

ADMINISTRATION BYLAW

Town of Birch Hills

Bylaw no. 21-2022

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A BYLAW OF THE TOWN OF BIRCH HILLS, SASKATCHEWAN, TO
PROVIDE FOR THE ESTABLISHMENT OF THE DUTIES AND POWERS
OF THE ADMINISTRATOR AND DESIGNATED OFFICERS

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The Council of the Town of Birch Hills, in the Province of Saskatchewan, enacts as follows:

PART I PURPOSE AND DEFINITIONS

1. Short Title

1.1 This bylaw may be cited as "The Administration Bylaw".

2. Purpose

2.1 The purpose of this bylaw is to establish the powers, duties and functions of the Chief Administrative Officer (CAO), assistant administrator, or any other municipal position that council considers necessary.

3. Definitions

a) In this bylaw:

(a) **Act** means *The Municipalities Act*;

(b) **Municipality** means the Town of Birch Hills;

(c) **CAO** means Chief Administrative Officer of the Town of Birch Hills appointed pursuant to section 110 of the *Municipalities Act*.

PART II ADMINISTRATOR

4. Establishment of Position

The position of Chief Administrative Officer is established pursuant to section 110 of the Act.

a) Council shall, by resolution, appoint an individual to the position of the CAO.

b) Council shall establish the terms and conditions of employment of the CAO.

c) Any person appointed to the position of Chief Administrative Officer must be qualified as required by *The Urban Municipal Administrators Act*.

5. Assignment of Responsibility

The CAO shall perform the duties and exercise the powers and functions that are assigned by *The Municipalities Act*, any other acts, this bylaw, or any other bylaw or resolution of council.

6. Duties if the Administrator – *The Municipalities Act*

Without limiting the generality of section 5 of this bylaw, the CAO shall:

a) Take charge of and safely keep all books, documents and records of the municipality that are committed to his or her charge;

b) Produce, when called for by the Council, Auditor, Minister or other competent authority, all books, vouchers, papers and moneys belonging to the municipality;

- c) On ceasing to hold office, deliver all books, vouchers, papers and moneys belonging to the municipality to their successor in office or to any other person that the Council may designate;
- d) Ensure all minutes of Council meetings are recorded;
- e) Record the names of all Council members present at Council meetings;
- f) Ensure the minutes of each Council meeting are given to the Council for approval at the next regular meeting of council;
- g) Ensure the safekeeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality;
- h) Advise the Council of its legislative responsibilities pursuant to *The Municipalities Act* or any other act;
- i) Provide the minister with any statements, reports or other information that may be required by *The Municipalities Act* or any other act;
- j) Ensure that the official correspondence of Council is carried out in accordance with Council's directions;
- k) Maintain an indexed register containing certified copies of all bylaws of the municipality;
- l) Deposit cash collections that have accumulated to \$25,000 at least once a month, in the bank or credit union designated by Council;
- m) 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;
- n) Ensure that the financial statements and information requested by resolutions are submitted to Council;
- o) 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 Chartered Professional Accountants of Canada by June 15 of each year;
- p) Witness any oaths or affirmations required by *The Municipalities Act*;
- q) Be responsible for the hiring, suspension and dismissal of all employees of the municipality;
- r) Send copies of bylaws for closing roads and closing and leasing roads to the Minister of Highways;
- s) Bring to Council's attention any resignation(s) of elected officials;
- t) Record each abstention in the meeting minutes that may occur at the time of voting;
- u) At the first meeting in January of each year, provide all bond or equivalent insurance of employees to Council;
- v) Sign minutes of Council and committee meetings;
- w) Sign bylaws;
- x) Sign cheques and other negotiable instruments;
- y) Provide copies of public documents upon request of payment of fee;
- z) Provide notice of first meeting of Council;
- aa) Call a special meeting when lawfully requested to do so;
- bb) Determine the sufficiency of a petition for referendum;
- cc) Note any change reported on a Council member's annual declaration to the member's public disclosure statement, including the date the change was noted;
- dd) Make each public disclosure statement and declaration available for public inspection during regular business hours;
- ee) Provide copies of public disclosure statements to any designated officials when directed to do so by Council;
- ff) Record in the minutes every declaration of conflict of interest, including the general nature and material details of the disclosure and any abstention or withdrawal;
- gg) Provide information to the auditor;
- hh) Send amended tax notices when required and make necessary adjustments to the tax roll;
- ii) Provide for payment of writ of execution against the municipality; and
- jj) Produce certain records upon request of inspector appointed by the minister.

7. Additional Duties of the Chief Administrative Officer

The CAO shall call:

- a) Act as the returning officer for all elections under The Local Government Election Act, 2015.
- b) Ensure that public notice is given as required in the Act, any other act, and/or as required by Council in this bylaw, any other bylaw or resolution.
- c) Ensure the policies and programs of the municipality are implemented, maintained and enforced.
- d) Advise, inform and make recommendations to Council on the:
 - i) Operations and affairs of the municipality;
 - ii) Policies and programs of the municipality; and
 - iii) The financial position of the municipality.
- e) Supervise all operations of the municipality, ensuring appropriate internal controls are in place and followed.
- f) Be responsible for the preparation and submission of the annual budget.
- g) Monitor and control spending within the budget established by Council.
- h) Make routine expenditures 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 meetings of Council and other meetings as Council directs.

PART III OTHER POSITIONS

8. Acting Administrator / Establishment of Position

If the Chief Administrative Officer is unable to act for any reason, Council will appoint a person within 30 days to fill the position of CAO in an acting capacity. The appointment will be for a period of no longer than three months. Should Council require to extend the appointment of the Acting Administrator beyond three months, they will obtain permission from the Board of Examiners.

9. Duties

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

10. Other Municipal Employees

The CAO is permitted to hire employees necessary for the operations of the municipality subject to the approved municipal budget.

11. Duties

The CAO will determine the job description and list of duties for each position established. Council and/or council committees may provide suggestions regarding municipal operations and duties to the CAO.

PART IV DELEGATION OF AUTHORITY

12. Council hereby authorizes the Chief Administrative Officer to delegate any of its powers, duties or functions to another employee.

**PART V
MUNICIPAL DOCUMENTS**

13. Signing Agreements

The Mayor and the CAO shall sign all agreements to which the municipality is a party. In the absence of the Mayor, the Councilors appointed by resolution as signers shall sign. In the absence of the CAO, the Assistant Administrator shall sign.

14. Cheques and Negotiable Instruments

The CAO, or if the CAO is unavailable, the CAO's designate, and one Councillor appointed by resolution as signer shall sign all cheques on behalf of the municipality.

**PART VII
COMING INTO FORCE**

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



Read a third time and adopted
this 28th day of September.


Chief Administrative Officer Signature


Mayor Signature


Chief Administrative Officer Signature