

**BYLAW 1-2011
ADMINISTRATIVE BYLAW**

A **BYLAW** of the Town of Creighton in the Province of Saskatchewan, to Provide for the Administration of the Municipal Government and to set forth the duties and powers of the Designated Officers for the Town of Creighton.

THE COUNCIL FOR THE TOWN OF CREIGHTON 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.
 - (a) The purpose of this bylaw is to establish the office of the Administrator, Clerk, Treasurer, Manager and Assistant Administrator or any other municipal office that council considers necessary; and/or
 - (b) The purpose of this bylaw is to establish who may sign specified municipal documents on behalf of the Municipality; and/or
 - (c) The purpose of this bylaw is to establish the powers, duties and functions of municipal officials and/or employees of the municipality.

Definitions

3.
 - (a) "Act" means The Northern Municipalities Act, 2010
 - (b) "Municipality" means the Town of Creighton.
 - (c) "Administrator" means the Administrator or Clerk of the Town of Creighton.
 - (d) "Assistant Administrator or Clerk" means the person appointed as the Assistant Administrator or Clerk by the Administrator or Council.
 - (e) "Department Head" means the Recreation Director, Public Works Foreman, Fire Chief and any other person appointed as a Department Head.

PART II ADMINISTRATOR OR CLERK

Establishment of Position

4. (a) Council shall by resolution appoint an individual to the position of Administrator or Clerk
- (b) Council shall establish the terms and conditions of employment of the Administrator or Clerk
- (c) The Administrator or Clerk 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 Urban Municipal Administrators Act (s.126 (2) and (3)).

Duties of the Administrator or Clerk

5. The Administrator or Clerk shall perform the duties and exercise the powers and functions that are assigned by the Act, and other acts, this bylaw, or any other bylaw or resolution of Council.

Duties of the Administrator or Clerk – The Northern Municipalities Act, 2010

6. Without limiting the generality of section 5 the Administrator or Clerk shall:
 - (a) Take charge of and safely keep all books, documents and records of the municipality that are committed to his/her charge;
 - (b) Ensure all minutes of council meetings are recorded;
 - (c) Record the names of all council present at council meetings;
 - (d) Ensure the minutes of each council meeting are given to the council for approval at the next council meeting;
 - (e) Advise the council of its legislative responsibilities pursuant to this or any other act;
 - (f) Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality;
 - (g) Provide the minister with any statements, report, or other information that may be required by this Act or any other act;
 - (h) Ensure that the official correspondence of Council is carried out in accordance with Council's direction;
 - (i) Maintain an index register containing certified copies of all bylaws of the municipality;

Duties of the Administrator or Clerk – The Northern Municipalities Act, 2010 continued

- (j) Deposit cash and cheque collections that have accumulated over \$10,000.00, or do a deposit at least once per week, but not more than once a day, in the bank or credit union designated by council;
- (k) Disburse the funds of the municipality in the manner and to those directed by law, bylaw, or resolutions of Council;
- (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;
- (m) Ensure that the financial statements and information requested by resolution are submitted to council;
- (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 15th of each year;
- (o) Send copies of bylaws for closing and closing and leasing to the minister of Highways and Infrastructure;
- (p) Bring forward any resignation(s) of elected officials;
- (q) At the first meeting in January of each year provide bond(s) to council;
- (r) Sign minutes of council and committee meetings;
- (s) Sign bylaws;
- (t) Provide copies of public documents upon request or payment of fee;
- (u) Provide notice of first meeting of council;
- (v) Call a special meeting when lawfully requested to do so;
- (w) Determine the sufficiency of petition requesting a public meeting of voters;
- (x) Determine the validity of a petition for referendum – 30 days to report to council);
- (y) Administer public disclosure statements if the municipality adopts this requirement;
- (z) Record any abstentions or pecuniary interest declarations in the minutes;
- (aa) Provide information to the Auditor;
- (bb) Send amended tax notices when required and make necessary adjustments to the tax roll;
- (cc) Provide for payment of writ of execution against the municipality;
- (dd) Produce certain records upon request of inspector appointed by the Minister.
- (ee) Give written notice for the unpaid fees of a building contract (i.e. transient trader or other license fees).
- (ff) Sign the Securities Register by designated officer requires a bylaw to be in place.
- (gg) Maintain debenture register and other duties relating to debenture transactions.
- (hh) Certify the date on which tax notices are sent.

Duties of the Administrator or Clerk – The Northern Municipalities Act, 2010 continued

- (ii) Prepare and send amended tax notices when required.
- (jj) Provide receipt for tax payment on request of tax payer or agent.
- (kk) Apply partial tax payments on arrears first and if undesignated decide which taxable property or properties the payment is to be applied.
- (ll) Removal of tax lien if all arrears are compromised or abated.
- (mm) Issue tax certificates.
- (nn) Proof of taxes signed by a designated officer.
- (oo) Transfer special assessments to the tax roll.
- (pp) Submit school liability in a timely manner.
- (qq) May be responsible for service for Seizure of Goods.

Additional Duties of the Administrator or Clerk

- 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, any other bylaw or resolution;
- (c) Ensure that the policies and programs of the Town for the Municipality are implemented;
- (d) Advise, inform and make recommendations to council on the
 - (i) Operations and affairs of the Municipality
 - (ii) Policies and program 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 meetings of Council and other meetings as Council directs;
- (n) Council may delegate the authority for other matters excepting those listed in Section 145 which must be dealt with by the council.

**PART III
OTHER POSITIONS**

Assistant Administrator or Clerk

8. Establishment of Position

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

9. Duties

The Assistant Administrator or Clerk shall perform the duties and exercise the power and functions that are assigned by the Administrator or Clerk, this Bylaw, or any other bylaw or resolution of council.

Acting Administrator or Clerk

10. Establishment of Position

If the Administrator or Clerk 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 or Acting Clerk 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 or Acting Clerk shall have all the powers and duties of the administrator or clerk while acting in the capacity of the Administrator or Clerk.

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 Mayor and the Administrator shall sign all agreements to which the municipality is party. In the absence of the Mayor, the Deputy Mayor or designated council member by Council may sign. AND/OR
- (b) The Mayor and the Assistant Administrator in the absence of the Administrator, shall sign all agreements to which the municipality is party.

Cheques

16. The Administrator or Assistant Administrator and Mayor shall sign all cheques on the behalf of the municipality. In the absence of the Mayor the Deputy Mayor or a council member may sign as the second designate signature.

Negotiable Instruments

17. The Administrator (or if the Administrator is unavailable the Assistant Administrator or the Administrator's designate AND THE Mayor (or if the Mayor is unavailable the Deputy Mayor or Council's designate) shall sign all other negotiable instruments on behalf of the municipality.

**PART VI
DESIGNATED OFFICERS**

Council appoints the following designated officers to perform the duties as outlined in their job descriptions.

- (a) Public Works and Utility Foreman/Town Foreman
- (b) Fire Chief and/or Fire Captains
- (c) Recreation Director or Assistant Recreation Director
- (d) Building Inspector
- (e) Animal Control Officer

Temporary Road Closure

18. The Administrator and or council shall be the designated officer for the purpose of temporary road closures.

Enforcement of Municipal Law

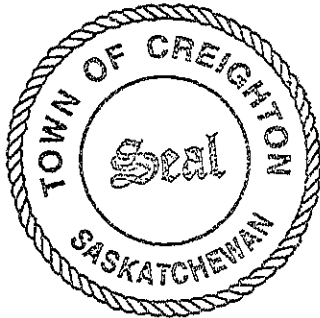
19. The Administrator or Administrator's designate shall inspect, remedy or enforce any bylaw or The Northern Municipalities Act, 2010.

Right of Entry for Public Utility Service

20. The Administrator, Town Foreman or designated utility operator may enter a building for the purpose of a public utility service.

**PART VII
COMING INTO FORCE**

21. This bylaw shall come into effect on the date of its final passing.



Signed: "Bruce Fidler"

Mayor

Signed: "Paula Muench"

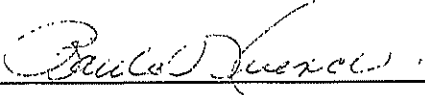
Administrator

Read a first time this 26th day of January, A.D. 2011.

Read a second time this 26th day of January, A.D., 2011.

Read a third time this 9th day of February, A.D., 2011.

Certified a True Copy of Bylaw 1-2011 of
the Town of Creighton .



Administrator