

**TOWN OF SHELLBROOK
ADMINISTRATIVE BYLAW**

BYLAW 13-2005

A **BYLAW** of the Town of Shellbrook in the Province of Saskatchewan to Provide the Administration of the Municipal Corporation and to Set Forth the Duties and Powers of the Designated Officers for the Town of Shellbrook.

**THE COUNCIL FOR THE TOWN OF SHELLBROOK IN THE PROVINCE OF
SASKATCHEWAN ENACTS AS FOLLOWS:**

Short Title

1. This Bylaw may be cited as the Administrative Bylaw

**PART 1
PURPOSES AND DEFINITIONS**

Purpose and Scope

2. The purpose of this Bylaw is to
 - (a) establish the office of Administrator, Assistant Administrator or any other municipal office that council may consider necessary; and
 - (b) establish who may sign specified municipal documents on behalf of the municipality; and
 - (c) establish the power, duties and functions of municipal officials and/or employees of the municipality.

Definitions

3. (a) "Act" means the Municipalities Act
- (b) "Municipality" means the Town of Shellbrook.
- (c) "Administrator" means the Administrator of the Town as appointed pursuant to Section 110 of The Municipalities Act.
- (d) "Assistant Administrator" means the person appointed as Assistant Administrator.
- (e) "Department Head" means the Public Works Foreman and any other person appointed as Department Head.
- (f) "Minister" means the Minister of Government Relations as appointed from time to time.

**PART 11
ADMINISTRATOR**

Establishment of Position

4. (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

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 are recorded; *(MA 111)*
 - (c) Record the names of all council present at council meetings; *(MA 111)*
 - (d) Ensure that the minutes of each council meeting are given to council for approval at the next meeting of council; *(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 \$25,000, 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 of 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 or 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 copies of fidelity 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 the first meeting of council in each year; *(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 and provide a report on such petition to council within 30 days; *(MA 135)*
 - (y) Administer and maintain 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 executions against the municipality; *(MA 353)*
 - (dd) Produce certain records upon request of any advisor appointed by the 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
- (k) Award contracts
- (l) Conduct negotiations for land purchases, annexations, etc.
- (m) Attend meetings of Council and other meetings as Council directs
- (n) Maintain debenture register and carry out all duties relating to debenture transactions (*Section 175*)
- (o) Certify the date on which tax notices are sent. (*Section 269*)
- (p) Prepare and send amended tax notices when required. (*Section 271*)
- (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) Transfer special assessments to the tax roll. (*Section 310*)
- (u) Submit school liability statements in a timely manner. (*Section 311*)
- (v) Be responsible for the serving of notice for the Seizure of Goods for the payment of taxes as provided for in Section 323 of the Act.
- (w) Enter and search properties, other than a dwelling, for the detention of Dangerous Animals as provided for under Section 378 of the Act.
- (x) Carry out the duties required of the Local Assessor as set out in *The Act*

PART 111

OTHER POSITIONS

ASSISTANT ADMINISTRATOR

8. Establishment of Position

Should council deem it necessary it shall, by resolution, appoint an individual to the position of Assistant Administrator.

9. Duties

The Assistant Administrator shall perform the duties and exercise the power and functions that are assigned by the Administrator, by this Bylaw or any other bylaw or by 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 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 any another employee of the Municipality, any engineer, any accountant, or any other person as he sees fit.

PART V MUNICIPAL DOCUMENTS

Signing Agreements

13. Pursuant to Subsection 115(4) of the Act:

(a) 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 on his or her behalf and in the absence of the Administrator, the Assistant Administrator shall sign all agreements to which the municipality is party.

Cheques

14. All cheques must be signed by the administrator and either the Mayor or Deputy Mayor.

Negotiable Instruments

15. All negotiable instruments must be signed by the administrator and either the Mayor or Deputy Mayor.

PART VI DESIGNATED OFFICERS

Temporary Road Closure

16. The Mayor or Deputy Mayor shall be designated as the officer empowered to temporarily close roads or road allowances pursuant to Section 14 of the Act.

Enforcement of Municipal Law

17. Council shall appoint a Bylaw Enforcement Officer whose duties shall include enforcement of the provisions of various municipal bylaws. Without limiting the generality of the foregoing, he shall be responsible for the enforcement of the provisions of the Animal Control Bylaw, Traffic Bylaw and the General Licencing Bylaw.

PART VII
COMING INTO FORCE

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

TOWN OF SHELLBROOK

"John Young,"
Mayor

“Ken Danger”
Administrator

INTRODUCED AND READ A FIRST TIME THIS 12th DAY OF December, A.D.,
2005

READ A SECOND TIME THIS

12th DAY OF December, A.D., 2005

READ A THIRD TIME THIS

12th DAY OF December, A.D., 2005

Certified a True and Accurate Copy
Of Bylaw 13-2005 passed by the Council
Of the Town of Shellbrook on the 12th
Day of December, AD 2005.

(Seal)

Administrator

Signature