

Bylaw No. 2013-01

ADMINISTRATIVE BYLAW

A BYLAW of the Village Of Lang 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 Officers for the Village of Lang.

THE COUNCIL FOR THE VILLAGE OF LANG IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

Short title

1. This bylaw may be cited as the Administration Bylaw.

**PART 1
PURPOSE AND DEFENITIONS**

Purpose and Scope

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

Definitions

3. For the purpose of this bylaw, the following terms and words shall have the following meanings:
 - (a) “**Act**” means *The Municipalities Act*.
 - (b) “**Municipality**” means the Village of Lang.
 - (c) “**Administrator**” means the Chief Administrative Officer of the Village of Lang 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 persons 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) Council shall establish the terms and conditions of employment of the Administrator.
 - (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* or *The Rural 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 all 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; (MA111)
- (j) Deposit cash collections that have accumulated to Fifteen Thousand Dollars (\$15,000.00), at least once a month, but no 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 positions 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) Ensure 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 every 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; (MA142)
- (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 Village of Lang 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 on matters over Five Thousand Dollars (\$5,000.00).
- (j) Purchase goods, services or work on matters under Five Thousand Dollars (\$5,000.00).
- (k) Award contracts on matters under Five Thousand Dollars (\$5,000.00).
- (l) Conduct negotiations for land purchases, annexations, etc.
- (m) Attend meetings of Council and other meetings as Council directs.
- (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**

Public Works Foreman**8. Establishment of Position**

Council shall by resolution appoint an individual to the position of Public Works Foreman.

9. 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.

Water Plant Operator**10. Establishment of Position**

Council shall by resolution appoint an individual to the position of Water Plant Operator.

11. Duties

The Water Plant Operator 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

Public Works Labourer**12. Establishment of Position**

Council shall by resolution appoint an individual to the position of Public Works Labourer.

13. Duties

The Public Works Labourer 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

Recreation Director

14. Establishment of Position

Council shall by resolution appoint an individual to the position of Recreation Director.

15. Duties

The Recreation Director 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

16. 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

17. For the purpose of this bylaw, the following persons are permitted to sign agreements:

- (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; and/or
- (b) The Mayor and the Assistant Administrator in the absence of the Administrator, shall sign all agreements to which the municipality is party; or
- (c) The Administrator and Treasurer, when established by council, shall sign all agreements to which the municipality is party.

Cheques

18. For the purpose of this bylaw, the following persons are permitted to sign cheques:

- (a) The Administrator (or if the Administrator is unavailable, the Administrator's delegate) AND the Mayor or Deputy Mayor.

Negotiable Instruments

19. For the purpose of this bylaw, the following persons are permitted to sign negotiable instruments:

- (b) The Administrator (or if the Administrator is unavailable, the Administrator's delegate) AND the Mayor or Deputy Mayor shall sign all other negotiable instruments on behalf of the municipality.

PART VI DESIGNATED OFFICERS

Temporary Road Closure

20. The Administrator or any member of the council shall be the designated officer for the purpose of temporary road closures. (MA 14))

Enforcement of Municipal Law

21. Council may appoint a bylaw enforcement officer by resolution, 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)

Right of Entry for Public Utility Service

- a. Council may 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

- b. The Administrator, or Assistant Administrator are responsible for the following:
- (a) Giving written notice for the unpaid fees of a building contract (i.e. transient trader or other licence fees) (Section 9 (5),
 - (b) Sign the Securities Register by designated officers 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 taxpayer 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 assessment 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) Presents identification upon request if undertaking an inspection of property. (Section 362, 363, 364)
 - (p) May enter and search for Dangerous Animals. (Section 378)

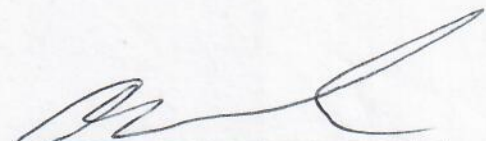
PART VII COMING INTO FORCE


- c. This bylaw shall come into effect upon the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 11TH DAY OF APRIL, 2013.

READ A SECOND TIME THIS 11TH DAY OF APRIL, 2013.

READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL PRESENT THIS 11TH DAY OF APRIL, 2013.



Mayor

Administrator