

ADMINISTRATIVE BYLAW

Town of Naicam

BYLAW NO. 2021-001

The council of the Town of Naicam in the Province of Saskatchewan enacts as follows:

Short Title

1. This Bylaw may be cited as the *Administrative Bylaw*.

PART I

PURPOSE AND DEFINITIONS

Purpose and Scope

2. The purpose of this Bylaw is to establish:
 - a) the municipal positions and offices that council considers necessary;
 - b) who may sign specified municipal documents on behalf of the municipality; and
 - c) 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 municipal corporation of the Town of Naicam.
 - c) “Administrator” means the Administrator of the Municipality appointed pursuant to Section 110 of *The Municipalities Act* also known interchangeably as the Chief Administrative Officer (CAO) and Treasurer.
 - d) “Assistant Administrator” means a person appointed as Assistant Administrator.
 - e) “Delegate” means an employee or elected member of Council who has been designated in writing to have certain powers delegated to them, usually temporarily or for a specific purpose.
 - f) “Department Head” means the Public Works Foreman, and any other person appointed as a Department Head, Manager or Coordinator.

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 which may be subject to an employment contract.
 - 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 Municipalities Act* and *The Urban Municipal Administrators Act*.

Duties of the Administrator

5. The Administrator shall perform 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.
6. The Administrator and the Administration & Personnel Committee of Council together shall be authorized to hire, review performance of, discipline and terminate all employees under the municipality.
7. The Administrator and the Administration & Personnel Committee of Council together shall review performance of all individuals or vendors with contracts or agreements with the municipality and renew or terminate any such contracts or agreements where it is operationally efficient or justifiable to do so subject to the terms and/or conditions of said contract or agreement in place and subject to budgetary considerations.
8. The following list of duties are subject to *The Municipalities Act* and any changes or amendments thereto. 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 their charge;

- i) Ensure that all minutes of council meetings are recorded, that the names of all council present at council meetings is recorded in the minutes, that the minutes of each council meeting are provided to the council for approval at the next council meeting and all approved minutes are signed, sealed and inserted into the minute book;
- ii) Record any abstentions or pecuniary interest declarations in the minutes;
- iii) Maintain an index register containing certified copies of all bylaws and policies of the municipality;
- iv) Provide the relevant Ministries and appointed inspectors with any statements, reports or other information that may be required by this Act or any other act or as the Ministries may request;
- v) Ensure that the official correspondence of Council is carried out in accordance with Council's direction;
- b) **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;
 - i) Disburse the funds of the municipality in the manner and to those directed by the *Act*, municipal bylaw, policy or resolution of council;
 - ii) Deposit cash collections that have accumulated to \$10,000.00 (ten thousand), at least once a week, but not more than once a day, in a bank or credit union designated by council;
 - iii) Ensure that the financial statements and information requested by resolution are submitted to council;
 - iv) Complete a financial statement in coordination with the appointed municipal Auditor 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;
 - v) Submit all remittances including school tax liability in a timely manner.
 - vi) Provide for payment of writ of execution against the municipality;
 - vii) Provide receipts on request or as may be necessary for payments to the municipality.
- c) **Send** assessment and tax notices and amended assessment and tax notices when required and make necessary adjustments to the assessment and tax roll, certifying when notices have been sent;
 - i) Apply partial payments on arrears first and if undesignated use reasonable judgement as to which taxable property or properties the payment is to be applied;
 - ii) Removal of tax lien of all arrears are compromised or abated;
 - iii) Issue tax certificates;
 - iv) Transfer past due accounts to tax roll where applicable under this Act or any other Act, bylaw or policy of the Town or other level of government;
- d) **Advise** the council of its legislative responsibilities pursuant to legislation;
 - i) Bring forward any resignation(s) of elected officials;
 - ii) Administer public disclosure statements;
 - iii) Provide notice of first meeting of council to council after an election;
 - iv) Call a special meeting when lawfully requested to do so;
- e) **Determine** the sufficiency of a petition requesting a public meeting of voters;
 - i) Determine the validity of a petition for referendum (30 days to report to council);
- f) **Provide** copies of public documents upon request or payment of fee;
- g) **Provide** all requested information to the Auditor;

Additional Duties of the Administrator

10. The Administrator shall:

- a) Act as the returning officer for elections for the Town of Naicam 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, policy, or resolution.
- c) Ensure that the bylaws, policies and programs of the Municipality are implemented, maintained and enforced.
- 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 and be aware of all operations of the Municipality, ensuring appropriate internal controls are in place and followed.
- f) Be responsible for the preparation and submission of the annual budget.
- g) Monitor and control spending within the budgets established by Council.
- h) Make routine expenditures on a daily basis until the annual budget is adopted by council and pay all expenses that are payable at year end.
- i) Purchase or award bids for all goods, services or work subject to any Purchasing Policy that may be in place.
- j) Attend meetings of Council and other meetings as Council directs or as may be deemed operational efficient or beneficial to the Town or community.
- k) Operate in the interest of:
 - i) Promoting healthy and effective relationships with other municipalities, other levels of government as well as the partners, groups and vendors who do business with the municipality.
 - ii) Consistently improving citizen's experiences, customer satisfaction and trust in the Municipality.
 - iii) Building a strong and capable team of staff ensuring consistent and relevant employee engagement, inclusion and development in a collaborative work environment.
- l) Council may delegate the authority for other matters excepting those listed in Section 127 of the Act which must be dealt with by Council.

PART III OTHER POSITIONS

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 by resolution as Acting Administrator for a period of no longer than three months subject to the Board of Examiners of the Urban Municipal Administrators Association (UMAAS).

11. Duties

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

Other Staff

12. Establishment of Positions

The Administrator is permitted to hire such employees and management staff as may be necessary to aid in the performance of their duties subject to the approved budget of Council.

13. Duties

Employees shall follow the direction of their immediate supervisor or manager and ultimately the Administrator who will determine the authorizations, job description and list of duties for each position. Direction or suggestions regarding municipal operations and employees from Council and Committees of Council shall flow through the Administrator.

PART IV DELEGATION OF AUTHORITY

- 14. The Council hereby authorizes the administrator to delegate any of their powers, duties or functions to another employee.

PART V MUNICIPAL DOCUMENTS

Signing Authority

- 15. The signing authorities for staff are to be the Administrator and Community Enhancement Coordinator. The signing authorities for members of Council are the Mayor and one appointed member of Council as approved in the schedule of appointments. Dual signing shall be in the form of two of the four appointed persons as follows: one member of

Council and one staff person. Signing of any cheque or other documentation or instrument which requires two signing authorities may not be undertaken by two staff persons or two members of Council except by prior approval of the Finance Committee:

- a) Agreements and contracts to which the municipality is a party. These may be signed with one signature by the appropriate Department Head or Administrator if undertaking the agreement or contract has already been approved by resolution, policy, or bylaw of Council.
- b) Cheques and other negotiable instruments.
 - a. E-transfers and similar electronic type payments where dual signing is not available may be authorized by the Administrator or CEC with appropriate documentation attached to the payment voucher. Authorizations or redemptions of investments.
- c) Loan, credit or other borrowing documents
 - a. Credit card authorizations are to be signed by the individual named on the card. For the purpose of credit card purchases only the single signature is required. Appropriate documentation is to be attached to the payment voucher

Accounts

- 16. The Administrator and CEC are authorized to open accounts and transfer between accounts as may be necessary in the performance of their duties without additional authorization or signing authorities required.

**PART VI
DESIGNATED OFFICERS**

Temporary Road Closure

- 17. The Administrator, the Mayor, or a Department Head (or designate of any the preceding) shall be the designated officer and authorization for temporary road closures.

Enforcement of Municipal Law

- 18. The Administrator shall be the designated officer to inspect, remedy or enforce any bylaw or *The Municipalities Act*, depending on Council’s desired process to be applied to the enforcement of municipal law. The Administrator may delegate any bylaw enforcement powers to another employee, company, individual or organization hired for such a purpose as per the Municipal budget. Designated Officers:
 - (a) May be responsible for service for Seizure of Goods.
 - (b) Shall present identification upon request if undertaking an inspection of property.
 - (c) May enter or cross public or private property in the pursuit of or search for dangerous or at large animals or undertaking an inspection of a property under a Municipal bylaw or policy.

**PART VII
REPEALING and COMING INTO FORCE**

- 19. This bylaw shall come into effect on the day of its final passing.
- 20. This bylaw repeals Bylaw 2020-006

Mayor

{Seal}

Administrator

Read a third time and
adopted this day of
January, 2021