functions that are assigned by the Act, and other acts, this Bylaw, or any other bylaw, resolution or policy of Council.

Duties of the Administrator - *The Municipalities Act*

6. Without limiting the generality of Section 5, the Administrator shall:
 - (a) Take charge of and safely keep all books, documents and records of the Municipality that are committed to his/her charge;
 - (b) Ensure all minutes of council meetings are recorded;

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- (c) Record the names of all council present at council meetings;
- (d) Ensure the minutes of each council meeting are given to the Council for approval at the next council meeting;
- (e) Advise the Council of its legislative responsibilities pursuant to this or any other Act;
- (f) Ensure the safe keeping of the corporate seal, bylaws, minutes, fund securities and any other records or documents of the municipality;
- (g) Provide the Minister with any statements, reports or other information that may be required by this Act or any other Act;
- (h) Ensure that the official correspondence of Council is carried out in accordance with Council's direction;
- (i) Maintain an index register containing certified copies of all bylaws of the Municipality;
- (j) Deposit cash collections that have accumulated to (an amount determined by Council that is equal to or less than the amount of the Administrator's bond), at least once a month in the bank or credit union designated by Council;
- (k) Disburse the funds of the Municipality in the manner and to those directed by law, bylaw or resolutions of Council;
- (l) Disburse funds for payment of payroll, source deductions and municipal utilities at time invoiced or scheduled;
- (m) Maintain an accurate account of assets and liabilities and all transactions affecting the financial position of the municipality in accordance with generally accepted accounting principles;
- (n) Ensure that the financial statements and information requested by resolution are submitted to Council;
- (o) Complete a financial statement for the preceding financial year in accordance with Generally Accepted Accounting Principles for municipal governments recommended from time to time by the Canadian Chartered Accountants by June 1st of each year;
- (p) Send copies of bylaws for closing and closing and leasing of public highways in the municipality to the Minister of Highways and Transportation;
- (q) Bring forward any resignations(s) of elected officials;
- (r) At the first meeting in January of each year provide bond(s) to Council;
- (s) Sign minutes of Council and Committee meetings;
- (t) Sign bylaws;
- (u) Provide copies of public documents upon request for payment of fee;
- (v) Provide notice of first meeting of Council, after each general election;
- (w) Call a special meeting when lawfully requested to do so;
- (x) Determine the sufficiency of a petition requesting a public meeting of voters;
- (y) Determine the validity of a petition for referendum (30 days to report to Council);
- (z) Administer public disclosure statements if the Municipality adopts this requirement;
- (aa) Record any abstentions or pecuniary interest declarations in the minutes;
- (bb) Provide information to the Auditor;
- (cc) Send amended tax notices when required and make necessary adjustments to the tax roll;
- (dd) Remove tax lien(s) if all arrears are compromised or abated;
- (ee) Issue tax certificates;
- (ff) Provide for payment of writ of execution against the Municipality;
- (gg) Produce certain records upon request of inspector appointed by the Minister.
- (hh) Certify the date on which tax notices are sent.
- (ii) Provide receipt for tax payment on request of tax payer or agent.
- (jj) Apply partial tax payments on arrears first and if undesignated decide to which taxable property or properties the payment is to be applied.
- (kk) Provide a proof of taxes.

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- (ll) Transfer special assessments to the tax roll.
- (mm) Submit school liability in a timely manner.
- (nn) Administer Temporary Road Closures.

Additional Duties of the Administrator

7. The Administrator shall:

- (a) Act as the Returning Officer for all elections under The Local Government Elections Act unless Council appoints another person pursuant to Section 28(1) of The Local Government Elections Act.
- (b) Ensure that Public Notice is given as provided in the Act or any other Act and/or as required by Council in this Bylaw, any other bylaw or resolution.
- (c) Ensure that the policies and programs of the Municipality are implemented.
- (d) Advise, inform and make recommendations to council on the
 - i. operations and affairs of the Municipality
 - ii. policies and programs of the Municipality
 - iii. the financial position of the Municipality.
- (e) Supervise all operations of the Municipality.
- (f) Be responsible for the preparation and submission of the annual budget to Council.
- (g) Monitor and control spending within the budget as established by Council.
- (h) Make routine expenditures on a daily basis until the annual budget is adopted by Council.
- (i) Call for tenders as determined by Council.
- (j) Purchase goods, services or work as determined by Council.
- (k) Award contracts as determined by Council.
- (l) Conduct negotiations for land purchases, annexations, etc.
- (m) Attend meetings of Council and other meetings as Council directs.

PART III

OTHER POSITIONS:

Assistant Administrator

Establishment of Position

- 8. (a) Council shall by resolution appoint an individual to the position of Assistant Administrator.
- (b) Council shall establish the terms and conditions of employment of the Assistant Administrator.

Duties of the Assistant Administrator

9. The Assistant Administrator shall perform the duties and exercise the powers and functions that are assigned by the Administrator, this Bylaw, or any other bylaw, resolution or policy of Council.

Acting Administrator

Establishment of the Position

10. If the Administrator is incapable of performing his or her duties or if there is a vacancy in such position, the Council may appoint a person as Acting Administrator for a period of no longer than three (3) months or any longer period that the board of examiners may follow.

Duties of the Acting Administrator

11. The Acting Administrator shall have all the powers and duties of the Administrator while in the capacity of the Administrator.

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PART IV
CASH COLLECTIONS DEPOSIT

12. The Administrator shall ensure that cash collections that have accumulated to the amount of \$10,000.00, but in any case not less than once a week nor more than once each day, are deposited in the name of the municipality in a bank or credit union designated by council, of which the Administrator is not an employee.

PART V
DELEGATION OF AUTHORITY

13. The Council hereby authorizes the Administrator to delegate any of his/her powers, duties or functions to another employee.

PART VI
MUNICIPAL DOCUMENTS

Signing Agreements

14. The Mayor and the Administrator shall sign all agreements to which the municipality is party. In the absence of the Mayor, the Deputy Mayor shall sign all agreements to which the municipality is party. In the absence of the Deputy Mayor, the acting Mayor shall sign all agreements to which the municipality is party. In the absence of the Administrator, the Assistant Administrator shall sign all agreements to which the municipality is party.

Cheques

15. The Administrator and the Mayor shall sign all cheques on the behalf of the Municipality. In the absence of the Mayor, the deputy Mayor or if the Deputy Mayor is unavailable, any other Council member, shall sign all cheques on behalf of the Municipality. In the absence of the Administrator, the Assistant Administrator shall sign all cheques on behalf of the Municipality.

Negotiable Instruments

16. The Administrator and the Mayor shall sign all other negotiable instruments on behalf of the Municipality. In the absence of the Mayor, the Deputy Mayor, or if the Deputy Mayor is unavailable, any other council member, shall sign all other negotiable instruments on the behalf of the municipality. In the absence of the Administrator, the Assistant Administrator shall sign negotiable instruments on behalf of the Municipality.

PART VII
DESIGNATED OFFICERS

Enforcement of Municipal Law

17. The Administrator, the Council committee (if a committee has been established in relation to the Matter), the Fire Chief, Officer of the Peace or any individual appointed by Council shall be the designated officer(s) appointed to inspect, remedy or enforce any bylaw or *The Municipalities Act*.

Right of Entry for Public Utility Service

18. The Water/Wastewater Operators shall be the designated officer(s) to enter a building for the purpose of a public utility service.

Other Designated Officers

19. The Municipal Fire Chief and Building Inspector shall also enforce compliance to all bylaws of the Municipality as well as enforce compliance to their respective Acts, *The Fire Prevention Act* and *Uniform Building and Accessibility Standards Act*.

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**PART VIII
Repealing Bylaw**

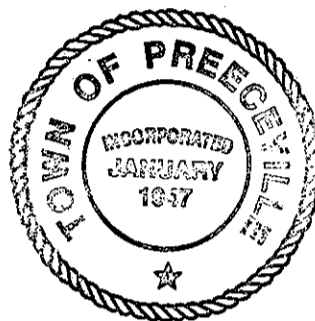
20. Bylaw No. 10-2005 is hereby repealed.

**PART IX
Coming into Force**

21. This Bylaw shall come into force, and take effect, on the day of its final passing.

John Hansen
MAYOR

Janet Kowchak
ADMINISTRATOR



CERTIFIED A TRUE AND CORRECT COPY OF
BY LAW No. 2-2012 OF THE TOWN OF
PREECEVILLE.
DATED AT PREECEVILLE, SASKATCHEWAN THIS
11th DAY OF April AD 2012
Janet Kowchak
TOWN ADMINISTRATOR



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