

BYLAW 11/05

ADMINISTRATIVE BYLAW

A BYLAW of the Rural Municipality of Lakeview #337 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 Lakeview #337.

THE COUNCIL FOR THE RURAL MUNICIPALITY OF LAKEVIEW #337 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. (a) The Purpose of this Bylaw is to establish the office of Administrator, Assistant Administrator or any municipal office that council considers necessary; AND
(b) To establish who may sign specified municipal documents on behalf of the municipality; AND
(c) To establish the powers, duties and functions of municipal officials and/or employees of the municipality.

Definitions

3. (a) "Act" means the Municipalities Act.
(b) "Municipality" means the Rural Municipality of Lakeview #337.
(c) "Administrator" means the Administrator of the rural municipality pursuant to Section 110 of The Municipalities Act.
(d) "Assistant Administrator" means the person appointed as Assistant Administrator.
(e) "Department Head" means Public Works Foreman, and any other person 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 Rural Administrator's Act.

Duties of the Administrator

5. The Administrator shall perform 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 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 to \$10,000.00, 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 resolution 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

with

1st of each year; (MA 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 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 to council members; (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 requesting 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 the Minister; (MA 396)
- ee) Giving written notice for the unpaid fees of a building contract (i.e. transient trader or other license fees) (MA 9(5))
- ff) Maintain debenture and other duties relating to debenture transactions (MA 175)
- gg) Certify the date on which tax notices were sent (MA 269)
- (hh) Provide receipt for tax payment on request of tax payer or agent (MA 272)
- (ii) Apply partial payments on arrears first and if undesignated decide to which taxable property or properties the payment is to be applied. (MA 273)
- (jj) Removal of tax lien of all arrears are compromised or abated, (MA 274)
- (kk) Issue tax certificates. (MA 276)
- (ll) Transfer special taxes to the tax roll. (MA 310)
- (mm) Submit school liability in a timely manner (MA 311)

Additional Duties of the Administrator

- 7. (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, and other bylaws or resolution.
- (c) Ensure that the policies and programs of the 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) Supervise or be aware of 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) Purchase goods, services or work up to \$5000.00, according to Council direction.
- (j) Attend meetings of Council and other meetings as Council directs.
- (k) 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

Assistant Administrator

8. Establishment of Position

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

9. 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.

Acting Administrator

10. 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 period that the board of examiners may allow.

11. Duties

The Acting Administrator shall have all the powers and duties of the administrator while acting in the capacity of the Administrator.

Public Works Foremen

12. Establishment of Position

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

13. Duties

(a) Road Maintenance and Snow Removal

- supervise all road maintenance, ensure that all road maintenance duties are carried out in a manner that is acceptable both in terms of quality and completion time frames.
- assist employees in planning their work day, to ensure that road maintenance is carried out in a timely, organized manner
- ensure that machines are being serviced regularly, and advise employees of their responsibilities in this regard
- act as liaison between council, the ratepayers, and staff to ensure that request, concerns and comments are followed up as per municipal policy

(b) Snow Removal

- Roads must be kept open, with Bus Routes having first priority
- shall monitor storms 7 days per week, 24 hours per day and determine when snow removal is required, and ensure that adequate staff is available to ensure that the roads are kept open

(c) Municipal Wells

- ensure that well water quality is being tested in a regular basis by submitting samples to Sask Health
- make improvements to water quality as deemed necessary by Sask Health water test results
- make appropriate signage to advise the public if water quality presents health concerns

- (d) Signs
 - Ensure that signs are maintained and replaced as necessary
- (e) Gravel
 - Act as liaison between council and gravel contractor to plan for and complete gravel placement as required
 - Yearly map to be done prior to gravel placement, and updated after gravel placement to provide yearly documentation; to be prepared by council; and reviewed by council and foreman prior to placement. The foreman shall receive approval from the Reeve prior to placing gravel on any miles other than those indicated on said map.
- (f) Mowing
 - Ensure that mowing is completed to standards, and that the tractor and mower are serviced and maintained regularly
- (g) Employees
 - Assist in planning work schedules
 - Assist in ensuring the work quality meets the municipality's standards
 - Assist in any personality conflicts which may arise between public works staff
 - Act as liaison between council and staff to ensure that staff is aware of council's expectations and requirements at all times
 - Advise council should any irregularities in performance which cannot or will not be improved occur
- (h) Hamlet of Hendon
 - Supervise Public Well attendant to ensure that management of the well meets environmental requirements
 - Supervise to ensure that streets are maintained to acceptable standards
 - Install and maintain water and sewer lines as necessary
- (i) Administrative
 - Review accounts payable which pertain to the Public Works department on a monthly basis prior to Council meeting
 - Work within budget restriction set by council
 - Ensure that time sheets are being kept properly, accurately reflect time put in, and are turned in as per municipal requirements
 - keep an eye on occurrences which may put the municipality at risk for liability, advise council, make improvements as per requirements
 - make sure vehicles & staff are proper licensed
 - ensure that items such as blades, repairs, oil etc are ordered in a timely fashion as needed
 - keep an eye on the condition of tires, and equipment to ensure that should expensive repairs or replacements be expected this matter can be placed before council for approval during their regular meeting of council
 - keep eye open for any new buildings in the municipality or hamlets, or buildings which have become vacant and advise administrator
 - assist administrator as necessary in preparation of documents pertaining to Public Works such as Grant Applications
 - confidentiality is required with all municipal operations and business, and should be of utmost importance at all times. Decisions of council do not become public

knowledge until the following month when the minutes are approved. At that time, although they are public knowledge it is advisable not to make a point of broadcasting council decisions or municipal business

(j) Miscellaneous

- assist in supervising any road construction, or road maintenance projects such as culvert installations etc. to ensure that they are being completed as per municipal requirements

- ensure that drainage structures are kept clean and free of debris, and control beaver as necessary

(k) Chain of Command

- The foreman answers to council, and should situations occur where the foreman requires direction he should contact the Reeve and/or Road Committee should one be established. Completion of duties should be agreed upon between the foreman and the road committee on a regular basis, with it being understood should unforeseen emergency situations occur, they should take priority

(l) Prioritization of Duties

- The foreman shall prioritize duties as is required due to season or situation, and as directed by council. However, First priority should be Road Maintenance and Snow Removal, Mowing and Gravel Placement. Second Priority should be repair and maintenance of machinery, however this should be completed if possible during inclement weather. Third priority should be Council Projects and Sign Maintenance. Fourth priority should be Well Maintenance and Hamlet Waterworks.

PART IV DELEGATION OF AUTHORITY

14. 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

15. (a) The Reeve and the Administrator shall sign all agreements to which the municipality is party. In the absence of the Reeve, the Deputy Reeve. AND/OR
(b) The Reeve and the Assistant Administrator in the absence of the Administrator, shall sign all agreements to which the municipality is party.

Cheque

16. The Administrator or if the Administrator is unavailable, the Administrator's designate AND the Reeve or in his absence the Deputy Reeve shall sign all cheques on behalf of the municipality. (MA 115(5))

Negotiable Instruments

17. The Administrator or if the Administrator is unavailable, the Administrator's designate AND Reeve or in his absence the Deputy Reeve shall sign all other negotiable instruments on behalf of the municipality. (MA 115(5))

PART VI DESIGNATED OFFICERS

Temporary Road Closures

18. The Administrator, a Council member or a public works personnel shall be the designated officer for the purpose of temporary road closure, (MA 14)

Right of Entry for Public Utility Service

20. The Council or Public Works personnel shall be appointed to enter a building for the purpose of a public utility service. (MA 26(5))

Other Designated Officers

21. (a) May be responsible for service for Seizure of Goods (MA 323)
(b) Present identification upon request if undertaking an inspection of property (MA 362 ,363 ,364)

PART VII COMING INTO FORCE

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

Reeve

Administrator

