

TOWN OF LAFLECHE

BYLAW NO. 484-15

A BYLAW TO ESTABLISH THE DUTIES AND POWERS OF THE ADMINISTRATOR

The Council of the Town of Lafleche, in the Province of Saskatchewan, enacts as follows:

Short Title

1. This Bylaw may be cited as the Administrative Bylaw

**PART I
DEFINITIONS AND PURPOSE**

Definitions:

2. For the purpose of this bylaw:
 - a) **Act** means *The Municipalities Act*
 - b) **Municipality** means the Town of Lafleche
 - c) **Administrator** means the administrator of the Town of Lafleche, appointed pursuant to Section 110 of *The Municipalities Act*
 - d) **Office Assistant** means the person appointed as the office assistant to the Administrator

Purpose

3. The purpose of this Bylaw is to establish the powers, duties and functions of the Administrator.

**PART II
ADMINISTRATOR**

Establishment of Position

4.
 - a) Council shall establish the terms and conditions of employment of the Administrator.
 - b) Any person appointed to the position of Administrator must be qualified as required by *The Urban Municipal Administrators Act*.
 - c) The Administrator shall be the Chief Administrative Officer of the municipality.

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.

15 BM

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 a register containing certified copies of all bylaws of the municipality; *(MA 111)*
 - j) Deposit cash collections that have accumulated to \$5000 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 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)*

RF
BM

- 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 of the municipality are implemented
 - d) Advise, inform and make recommendations to council on the
 - i. operations and affairs of the municipality
 - ii. policies 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 the budget established by Council
 - h) Make routine expenditures on a daily basis until the annual budget is adopted by Council
 - i) Call for tenders when necessary under the direction of Council
 - j) Purchase goods, services or contract work
 - k) Award contracts under the direction of Council
 - l) Conduct negotiations for land purchases, annexations etc.
 - m) Attend meetings of Council and other meetings as Council directs

**PART III
OTHER POSITIONS**

Office Assistant

Establishment of Position

- 8. Council shall, by resolution, appoint an individual to the position of Office Assistant.

Duties

- 9. The Office Assistant shall perform the duties and exercise the power and functions that are assigned by the Administrator, this bylaw, or any other bylaw or resolution of Council.

RF
BA

Acting Administrator
Establishment of Position

10. 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.

Duties

11. 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

Authority to Delegate

12. 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

13. The Mayor and the Administrator shall sign all agreements to which the municipality is party. In the absence of the Mayor, the Deputy Mayor shall sign.
(MA 115(4))

Cheques


14. Subsection 115(5) of the Act stipulates that the Administrator must sign all cheques AND that Council must designate at least one other person.

Coming Into Force


15. This Bylaw shall come into effect on the day of its passing.

Read a first time this 8th day of December, 2015.
Read a second time this 8th day of December, 2015.
Read a third time and adopted this 8th day of December, 2015.





Rhys Frostad, Mayor

CERTIFIED A TRUE COPY OF THE BYLAW
ADOPTED BY THE RESOLUTIONS OF THE COUNCIL
Brekke Masse, Administrator
ON THE 8th DAY OF December
A.D. 2015


TOWN ADMINISTRATOR