

BYLAW NO. 2015-4

ADMINISTRATIVE BYLAW

A Bylaw of the Rural Municipality of Browning No. 34, 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 Browning No. 34.

The Council of the Rural Municipality of Browning No. 34, 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:
 - a. to establish the office of Manager, Administrator, Treasurer, Assistant Administrator or any other 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. In this Bylaw:
 - a. "Act" means *The Municipalities Act*;
 - b. "Municipality" means the Rural Municipality of Browning No. 34;
 - c. "Administrator" means the Administrator of the Rural Municipality of Browning No. 34 appointed pursuant to Section 110 of *The Municipalities Act*;
 - d. "Assistant Administrator" means the person appointed as Assistant Administrator of the Rural Municipality of Browning No. 34;
 - e. "Department Head" means the Recreation Director, the Treasurer, Public Works Foreman, Fire Chief 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 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 to (an amount that is equal to 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 of roads or streets 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; *(AM 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 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 when requested by Council.
- j. Purchase goods, services or work on behalf of the Municipality.
- k. Award contract when requested by Council.
- l. Conduct negotiations for land purchases, annexations, etc.
- m. Attend meetings of Council and other meetings as Council directs.
- n. Give written notice for the unpaid fees of a building contractor or contract, transient trader or other license fees.
- o. Sign security registers.
- p. Maintain a debenture register and other duties relating to debenture transactions.
- q. Certify the date on which tax notices are sent.
- r. Prepare and send amended tax notices, as required.
- s. Provide receipt for tax payment on request of a tax payer or agent.
- t. Apply partial tax payments on arrears first.
- u. Remove a tax lien if all arrears are compromised or abated.
- v. Issue tax certificates.
- w. Provide proof of taxes.
- x. Transfer special assessments to the tax roll.
- y. Submit school liability.
- z. Responsible for service for seizure of goods.
- aa. Present identification upon request if undertaking an inspection of property.

- bb. Act as the Bylaw Enforcement Officer of the Municipality.
- cc. Act as the Treasurer of the Municipality.
- dd. Perform duties and exercise authority for other matters as designated by Council except those listed in Section 127 of the Act.
- ee. 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 (3) months or any longer 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.

Treasurer

12. **Establishment of Position**

The Treasurer shall be the Administrator of the Municipality.

Foreman

13. **Establishment of Position**

The Foreman of the Municipality shall be appointed by resolution of Council.

14. **Duties**

The duties of the Foreman shall be as directed by Council or the office administration.

Recreation Director

15. **Establishment of Position**

The Recreation Director for the Municipality shall be appointed by resolution of Council.

16. **Duties**

The duties of the Recreation Director shall be as directed by the Recreation Board or the Councils of the Town of Lampman and/or Rural Municipality of Browning No. 34.

**PART IV
DELEGATION OF AUTHORITY**

17. Authorities

The Council hereby authorizes the Administrator to delegate any of his/her powers, duties or functions to the Assistant Administrator and other employees as follows:

Municipal Inspector for Nuisance Bylaw - Foreman
Temporary Road Closure - Foreman
Animal Control Officer - Foreman

Signing Agreements

- 18.** Subsection 115(4) requires agreements to be signed by at least two (2) persons designated by Council as follows:
- 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.

Cheques

- 19.** The Administrator or Assistant Administrator and Reeve or Deputy Reeve shall sign all cheques on the behalf of the Municipality.

Negotiable Instruments

- 20.** The Administrator or Assistant Administrator and Reeve or Deputy Reeve shall sign all other negotiable instruments on behalf of the Municipality.

**PART VI
DESIGNATED OFFICERS**

Temporary Road Closure

- 21.** The Foreman shall be the designated officer for the purpose for temporary road closures. *(MA 14)*

Right of Entry for Public Utility Service

- 22.** The Foreman of the Municipality shall be the designated officer for the purpose of a public utility service.

Other Designated Officers

- 23.**
- a. Giving written notice for the unpaid fees of a building contract (i.e. transient trader or other license fees.) [Section 9(5)]
 - b. Sign the Securities Register by designated officer requires a bylaw to be in place. (Section 174)
 - c. Maintain debenture register and other duties relating to debenture transactions. (Section 175)
 - d. Certify the date on which tax notices are sent. (Section 269)
 - e. Prepare and send amended tax notices when required. (Section 271)
 - f. Provide receipt for tax payment on request of tax payer or agent. (Section 272)

- g. 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)
- h. Removal of tax lien if all arrears are compromised or abated. (Section 274)
- I. Issue tax certificate. (Section 276)
- j. Proof of taxes signed by a designated officers. (Section 277)
- k. Transfer special assessments to the tax roll. (Section 310)
- l. Submit school liability in a timely manner. (Section 311)
- m. Collection of amusement tax. (Section 316)
- n. May be responsible for service for Seizure of Goods. (Section 323)
- o. Present identification upon request if undertaking an inspection of property. (Sections 362, 363, 364)
- p. The Foreman for the Municipality as Animal Control Officer may enter and search for Dangerous Animals. (Section 378)

**PART VII
COMING INTO FORCE**


- 24. Bylaw No. 2006-15 is hereby repealed.
- 25. This Bylaw shall come into force and effect upon the final passing by the Council the R.M. of Browning No. 34.

INTRODUCED AND READ A FIRST TIME THIS 9th DAY OF SEPTEMBER, 2015.


READ A SECOND TIME THIS 9th DAY OF SEPTEMBER, 2015.

READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL PRESENT THIS 9th DAY OF SEPTEMBER, 2015.



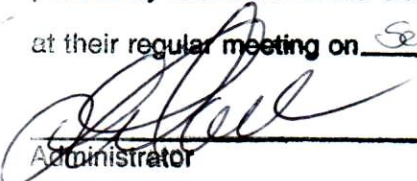


Reeve



Administrator

Certified a true copy of Bylaw No. 2015-4
passed by resolution of the Council present
at their regular meeting on September 9, 2015



Administrator