

Village of Val Marie

Bylaw 3-20

Administrative Bylaw

OFFICE CONSOLIDATION

As at June 17, 2020

FOR REFERENCE PURPOSES ONLY –

NOT A CERTIFIED TRUE COPY OF THE ORIGINAL

This Bylaw was passed on June 17, 2020 and has not been amended since.

ADMINISTRATIVE BYLAW

A BYLAW TO PROVIDE FOR THE ESTABLISHMENT OF THE DUTIES AND POWERS OF THE ADMINISTRATOR AND DESIGNATED OFFICERS

The council of the Village of Val Marie 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.
 - (a) The purpose of this Bylaw is to establish the office of Administrator, Assistant Administrator or any other municipal office that council considers necessary; and
 - (b) To establish who may sign specified municipal documents on behalf of the municipality; and
 - (c) To establish the powers, duties and functions of municipal officials and/or employees of the municipality.

Definitions

3.
 - (a) "Act" means the Municipalities Act
 - (b) "Municipality" means the Village of Val Marie
 - (c) "Administrator" means the Administrator of the Village of Val Marie appointed pursuant to Section 110 of The Municipalities Act.
 - (d) "Assistant Administrator" means the person appointed as Assistant Administrator.
 - (e) "Department Head" means the Recreation Director, the Treasurer, Public Works Foreman, Fire Chief and any other person appointed as a Department Head)

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) The terms and conditions of employment of the Administrator and all other office staff are determined by the Joint Administration Agreement with the R.M. of Val Marie No. 17.
 - (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, any other acts, this Bylaw, or any other bylaw or resolution 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; *(MA 111)*
- (b) Ensure all minutes of council meetings are recorded; *(MA 111)*
- (c) Record the names of all council present at council meetings; *(MA 111)*
- (d) Ensure the minutes of each council meeting are given to the council for approval at the next council meeting; *(MA 111)*
- (e) Advise the council of its legislative responsibilities pursuant to this or any other act; *(MA 111)*
- (f) Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality; *(MA 111)*
- (g) Provide the minister with any statements, reports or other information that may be required by this Act or any other act; *(MA 111)*
- (h) Ensure that the official correspondence of Council is carried out in accordance with Council's direction; *(MA 111)*
- (i) Maintain an index register containing certified copies of all bylaws of the municipality; *(MA 111)*
- (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, but not more than once a day, in the bank or credit union designated by council; *(MA 111)*
- (k) Disburse the funds of the municipality in the manner and to those directed by law bylaw or resolutions of council; *(MA 111)*
- (l) 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; *(MA 111)*
- (m) Ensure that the financial statements and information requested by resolution are submitted to council; *(MA 111)*
- (n) Complete a financial statement for the preceding financial year in accordance with the generally accepted accounting principles for municipal governments recommended from time to time by the Canadian Chartered Accountants by June 1st of each year; *(MA 111,185)*
- (o) Send copies of bylaws for closing and closing and leasing to the Minister of Highways and Transportation; *(MA 13)*
- (p) Bring forward any resignation(s) of elected officials; *(MA 96)*
- (q) At the first meeting in January of each year provide bond(s) to council; *(MA 113)*
- (r) Sign minutes of Council and Committee meetings; *(MA 115)*
- (s) Sign bylaws; *(MA 115)*
- (t) Provide copies of public documents upon request or payment of fee; *(MA 117)*
- (u) Provide notice of first meeting of council; *(MA 121)*
- (v) Call a special meeting when lawfully requested to do so; *(MA 123)*
- (w) Determine the sufficiency of a petition requesting a public meeting of voters; *(MA 129)*
- (x) Determine the validity of a petition for referendum (30 days to report to council); *(MA 135)*
- (y) Administer public disclosure statements if the municipality adopts this requirement; *(MA 142)*

- (z) Record any abstentions or pecuniary interest declarations in the minutes; *(MA 144)*
- (aa) Provide information to the Auditor; *(MA 190)*
- (bb) Send amended tax notices when required and make necessary adjustments to the tax roll; *(MA 264)*
- (cc) Provide for payment of writ of execution against the municipality; *(MA 353)*
- (dd) Produce certain records upon request of inspector appointed by Minister; *(MA 396)*

Additional Duties of the Administrator

7. The Administrator shall:

- (a) Act as the returning officer for all elections under 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 estimates from departments for Council
- (g) Monitor and control spending within program budgets established by Council.
- (h) Prepare and submit for approval an annual budget estimate after the provincial budget has been set but no later than June 30 in any year.
- (i) Recommend the structure of the municipality including establishing, merging, dividing, and eliminating departments.
- (j) Establish reporting policies and procedures.
- (k) Be responsible for all aspects of human resource management including establishing policies and procedures for hiring all employees of the municipality to carry out the powers, duties, and functions delegated to those employees.
- (l) Monitor and control spending within program budgets established by Council.
- (m) Call for tenders, purchase goods or services, and award contracts as outlined by Council approved policies and bylaws.
- (n) Conduct negotiations for land purchases, annexations etc.
- (o) Attend meetings of Council and other meetings as Council directs.
- (p) Any other authority delegated by Council. Council may delegate the authority for other matters excepting those listed in Section 127 which must be dealt with by the council.

PART III

OTHER POSITIONS

Assistant Administrator

8. Establishment of Position

The Council shall by resolution appoint an individual to the position of Assistant Administrator.

9. Duties

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 or resolution of Council.

Acting Administrator

10. Establishment of Position

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 not longer than three months or any longer period that the board of examiners may allow.

11. Duties

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

Public Works Foreman

12. Establishment of Position

The Administrator shall appoint a person to the position of public works foreman.

13. Duties

The public works foreman shall perform the duties and exercise the powers and functions that are assigned by the Administrator, this Bylaw, or any other Bylaw or resolution of Council. The job description of the Public Works Foreman will be approved by resolution of Council.

Seasonal Maintenance Labourer

13. Establishment of Position

The Administrator shall appoint a person to the position of seasonal maintenance labourer.

14. Duties

The seasonal maintenance labourer shall perform the duties and exercise the powers and functions that are assigned by the Administrator or the Public Works Foreman, this Bylaw, or any other Bylaw or resolution of Council. The job description of the Seasonal Maintenance Labourer will be approved by resolution of Council.

Clerk

15. Establishment of Position

The Council shall by resolution appoint an individual to the position of Clerk.

16. Duties

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

PART IV
DELEGATION OF AUTHORITY

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

PART V
MUNICIPAL DOCUMENTS

Signing Agreements

18. Subsection 115(4) requires agreements to be signed by at least 2 persons designated by council.

- (a) The Mayor and the Administrator shall sign all agreements to which the municipality is party. In the absence of the Mayor, the Deputy Mayor.
- (b) The Mayor and the Assistant Administrator in the absence of the Administrator, shall sign all agreements to which the municipality is party.

Negotiable Instruments

19. The Administrator and Mayor or Deputy Mayor shall sign all other negotiable instruments on behalf of the municipality.

PART VI DESIGNATED OFFICERS

Temporary Road Closure

20. The Public Works Foreman shall be the designated officer for the purpose of temporary or emergency road closures. (MA 14))

Enforcement of Municipal Law

21. Council may appoint a bylaw enforcement officer to inspect, remedy, or enforce any bylaw or *The Municipalities Act*. (MA 362-367)

Right of Entry for Public Utility Service

22. (Council may wish to appoint a person other than the Administrator to enter a building for the purpose of a public utility service.) (MA 26(5))

Other Designated Officers

23. If the administrator is chosen as the designated officer for any or all of the duties as listed, a council may wish those items to be listed with the duties of the administrator instead of separately.)
 - (a) Giving written notice for the unpaid fees of a building contract (i.e. transient trader or other license fees) (Section 9(5),
 - (b) Sign the Securities Register by designated officer requires a bylaw to be in place.(Section 174)
 - (c) Maintain debenture register and other duties relating to debenture transactions.(Section 175)
 - (d) Certify the date on which tax notices are sent. (Section 269)
 - (e) Prepare and send amended tax notices when required. (Section 271)
 - (f) Provide receipt for tax payment on request of tax payer or agent. (Section 272)
 - (g) Apply partial tax payments on arrears first and if undesignated decide to which taxable property or properties the payment is to be applied. (Section 273)
 - (h) Removal of tax lien if all arrears are compromised or abated. (Section 274)
 - (i) Issue tax certificates. (Section 276)
 - (j) Proof of taxes signed by a designated officer (Section 277)
 - (k) Transfer special assessments to the tax roll (Section 310)
 - (l) Submit school liability in a timely manner (Section 311)
 - (m) Collection of amusement tax (Section 316)
 - (n) May be responsible for service for Seizure of Goods (Section 323)
 - (o) Present identification upon request if undertaking an inspection of property (Section 362, 363, 364)
 - (p) May enter and search for Dangerous Animals (Section 378)

PART VII COMING INTO FORCE

24. This bylaw shall come into effect on the day of its final passing.