

## BYLAW 1/2024

### A BYLAW TO PROVIDE FOR THE ADMINISTRATION OF THE MUNICIPALITY AND TO SET FORTH THE DUTIES AND POWERS OF THE DESIGNATED OFFICERS FOR THE RURAL MUNICIPALITY OF HILLSDALE NO. 440

The Council for the Rural Municipality of Hillsdale No. 440 in the Province of Saskatchewan enacts as follows:

#### Short Title

1. This Bylaw may be cited as the Administration Bylaw.

#### Purpose and Scope

2. The purpose of this Bylaw:
  - a) to establish the office of Administrator; 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 Hillsdale No. 440
  - c) "Chief Administrative Officer (CAO)" means the Chief Administrative Officer of the Rural Municipality of Hillsdale No. 440 appointed to the position of Administrator pursuant to Section 110 of *The Municipalities Act*
  - d) "Deputy CAO" means the person appointed as Deputy CAO
  - e) "Finance Officer" means the person appointed as Finance Officer

### ADMINISTRATOR

#### Establishment of Position

4. The position of Administrator is established pursuant to section 110 of *The Municipalities 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 require by *The Rural Municipal Administrators Act*.

#### Duties of CAO

5. The CAO 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) produce, when called for by the council, auditor, minister or other competent authority, all books, vouchers, papers and moneys belonging to the municipality; (*MA 111*)
  - 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; (*MA 111*)



- d) ensure all minutes of council meetings are recorded; (MA 111)
- e) record the names of all the members of council present at council meetings; (MA 111)
- f) ensure the minutes of each council meeting are given to the council for approval at the next council meeting; (MA 111)
- g) advise the council of its legislative responsibilities pursuant to *The Municipalities Act* or any other act; (MA 111)
- h) ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality; (MA 111)
- i) provide the minister with any statements, reports or other information that may be required by *The Municipalities Act* or any other act; (MA 111)
- j) ensure that the official correspondence of Council is carried out in accordance with Council's direction; (MA 111)
- k) maintain an index register containing certified copies of all bylaws of the municipality; (MA 111)
- l) deposit cash collections that have accumulated to \$50,000.00, or at least once a month, but not more than once a day, in the bank or credit union designated by council; (MA 111)
- m) disburse the funds of the municipality in the manner and to those directed by law bylaw or resolutions of council; (MA 111)
- n) 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)
- o) ensure that the financial statements and information requested by resolution are submitted to council; (MA 111)
- p) 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 1<sup>st</sup> of each year; (MA 111, 185)
- q) be responsible for the hiring, suspension and dismissal of all employees of the municipality; (MA 111)
- r) witness any oaths or affirmations required pursuant to *The Municipalities Act*; (MA 111)
- s) send copies of bylaws for closing roads and closing and leasing roads to the Minister of Highways; (MA 13)
- t) bring forward any resignation(s) of elected officials; (MA 96)
- u) record each abstention in the meeting minutes that may occur at the time of voting; (MA 96)
- v) at the first meeting in January of each year provide bond or equivalent insurance of employees to council; (MA 113)
- w) sign minutes of council and committee meetings; (MA 115)
- x) sign bylaws; (MA 115)
- y) sign cheques and other negotiable instruments; (MA 115)
- z) provide copies of public documents upon request or payment of fee; (MA 117)
- aa) provide notice of first meeting of council; (MA 121)
- bb) call a special meeting when lawfully requested to do so; (MA 123)
- cc) determine the sufficiency of a petition requesting a public meeting of voters; (MA 129)
- dd) determine the sufficiency of a petition for referendum (30 days to report to council); (MA 135)
- ee) note any change reported on a council member's annual declaration to the member's public disclosure statement, including the date that change was noted; (MA 142)
- ff) make each public disclosure statement and declaration available for public inspection during regular business hours; (MA 142)



- gg) provide copies of public disclosure statements to any designated officials when directed to do so by council; (MA 142)
- hh) record in the minutes every declaration of conflict of interest, including the general nature and material details of the disclosure and any abstentions or withdrawal; (MA 144)
- ii) provide information to the Auditor; (MA 190)
- jj) send amended tax notices when required and make necessary adjustments to the tax roll; (MA 264)
- kk) provide for payment of writ of execution against the municipality; (MA 353)
- ll) 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, 2015*.
  - b) ensure that Public Notice is given as provided in the Act, 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, 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 program budgets established by Council.
  - h) make routine expenditures on a daily basis until the annual budget is adopted by council.
  - i) conduct negotiations for land purchases, annexations, etc.
  - j) attend meetings of Council and other meetings as Council directs

### **PART III OTHER POSITIONS**

#### **Acting Administrator**

##### **Establishment of Position**

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

##### **Duties**

9. The acting administrator shall have all the powers and duties of the administrator while acting in the capacity of the Administrator.

#### **Other Municipal Employees**

##### **Establishment of Positions**

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



### **Duties**

11. 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 CAO to delegate any of his/her powers, duties or functions to another employee.

## **PART V MUNICIPAL DOCUMENTS**

### **Signing Agreements**

13. The reeve and the CAO shall sign all agreements to which the municipality is party. In the absence of the Reeve, the Deputy Reeve shall sign. In the absence of the CAO, the Finance Officer shall sign.

### **Cheques and Negotiable Instruments**

14. The CAO, or if the CAO is unavailable, the CAOs' designate AND Reeve or in the absence of the reeve, the Deputy Reeve shall sign all cheques on the behalf of the municipality.

### **Payroll and Authorized Accounts Payable**

15.
  - a) The CAO AND Finance Officer, or in the absence of either the CAO or Finance officer, the Deputy CAO shall be authorized to process payroll including council remuneration by electronic means.
  - b) The CAO AND the Finance Officer, or in the absence of either the CAO or Finance Officer, the Deputy CAO shall be authorized to process the following accounts payable by electronic means
    - i) Utility Payments: Sask Power, Sask Energy, Sask Tel
    - ii) Payroll Deductions: Receiver General, Municipal Employees Pension Plan
    - iii) Education Property Tax collections
    - iv) Saskatchewan Municipal Hail Tax collections
    - v) Collabria Mastercard
  - c) Authorize accounts payables shall be added by resolution including the account number.

## **PART VI DESIGNATED OFFICERS**

### **Other Designated Officers**

16.
  - a) That the Finance Officer is designated to give written notice for the unpaid fees of a building contractor;
  - b) The Foreman is designated to temporarily close a road;
  - c) The Finance Officer is designated to sign the securities register;
  - d) The Finance Officer is designated to maintain debenture register and other duties relating to debenture transactions;
  - e) The Finance Officer is designated to certify the date on which tax notices are sent;
  - f) The Finance Officer is designated to prepare and send amended tax notices when required;
  - g) The Finance Officer is designated to provide receipt for tax payment on request of tax payer or agent;
  - h) The Finance Officer is designated apply partial tax payments on arrears first and if undesignated decide to which taxable property or properties the payment is to be applied;
  - i) The Finance Officer is designated to remove a tax lien if all arrears are compromised, abated or paid;
  - j) The Finance Officer is designated to issue tax certificates;



- k) The Finance Officer is designated to certify a true copy of the proof of taxes payable;
- l) The Finance Officer is designated to transfer special assessments to the tax roll;
- m) The Finance Officer is designated to collect amusement tax;

**PART VII  
COMING INTO FORCE**

- 18. This bylaw shall come into effect on the day of its final passing.
- 19. Bylaw 4, 2018, Bylaw 2, 2020 and Bylaw 3, 2021 shall be repealed.



*Glenn Goodfellow*  
Reeve

*Janet Hallinghead Leslie*  
Chief Administrative Officer

I certify this to be a true copy  
of the original document

Date January 11, 2024  
Janet Hallinghead-Leslie, CAO  
Name Position  
*Janet Hallinghead Leslie*  
Signature