

## BYLAW NO. 3-2005

### ADMINISTRATIVE BYLAW

**A BYLAW of the Rural Municipality of Harris No. 316 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 Rural Municipality of Harris No. 316.**

**THE COUNCIL FOR THE RURAL MUNICIPALITY OF HARRIS NO. 316 IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:**

#### Short Title

1. This Bylaw may be cited as the Administration Bylaw

#### PART I PURPOSE AND DEFINITIONS

##### Purpose and Scope

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

##### Definitions

3. In this Bylaw:
  - (a) **"Act"** means the Municipalities Act.
  - (b) **"Municipality"** means the Rural Municipality of Harris No. 316.
  - (c) **"Administrator"** means the person appointed as Administrator
  - (d) **"Assistant Administrator"** means the person appointed as Assistant Administrator.
  - (e) **"Council"** means the Council of the Rural Municipality of Harris No. 316.
  - (f) **"Designated Officer"** means an employee or agent of the municipality appointed by Council to act as a municipal inspector for the purpose of this bylaw.

#### 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) Administrator must be qualified as required by 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.
- 5.1 Pursuant to The Municipalities Act and 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; *(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 leasing of municipal roads 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 111)
- (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**

**5.2** In addition to Section 5.1 and without limiting the generality of section 5.1 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 operations, affairs, policies, programs and financial position of the Municipality;
- (e) Supervise all operations of the Municipality as directed by council;
- (f) Be responsible for the preparation and submission of the annual budget estimates;
- (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 when requested to do so by Council;
- (j) Purchase goods and services on behalf of the Municipality;
- (k) Award contracts when requested to do so by Council;
- (l) Conduct negotiations for land purchases and annexations;
- (m) Attend meetings of Council and other meetings as Council directs;
- (n) Act as the Assessor for the Municipality;
- (o) Act as the Labour Relations Manager for the Municipality;
- (p) Be the Head for *The Local Authority Freedom of Information and Protection of Privacy Act*;
- (q) Act as the Development Officer for the Municipality;
- (r) Act as the Building Official for the Municipality;
- (s) Act as the Treasurer for the Municipality;
- (t) Act as the Bylaw Enforcement Officer for the Municipality;
- (u) Perform all duties and responsibilities associated with tax enforcement for the Municipality;
- (v) Issue Tax Certificates on behalf of the Municipality;
- (w) Be responsible for issuing tax notices and assessment notices for the Municipality and for certifying the date on which tax notices and assessment notices are sent.
- (x) Provide proof of taxes when required;
- (y) Act as the Economic Development Officer for the Municipality;
- (z) Act as the designated officer for the purpose of temporary road closures; and
- (aa) Perform other duties as directed by Council.

**Assistant Administrator**

**5.3 Establishment of Position**

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

**5.4 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.

**PART III  
MUNICIPAL DOCUMENTS**

**Signing Agreements**

6. The Administrator and one of the Reeve or Deputy Reeve shall sign all agreements to which the Municipality is party.

**Cheques**

7. The Administrator, or in the absence of the administrator, the Assistant Administrator, and one of the Reeve or Deputy Reeve shall sign all cheques on behalf of the municipality.

**Negotiable Instruments**

8. The Administrator and one of the Reeve or Deputy Reeve shall sign all negotiable instruments on behalf of the municipality.

**COMING INTO FORCE**

9. This bylaw shall come into effect on January 1<sup>st</sup>, 2006.



*[Handwritten Signature]*  
Reeve

*[Handwritten Signature]*  
Administrator

Certified a True Copy of Bylaw No. 3/2005  
adopted by Resolution of Council on the  
14<sup>th</sup> day of December, 2005.

*[Handwritten Signature]* Reeve

*[Handwritten Signature]* Admin.

