

The *Council* of the TOWN of ST. WALBURG in the Province of Saskatchewan enacts as follows:

PART 1 - INTERPRETATION

1. SHORT TITLE

- 1.1 This Bylaw may be cited as "The Administration Bylaw".

2. PURPOSE AND SCOPE

- 2.1 The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; AND to establish the powers, duties and functions of municipal officials and/or employees of the municipality.

3. DEFINITIONS

- 3.1 In this bylaw:

- (a) "Act" means *The Municipalities Act*;
- (b) "Acting Mayor" shall mean the *Councillor* elected by *Council* to act as the *Mayor* if a vacancy arises in that office;
- (c) "Administration" shall mean the *CAO* or an employee accountable to the *CAO*;
- (d) "Administrator" means the *CAO* of the Town of St. Walburg appointed pursuant to Section 110 of *The Municipalities Act*;
- (e) "CAO" shall mean the person appointed as *Chief Administrative Officer* pursuant to Section 110 of *The Municipalities Act*;
- (f) "Council" shall mean the *Mayor* and *Councillors* of the *municipality* elected pursuant to the provisions of *The Local Government Election Act*;
- (g) "Councillor" shall mean the *Council* member duly elected in the *Municipality* as a *Councillor*, in accordance with *The Local Government Election Act*;
- (h) "Deputy Mayor" shall mean the *Councillor* who is appointed by *Council*, pursuant to Section 34 of this Bylaw, to *Act* as *Mayor* in the absence or incapacity of the *Mayor*;
- (i) "Mayor" shall mean the *Council* member duly elected in the *Municipality* as the *Mayor* in accordance with *The Local Government Election Act* and
- (j) "Municipality" means the Town of St. Walburg.

PART II - ADMINISTRATOR

4. ESTABLISHMENT OF POSITION

- 4.1 The position of *Administrator* is established pursuant to section 110 of the *Act*.
 4.2 *Council* shall by resolution appoint an individual to the position of *CAO*.
 4.3 *Council* shall establish the terms and conditions of employment of the *CAO*.
 4.4 The *CAO* shall be the *Administrator* of the municipality.
 4.5 Any person appointed to the position of *CAO* must be qualified as required by *The Urban Municipal Administrators Act*.

5. DUTIES OF THE CAO


The *CAO* 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*.

6. DUTIES OF THE CAO – THE MUNICIPALITIES ACT

Without limiting the generality of section 5 the *CAO* shall:

- a) Take charge of and safely keep all books, documents and records of the *Municipality* that are committed to their 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)

Certified a True Copy


 Chief Administrative Officer
 Town of St. Walburg, Saskatchewan



- 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 \$10,000, 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) and
- dd) Produce certain records upon request of inspector appointed by Minister; (MA 396).

Certified a True Copy

Chief Administrative Officer
Town of St. Walburg, Saskatchewan



7. ADDITIONAL DUTIES OF THE CAO

The CAO 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*; and
 - 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* resolution;
- (j) Purchase goods, services or work up to \$1,000.00 and as directed by *Council* resolution;
- (k) Award contracts as directed by *Council* resolution;
- (l) Conduct negotiations for land purchases, annexations etc.;
- (m) Attend meetings of *Council* and other meetings as *Council* directs; and
- (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

8. ACTING ADMINISTRATOR - ESTABLISHMENT OF POSITION

If the CAO is incapable of performing their 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.

9. 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

- 10. The *Council* hereby authorizes the CAO to delegate any of his/her powers, duties or functions to another employee.

PART V - MUNICIPAL DOCUMENTS

11. SIGNING AGREEMENTS

The *Mayor* and the CAO 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.

12. CHEQUES

The CAO or if the CAO is absent, the CAO's designate AND the *Mayor* or if the *Mayor* is absent, the Deputy *Mayor* shall sign all cheques on the behalf of the municipality.

Certified a True Copy

Chief Administrative Officer
Town of St. Walburg, Saskatchewan

[Handwritten signature]

13. Negotiable Instruments

The CAO or if the CAO is absent, the CAO's designate AND the Mayor or if the Mayor is absent, the Deputy Mayor shall sign all other negotiable instruments on behalf of the municipality.

PART VI - DESIGNATED OFFICERS

14. Other Designated Officers

The CAO shall be the designated officer for the purpose of:

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

PART VII - COMING INTO FORCE

15. This Bylaw shall come into effect on the day of its final passing.
16. Bylaw 20-2008 is hereby repealed in its entirety.



[Signature]

Mayor

[Signature]

Chief Administrative Officer

[Signature]

Chief Administrative Officer

Certified a True Copy

Chief Administrative Officer
Town of St. Walburg, Saskatchewan

This Bylaw given three readings and adoption at the March 9, 2017 Regular meeting of Council.