BYLAW NO. 1-2007

A BYLAW TO PROVIDE TO ESTABLISH THE DUTIES AND POWERS OF THE ADMINISTRATOR AND DESIGNATED OFFICERS FOR RURAL MUNICIPALITY OF MOOSE MOUNTAIN NO. 63

The Council of the Rural Municipality of Moose Mountain No. 63, in the Province of Saskatchewan, enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be cited as the Administration Bylaw.

PART I
PURPOSE AND DEFINITIONS

2. PURPOSE AND SCOPE

2.1 The purpose of this Bylaw is to establish the office of Administrator, Assistant Administrator or any other municipal office that council considers necessary; AND

a) The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; AND
b) The purpose of this Bylaw is 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) **"Municipality"** means the Rural Municipality of Moose Mountain No. 63;
c) **"Administrator"** means the Administrator of the rural municipality appointed pursuant to Section 110 of *The Municipalities Act;*
d) **"Assistant Administrator"** means the person appointed as Assistant Administrator;
e) **"Department Head"** means the Foreman, Fire Chief and any other person appointed as a Department Head;

PART II
ADMINISTRATOR

4. ESTABLISHMENT OF POSITION

4.1 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 Rural Municipal Administrators Act*;

5. DUTIES OF THE ADMINISTRATOR

5.1 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.

6. DUTIES OF THE ADMINISTRATOR - *The Municipaities Act*

6.1 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; *(MA111)*
f) Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality; *(MA111)*
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), 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)*
dd) Produce certain records upon request of inspector appointed by Minister; *(MA 396)*

7. ADDITIONAL DUTIES OF THE ADMINISTRATOR

7.1 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 (town, village, resort village, rural 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) Be responsible for the preparation and submission of the annual budget estimates from departments for Council
f) Monitor and report spending within program budgets established by Council.
g) Make routine office expenditures on a daily basis until the annual budget is adopted by council.
h) Purchase goods and supplies.
i) Conduct negotiations for land purchases, annexations etc.
j) Attend meetings of Council and other meetings as Council directs
k) Giving written notice for the unpaid fees of a building contract (i.e. transient trader or other license fees) (Section 9(5),
l) Sign the Securities Register by designated officer requires a bylaw to be in place.(Section 174)
m) Maintain debenture register and other duties relating to debenture transactions.(Section 175)
n) Certify the date on which tax notices are sent. (Section 269)
o) Prepare and send amended tax notices when required. (Section 271)
p) Provide receipt for tax payment on request of tax payer or agent. (Section 272)
q) 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)
r) Removal of tax lien if all arrears are compromised or abated. (Section 274)
s) Issue tax certificates. (Section 276)
t) Proof of taxes signed by a designated officer (Section 277)
u) Transfer special assessments to the tax roll (Section 310)
v) Submit school liability in a timely manner (Section 311)

PART III
OTHER POSITIONS

8. ASSISTANT ADMINISTRATOR

8.1 **Establishment of Position**

In the case where there is an Assistant Administrator Council shall, by resolution, appoint an individual to the position of Assistant Administrator.

8.2 **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.

9 ACTING ADMINISTRATOR

9.1 **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.

9.2 **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 administrator to delegate any of his/her powers, duties or functions to another employee.

PART V
MUNICIPAL DOCUMENTS

11. SIGNING AGREEMENTS

11.1 The Administrator and the Reeve shall sign all agreements to which the municipality is party.

11.2 The Administrator and in the absence of the Reeve, the Deputy Reeve or if the Deputy Reeve is unavailable, the Acting Reeve, shall sign all agreements to which the municipality is party.

11.3 In the absence of the Administrator, the Assistant Administrator and Reeve or if the Reeve is unavailable, the Deputy Reeve, or if the Deputy Reeve is unavailable, the Acting Reeve, shall sign all agreements to which the municipality is party.

12. CHEQUES

12.1 The Administrator and the Reeve shall sign all cheques on behalf of the municipality.

12.2 The Administrator and in the absence of the Reeve, the Deputy Reeve or if the Deputy Reeve is unavailable, the Acting Reeve, shall sign all cheques on behalf of the municipality.

12.3 In the absence of the Administrator, the Assistant Administrator and Reeve or if the Reeve is unavailable, the Deputy Reeve, or if the Deputy Reeve is unavailable, the Acting Reeve, shall sign all cheques on behalf of the municipality.

13. NEGOTIABLE INSTRUMENTS

13.1 The Administrator and the Reeve shall sign all negotiable instruments on behalf of the municipality.

13.2 The Administrator and in the absence of the Reeve, the Deputy Reeve or if the Deputy Reeve is unavailable, the Acting Reeve, shall sign all negotiable instruments on behalf of the municipality.

13.3 In the absence of the Administrator, the Assistant Administrator and Reeve or if the Reeve is unavailable, the Deputy Reeve, or if the Deputy Reeve is unavailable, the Acting Reeve, shall sign all negotiable instruments on behalf of the municipality.

PART VI
DESIGNATED OFFICERS

14. TEMPORARY ROAD CLOSURE

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

15. ENFORCEMENT OF MUNICIPAL LAW

Council may appoint a bylaw enforcement officer, other than the administrator to inspect, remedy or enforce any bylaw or the Municipalities Act. (MA 362-367)

16. OTHER DESIGNATED OFFICERS

The administrator shall be appointed as the designated officer for the following duties, or council may appoint someone other than the administrator for the following:

a) May be responsible for service for Seizure of Goods (Section 323)
b) Present identification upon request if undertaking an inspection of property (Section 362, 363, 364)
c) May enter and search for Dangerous Animals (Section 378)

PART VII
COMING INTO FORCE

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

[redacted]
Reeve

[redacted]
Administrator

Read a first time this 11th day of April, 2007.

Read a second time this 11th day of April, 2007.

Read a third time and adopted this 11th day of April, 2007.

RURAL MUNICIPALITY OF MOOSE MOUNTAIN NUMBER 63 INCORPORATED 1912 SASKATCHEWAN (SEAL)

[redacted]
Reeve

[redacted]
Administrator

Certified a True Copy of Bylaw No. 1-2007

Adopted by Resolution of Council on the 11th

Day of April, 2007.

RURAL MUNICIPALITY OF MOOSE MOUNTAIN NUMBER 63 INCORPORATED 1912 SASKATCHEWAN (SEAL)