

RURAL MUNICIPALITY OF MILTON NO. 292

BYLAW NO. 2021-03

A BYLAW FOR THE ESTABLISHMENT OF THE DUTIES AND POWERS OF THE ADMINISTRATOR AND DESIGNATED OFFICERS

The Council of the Rural Municipality of Milton No. 292, in the Province of Saskatchewan, enacts as follows:

1. SHORT TITLE

- 1.1. This bylaw shall be known as the Administrative Bylaw

PART I PURPOSE AND DEFINITIONS

2. PURPOSE AND SCOPE

- 2.1. The purpose of this Bylaw is to establish:
- a) the office of Administrator, or any other municipal office that council considers necessary; and
 - b) establish 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.

3. DEFINITIONS

- 3.1. Any capitalized terms not defined herein shall have the meanings assigned to them under *The Municipalities Act*, as amended from time to time; and
- a) "Act" or "MA" means *The Municipalities Act*;
 - b) "Administrator" means the Chief Administrator Officer of the Municipality appointed pursuant to Section 110 of *The Municipalities Act*;
 - c) "Council" means the elected Council of the Municipality;
 - d) "Designate" means a person to whom power and authority is or may be delegated from time to time by the Administrator, subject to restrictions within this Bylaw or the Act;
 - e) "Municipality" means the Rural Municipality of Milton No. 292;
 - f) "SARM" means Saskatchewan Association of Rural Municipalities

PART II ADMINISTRATOR

4. ESTABLISHMENT OF POSITION

- 4.1. 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 which position shall also be known as "Chief Administrative Officer" (CAO);
 - b) Council shall establish the terms and conditions of employment of the Administrator;

- c) Any person appointed to the position of Administrator must be qualified as required by *The Rural Municipal Administrators Act*.

5. DUTIES OF ADMINISTRATOR

5.1. 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.

5.2. 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 (an amount determined by council that is equal to or less than the amount of the administrator's bond), 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 1st 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 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 execution against the municipality; (MA 353)
- dd) Produce certain records upon request of inspector appointed by Minister. (MA 396)

6. ADDITIONAL DUTIES OF ADMINISTRATOR

6.1. In addition to the duties outlined in Sections 5 and 6 of this Bylaw, the Administrator shall:

- a) Perform the duties of 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) Be responsible for the preparation and submission of the annual budget estimates from departments for Council
- f) Monitor and control spending within program budgets established by Council.
- g) Make routine expenditures on a daily basis until the annual budget is adopted by council.
- h) Call for tenders and make recommendations to Council to award contracts.
- i) Purchase goods, services or work pursuant to the Municipality's purchasing policy.
- j) Attend meetings of Council and other meetings as Council directs
- k) Council may delegate the authority for other matters excepting those listed in Section 127 which must be dealt with by the council.

7. YEARS OF SERVICE

7.1. Council shall acknowledge and agree that years of service are portable from one municipality to another in accordance with SARM's acceptance of service transfer.

8. SUSPENSION OR REVOCATION OF THE POSITION OF THE ADMINISTRATOR

8.1. The suspension or revocation of the person appointed as Administrator may only be made by Council of the Whole if only the majority of Council vote to do so.

PART III OTHER POSITIONS

9. APPOINTMENTS, HIRING, SUSPENSION AND REVOCATION

- 9.1. Council shall be responsible for the hiring, suspension or revocation of all other positions of the Municipality.
- 9.2. Council shall by resolution appoint persons to other positions of the municipality as they see fit.

10. ACTING ADMINISTRATOR

- 10.1. 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, as defined by the Act, may allow.
- 10.2. 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

11. The Council hereby authorizes the Administrator to delegate any of his/her powers, duties or functions to another employee.

PART V MUNICIPAL DOCUMENTS

12. SIGNING AGREEMENTS

- 12.1. The Administrator or Designate in the absence of the Administrator and the Reeve or Deputy Reeve shall sign all agreements to which the municipality is party.
- 12.2. An appointed member of Council through resolution of Council, in the absence of the Reeve or Deputy Reeve, and the Administrator or Designate in the absence of the Administrator shall sign all agreements to which the municipality is party.

13. CHEQUES

- 13.1. The Administrator or Designate in the absence of the Administrator and the Reeve or Deputy Reeve shall sign all cheques on behalf of the Municipality.
- 13.2. An appointed member of Council through resolution of Council, in the absence of the Reeve or Deputy Reeve, and the Administrator or Designate in the absence of the Administrator shall sign all cheques on behalf of the Municipality.

14. NEGOTIABLE INSTRUMENTS

- 14.1. The Administrator or Designate in the absence of the Administrator and the Reeve or Deputy Reeve shall sign all negotiable instruments on behalf of the Municipality.
- 14.2. An appointed member of Council through resolution of Council, in the absence of the Reeve or Deputy Reeve, and the Administrator or Designate in the absence of the Administrator shall sign all negotiable instruments on behalf of the Municipality.

PART V COMING INTO FORCE

15. COMING INTO FORCE

- 15.1. This bylaw shall come into force and take effect on the date of the final passing thereof.

16. REPEAL

- 16.1. Bylaw 1-2008 is hereby repealed



[Redacted Signature]

Reeve

[Redacted Signature]

Administrator

Read a third time and adopted
this 13 day of January, 2021

[Redacted Signature]

Administrator



This is a true copy of original document which has not been altered in any way.

Signed at Marengo, Saskatchewan on January 18, 2021