

2012-005

TOWN OF CHURCHBRIDGE

Administrative Bylaw

A BYLAW of the Town of Churchbridge 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 Officer for the Town of Churchbridge.

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

1. SHORT TITLE

This Bylaw may be cited as the Administration Bylaw.

2. INTERPRETATION/LEGISLATION

2.1 ACT

Means *The Municipalities Act*

2.2 MUNICIPALITY

Means Town of Churchbridge.

2.3 ADMINISTRATOR

Means the Administrator of the Town of Churchbridge appointed pursuant to Section 110 of *The Municipalities Act*.

2.4 ASSISTANT ADMINISTRATOR

Means the person appointed as Assistant Administrator.

2.5 DEPARTMENT HEAD

Means the Public Works Staff or Town Foreman.

3. SCOPE

1. The purpose of this Bylaw is to establish the office of Manager, Administrator, Treasurer, Assistant Administrator or any other municipal office that council considers necessary; AND/OR
2. The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; AND/OR
3. The purpose of this Bylaw is to establish the powers, duties and functions for municipal officials and/or employees of the municipality

4. ESTABLISHMENT OF POSITION

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 condition of employment of the Administrator.
- (c) The Administrator shall be the Chief Administrative Officer of the municipality.

Any person appointed to the position of Administrator must be qualified as required by *The Urban Municipal Administrators Act*

5. DUTIES OF ADMINISTRATOR

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.

Without limiting the generality of section 5 the Administrator shall:

1. Take charge of and safely keep all books, documents and records of the municipality that are committed to his/her charge;
2. Ensure all minutes of council meetings are recorded.
3. Record the names of all council present at council meetings;
4. Ensure the minutes of each council meeting are given to the council for approval at the next council meeting;
5. Advise the Council of its legislative responsibilities pursuant to this or any other act;
6. Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality;
7. Provide the minister with any statements, reports or other information that may be required by this Act or any other Act;
8. Ensure that the official correspondence of Council is carried out in accordance with Council's directions;
9. Maintain an index register of certified copies of all bylaws of the municipality;
10. Deposit cash collections that have accumulated to \$4,000.00 at least once a month, but not more than once a day, in the bank or credit union designated by council;
11. Disburse the funds of the municipality in the manner and to those directed by law or resolution of council;
12. 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;
13. Ensure that the financial statement and information requested by resolution are submitted to council;
14. 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;
15. Send copies of bylaws for closing and leasing roads to the Minister of Highways and Transportation;
16. Bring forward any resignation(s) of elected officials;
17. Sign minutes of Council and Committee meetings;
18. Sign bylaws;
19. Provide copies of public documents upon request or payment of fee;
20. Provide notice of first meeting of council;
21. Call a special meeting when lawfully requested to do so;
22. Determine the sufficiency of a petition requesting a public meeting of voters;
23. Determine the validity of a petition for referendum;
24. Administer public disclosure statements if the municipality adopts this requirement;
25. Record any abstentions or pecuniary interest declarations in the minutes;
26. Provide information to the Auditor;
27. Send amended tax notices when required and make necessary adjustments to the tax roll;
28. Provide for payment of writ of execution against the municipality;
29. Produce certain records upon request of inspector appointed by the Minister;

6. ADDITIONAL DUTIES OF ADMINISTRATOR

The Administrator shall:

1. Act as the returning officer for all elections under *The Local Government Elections Act*
2. 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.
3. Ensure that the policies and programs of the Town of Churchbridge are implemented.
4. Advise, inform and make recommendations to council on the operations and affairs of the Municipality policies and programs of the Municipality the financial position of the Municipality
5. Supervise all operations of the Municipality
6. Be responsible for the preparation and submission of the annual budget estimates from departments for Council
7. Monitor and control spending within program budgets established by Council
8. Make routine expenditures on a daily basis until the annual budget is adopted by Council.
9. Call for tenders
10. Purchase goods, services or work
11. Award contracts
12. Conduct negotiations for land purchases, annexations, etc.
13. Attend meetings of Council and other meetings as Council directs
14. Council may delegate the authority for other matters excepting those listed in Section 127 which must be dealt with by the council.
15. Give written notice for the unpaid fees of a building contract.
16. Sign the Securities Register by designated officer requires a bylaw to be in place
17. Maintain debenture register and other duties relating to debenture transactions.
18. Certify the date on which tax notices are sent.
19. Prepare and send amended tax notices when required.
20. Provide receipt for tax payment on request of tax payer or agent.
21. Apply partial tax payments on arrears first and if undesignated decide to which taxable property or properties the payment is to be applied.
22. Removal of tax lien if all arrears are compromised or abated.
23. Issue tax certificates.
24. Proof of taxes signed by a designated officer.
25. Transfer special assessments to the tax roll.
26. Submit school liability in a timely manner.
27. Collection of amusement tax.

7. OTHER POSITIONS

7.1 ASSISTANT ADMINISTRATOR

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

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.

7.2 ACTING ADMINISTRATOR

If the Administrator is incapable for 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.

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

8. DELEGATION OF AUTHORITY

The Council hereby authorizes the administrator to delegate any of his/her powers, duties or functions to another employee or the Assistant Administrator or the Administrator’s designate such as:

- 1. sign letters on his/her behalf
- 2. sign receipts on his/her behalf
- 3. record meeting minutes on his/her behalf when unable to attend
- 4. sign cheques when unavailable as Administrator’s designate.
- 5. issue and sign tax certificate

9. MUNICIPAL DOCUMENTS

9.1 SIGNING AGREEMENTS

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

AND/OR

The Mayor and the Assistant Administrator in the absence of the Administrator, shall sign all agreements to which the municipality is party.

9.2 CHEQUES

The Administrator is required or if the Administrator is unavailable, the Administrator’s designate AND Mayor or Deputy Mayor OR council may choose another council member as the other person, who shall sign all cheques on behalf of the municipality.

9.3 NEGOTIABLE INSTRUMENTS

The Administrator is required or if the Administrator is unavailable, the Administrator’s designate AND the Mayor or Deputy Mayor shall sign all other negotiable instruments on behalf of the municipality.

10. DESIGNATED OFFICER

The Department Head shall be the designated officer for the purpose of:

- 1. Temporary Road Closure
- 2. Right of Entry for Public Utility Service
- 3. Nuisance Abatement Bylaw # 2005-006 Enforcement

11. EFFECTIVE DATE

This Bylaw shall come into effect on the date of the final passing and will repeal Bylaw 2005-007 upon it passing.

Mayor

Administrator

Date

Certified a true copy of Bylaw 2012-005
Carried on _____
Resolution _____

_____ Administrator