

# **ADMINISTRATIVE BYLAW**

## **VILLAGE OF BULYEA**

### **BYLAW NO. 03/14**

#### **A BYLAW TO PROVIDE TO ESTABLISH THE DUTIES AND POWERS OF THE ADMINISTRATOR VILLAGE OF BULYEA**

The council of the Village of Bulyea 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:
  - (a) The office of Administrator; AND
  - (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. 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 Bulyea.
  - (c) “Administrator” means the Administrator of the village appointed pursuant to Section 110 of The Municipalities Act.

### **PART 11 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.

### **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 at least twice a month, 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) Sign minutes of Council and Committee meetings; *(MA 115)*
  - (r) Sign bylaws; *(MA 115)*
  - (s) Provide copies of public documents upon request or payment of fee; *(MA 117)*

- (t) Provide notice of first meeting of council; *(MA 121)*
- (u) Call a special meeting when lawfully requested to do so; *(MA 123)*
- (v) Determine the sufficiency of a petition requesting a public meeting of voters; *(MA 129)*
- (w) Determine the validity of a petition for referendum (30 days to report to council); *(MA 135)*
- (x) Administer public disclosure statements if the municipality adopts this requirement; *(MA 142)*
- (y) Record any abstentions or pecuniary interest declarations in the minutes; *(MA 144)*
- (z) Provide information to the Auditor; *(MA 190)*
- (aa) Send amended tax notices when required and make necessary adjustments to the tax roll; *(MA 264)*
- (bb) Provide for payment of writ of execution against the municipality; *(MA 353)*
- (cc) 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 unless council, at least 90 days prior to election day for a general election, or when setting a date for a by-election appoints another person.
  - (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 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 Purchase goods, services or work
  - (j) Award contracts
  - (k) Conduct negotiations for land purchases, annexations etc.
  - (l) Attend meetings of Council and other meetings as Council directs
  - (m) 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**

**Acting Administrator**

**8. 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.

**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  
MUNICIPAL DOCUMENTS**

**Signing Agreements**

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

**Cheques**

**11.** The Administrator AND Mayor shall sign all cheques. In the absence of the Mayor, the Deputy Mayor.

**Negotiable Instruments**

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

**PART V  
COMING INTO FORCE**

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

{Seal}

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Administrator

Read a third time and adopted  
this \_\_\_\_ day of \_\_\_\_\_