

**BYLAW NO. 07/2020**

**ADMINISTRATIVE BYLAW**

**A BYLAW TO PROVIDE FOR THE ESTABLISHMENT OF THE DUTIES AND  
POWERS OF THE ADMINISTRATOR AND DESIGNATED OFFICERS  
WITHIN THE RURAL MUNICIPALITY OF MARYFIELD NO. 91**

The council of the Rural Municipality of Maryfield No. 91 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. *The purpose of this Bylaw is to establish:*
  - (a) *the office of Manager, Administrator, Treasurer, Assistant Administrator or any other municipal office that council considers necessary; 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.
  - (a) *“Act” means the Municipalities Act*
  - (b) *“Municipality” means the Rural Municipality of Maryfield No. 91.*
  - (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 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 \$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 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) 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; *(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 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 from departments 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*
  - (j) *Purchase goods, services or work*
  - (k) *Award contracts*
  - (l) *Conduct negotiations for land purchases, annexations etc.*
  - (m) *Attend other meetings as Council directs*
  - (n) *Council may delegate the authority for other matters excepting those listed in Section 127 which must be dealt with by the Council;*
  - (o) *Giving written notice for unpaid fees of a building contract (i.e. transient trader or other license fees; (MA 9(5))*
  - (p) *Sign the Securities Register by designated officer require a bylaw to be in place; (MA 174)*
  - (q) *Maintain a debenture register and other duties relating to debenture transactions; (MA 175)*
  - (r) *Certify the date on which tax notices are sent; (MA 269)*
  - (s) *Prepare and send amended tax notices when required; (MA 271)*
  - (t) *Provide receipt for tax payment on require of tax payer or agent; (MA 272)*
  - (u) *Apply partial tax payments on arrears first and if undesignated decide to which taxable property or properties the payment is to be applied; (MA 273)*
  - (v) *Removal of tax lien if all arrears are compromised or abated; (MA 274)*
  - (w) *Issue tax certificates; (MA 276)*
  - (x) *Proof of taxes signed by a designated officer; (MA 277)*
  - (y) *Transfer special assessments to the tax roll; (MA 310)*
  - (z) *Submit school liability in a timely manner;*
  - (aa) *May be responsible for service for Seizure of Goods; (MA 323)*
  - (bb) *Present identification upon request if undertaking an inspection of property; (MA 362, 363, 364)*
  - (cc) *May enter and search for Dangerous Animals; (MA 378)*
  - (dd) *Authorize the Administrator to witness oaths and affirmations. (MA 111)*

### **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 no longer than three 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.

**PART IV  
DELEGATION OF AUTHORITY**

- 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.** *Subsection 115(4) of The Municipalities Act requires agreements to be signed by at least 2 persons designated by Council.*  
*(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.*

**Cheques**

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

*The Administrator or if the Administrator is unavailable, the Administrator's designate, AND the Reeve, if the Reeve is unavailable the Deputy Reeve shall sign all cheques on the behalf of the Municipality*

**PART V  
MUNICIPAL DOCUMENTS**

**Signing Agreements**

- 13.** *Subsection 115(4) of The Municipalities Act requires agreements to be signed by at least 2 persons designated by Council.*  
*(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.*

**Negotiable Instruments**

- 15.** *Subsection 115(5) of The Municipalities Act also stipulates that the Administrator **must sign all** other negotiable instruments that Council must designate at least one other person.*

*The Administrator or if the Administrator is unavailable, the Administrator's designate AND the Reeve, or if the Reeve is unavailable the Deputy Reeve, shall sign all other negotiable instruments on behalf of the municipality.*

**PART VI  
DESIGNATED OFFICERS**

**Temporary Road Closure**

- 16.** *(The Administrator (council may wish to appoint council itself or another employee) shall be the designated officer for the purpose of temporary road closures. (MA 14))*

**Enforcement of Municipal Law**

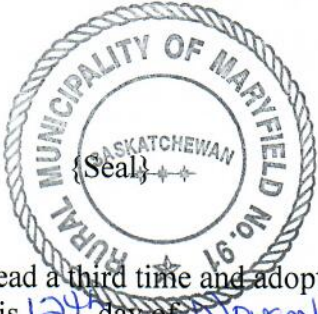
- 17. *The Administrator shall be designated the Bylaw Enforcement Officer, to inspect, remedy or enforce any bylaw or the Municipalities Act. (MA 362-367)*
- 18. *The Administrator shall be designated the Bylaw Enforcement Officer, to inspect, remedy or enforce any bylaw or the Municipalities Act. (MA 362-367)*

**PART VII  
MUNICIPAL EMPLOYEES**

- 19. *Council has removed the duty of the administrator to hire, suspend, and dismiss all municipal employees, council as a whole is to deal with all of these decisions.*

**PART VIII  
COMING INTO FORCE**

- 20. That Bylaw Number 5/2008, dated October 9, 2008 be hereby repealed.
- 21. This bylaw shall come into effect on the day of its final passing.



Read a third time and adopted  
this 12<sup>th</sup> day of November 2000

Daphne Brady  
Administrator

[Signature]  
Reeve

Daphne Brady  
Administrator