

# **ADMINISTRATIVE BYLAW**

## **THE RESORT VILLAGE OF CHITEK LAKE**

### **BYLAW NO. 109/2015**

A BYLAW TO PROVIDE TO ESTABLISH THE DUTIES AND POWERS OF THE ADMINISTRATOR AND DESIGNATED OFFICERS FOR THE RESORT VILLAGE OF CHITEK LAKE

The council of the Resort Village of Chitek Lake in the Province of Saskatchewan enacts as follows:

#### **Short Title**

1. This Bylaw may be cited as the Administration Bylaw

### **PART 1 PURPOSE AND DEFINITIONS**

#### **Purpose and Scope**

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

#### **Definitions**

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

### **PART 11 ADMINISTRATOR**

#### **Establishment of Position**

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

- (a) Council shall establish the terms and conditions of employment of the Administrator.
- (b) The Administrator shall be the Chief Administrative Officer of the municipality.
- (c) 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 1<sup>st</sup> 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) Make routine expenditures on a daily basis until the annual budget is adopted by Council.
  - (i) Call for tenders as directed by Council.
  - (j) Purchase goods, services or work up to a sum of \$500.00, or as direct by Council.
  - (k) Award contracts as directed by Council.

- (l) Conduct negotiations for land purchases, annexations etc as directed by Council.
- (m) Attend meetings of Council and other meetings as directed by Council.
- (n) 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**

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.

### **PART IV DELEGATION OF AUTHORITY**

- 14. 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**

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

**OR**

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

**Cheques**

16. Subsection 115(5) stipulates that the Administrator **must sign all** cheques AND that Council must designate at least one other person. Council may stipulate the criteria as seen appropriate. **REMINDER:** Council does not have the authority to designate the alternate for the Administrator

The Administrator AND any member of Council shall sign all cheques on the behalf of the municipality.

**Negotiable Instruments**

17. Subsection 115(5) also stipulates that the Administrator **must sign all** other negotiable instruments that Council must designate at least one other person. Council may stipulate the criteria as seen appropriate.

The Administrator (required) AND Mayor or in the absence of the Mayor, Deputy Mayor shall sign all other negotiable instruments on behalf of the municipality.

**PART VI  
DESIGNATED OFFICERS**

Council may use this document to appoint a designated officer to perform any duties that are specified as duties of a designated officer. (Note: if council does not appoint a designated officer the duty automatically defaults to the Administrator)

**Temporary Road Closure**

18. Council shall appoint themselves as the designated officers for the purpose of temporary road closures.

**Enforcement of Municipal Law**

19. Council may wish to appoint a bylaw enforcement officer, other than the administrator 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. (MA 362-367)

**PART VII  
COMING INTO FORCE**

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



Mayor

Chief Administrative Officer

Read a third time and adopted  
this 16th day of April, 2015.

Certified to be a true and accurate  
copy of Bylaw 109/2015 which was  
passed by the Council for the Resort Village  
of Chitek Lake on April 16<sup>th</sup>, 2015.

Chief Administrative Officer