

**BYLAW NO. 6-2005**

**ADMINISTRATIVE BYLAW**

**A BYLAW OF THE RURAL MUNICIPALITY OF LUMSDEN NO.189 IN THE PROVINCE OF SASKATCHEWAN, TO PROVIDE FOR THE ADMINISTRATION OF THE MUNICIPAL CORPORATION AND TO SET FORTH THE DUTIES AND POWERS OF THE DESIGNATED OFFICERS FOR THE RURAL MUNICIPALITY OF LUMSDEN NO.189**

The Council for the Rural Municipality of Lumsden No. 189 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. The purpose of this Bylaw is to establish the office of Administrator, Treasurer, Assistant Administrator or any other municipal office that council considers necessary; AND

The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; AND

The purpose of this Bylaw is to establish the powers, duties and functions of municipal officials and/or employees of the municipality.

**Definitions**

3. In this bylaw following definitions shall apply to the respective terms:
  - (a) "*Act*" means the Municipalities Act;
  - (b) "*Municipality*" means the Rural Municipality of Lumsden No.189;
  - (c) "*Administrator*" means the Administrator of the rural municipality 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, Fire Chief and any other person appointed by Council as a Department Head;

**PART 11**

**ADMINISTRATOR**

**Establishment of Position**

4. The position of Administrator is established pursuant to section 110 of the Act subject to the following:
  - (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;

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**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) 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 1<sup>st</sup> 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)*

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**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 on projects approved by Council which have not been assigned to an engineering firm;
  - (j) Purchase goods, services or work subject to the adopted budget or purchase resolution of Council;
  - (k) Award contracts on projects approved by Council which have not been assigned to an engineering firm;
  - (l) Conduct negotiations for land purchases, annexations;
  - (m) Attend meetings of Council and other meetings as Council directs;

**PART III  
OTHER POSITIONS**

**Assistant Administrator****8. Establishment of Position**

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

**9. Duties/Qualifications**

The Assistant Administrator shall perform the duties and exercise the powers and functions that are assigned by the Administrator, this Bylaw, or any other bylaw or resolution of Council. The Assistant Administrator shall hold or be encouraged to obtain the Local Government Administration Certificate or its considered equivalent.

**10. Duties of the Assistant Administrator**

Without limiting the generality of section 9 the Assistant Administrator shall be knowledgeable on the following tasks, assist with the performance of the task when required and train other employees on the performance of the task:

**(a) Financial Management**

- (1) Issue General, Tax, Utility receipts
- (2) Prepare cash deposits and postings
- (3) Invoicing accounts receivable
- (4) Providing Tax/Assessment Info
- (5) Water Utility readings, billings, etc
- (6) Year end - Audit prep work
- (7) Issuing business licenses & permits
- (8) Assessment maintenance, notice and appeal process
- (9) Tax Notice process
- (10) Tax Enforcement process
- (11) Payroll
- (12) Hail roll report input and maintenance
- (13) Processing AP / issuing pay cheques

**(b) Regulatory Planning / Management**

- (14) Development apps - general inquiries
- (15) Bldg permits - general inquiries
- (16) Assisting public with forms
- (17) Timely forwarding of documents

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- (18) Organizing public hearings/planning mtgs.
- (19) Issuing of Development / Building permits
- (20) Municipal election process including notices
- (21) Reviewing relevant municipal literature

**(c) Public Relations**

- (22) Assist with telephone inquiries
- (23) Assist with walk in inquiries
- (24) Assist with the handling of complaints and irate public
- (25) Explaining individual assessment & taxes as required
- (26) Assist with booking of Hall, Cemetery plots, facilities
- (27) Customer care
- (28) Dealing with Vendors as required

**(d) Clerical**

- (29) Typing of letters/minutes/reports
- (30) Change of Property Ownerships
- (31) Operating standard office equipment
- (32) Copying, and presentation preparation
- (33) Reading RM maps
- (34) Locating files, maps, plans, documents
- (35) Filing
- (36) Processing mail / postal rate knowledge
- (37) Backup process for computer files
- (38) Ordering supplies

**(e) Skills and Proficiencies**

- (39) Maintain tidy and organized work station
- (40) Ability to work without supervision
- (41) Display strong time management skills
- (42) Compassion/understanding for others
- (43) Initiative and self motivation
- (44) Positive attitude toward continuing education
- (45) Computer hardware operation skills
- (46) Computer software operation skills

**Public Works Foreman****11. Establishment of Position**

Council shall by resolution appoint an individual to the position of Public Works Foreman.

**12. Duties**

The Public Works Foreman shall perform the duties and exercise the powers and functions that are assigned by the Administrator, this Bylaw, or any other bylaw or resolution of Council.

**13. Duties of the Public Works Foreman**

Without limiting the generality of section 11 the Public Works Foreman shall:

**(a) Road Maintenance**

- i* Road inspections of allocated roads within the RM;
- ii* Road inspection of gravel haulers;
- iii* Grading, shaping, rebuilding, etc.;
- iv* Supervising construction of RM roads;
- v* Supervising mowing of ditches and approaches;
- vi* Supervising rock rake and rock picker during road building and maintenance;

**(b) Supervision & Maintenance of all RM Equipment**

- i* Provide scheduled maintenance to graders, tractors and trucks ;(engine & transmission oil & filter)
- ii* Provide maintenance to mower, rock rake, rock picker and other RM equipment as required;
- iii* Day to day maintenance of tractor;

**(c) Administration**

- i.* Attend RM meetings as required;
- ii.* Daily
  - Supervising and scheduling employees;
  - Collecting road reports from employees each day;
  - Gravel inspection/checking reports;
  - Ordering all shop supplies;
  - Purchasing, as well as repairing, all equipment;

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- Documenting equipment maintenance;
- iii. Monthly
  - Documenting road reports for office at month end;
  - Gravel inspection/checking reports;
  - Documenting equipment maintenance;
- iv. Yearly
  - Year end reports on mowing and gravelling;
  - Inspection of existing and new gravel supplies;
  - Documenting equipment maintenance;
  - Preparing an inventory of all supplies and equipment;
  - Assist in planning capital budget by providing a yearly written gravel and road report;

#### **Acting Administrator**

##### **14. 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.

##### **15. Duties**

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

#### **Treasurer**

16. The Administrator of the municipality shall also act as the Treasurer of the municipality.

17. See section 6 for the detailed duties of the Treasurer which has been combined under the Administrator position.

### **PART IV DELEGATION OF AUTHORITY**

18. The Council hereby authorizes the administrator to delegate any of his/her powers, duties or functions to another employee as necessary to ensure the smooth efficient operation of the Administration.

### **PART V MUNICIPAL DOCUMENTS**

#### **Signing Agreements**

19. Subsection 115(4) requires agreements to be signed by at least 2 persons designated by council.

- (a) The Reeve and the Administrator shall sign all agreements to which the municipality is party and in the absence of the Reeve, the Deputy Reeve.

#### **Cheques**

20. Subsection 115(5) stipulates that the Administrator **must sign all** cheques AND that Council must designate at least one other person. The **Administrator AND Reeve** shall sign all cheques on the behalf of the municipality or in the absence of the Reeve the **Deputy Reeve**.

#### **Negotiable Instruments**

21. Subsection 115(5) also stipulates that the Administrator **must sign all** other negotiable instruments and that Council must designate at least one other person. The **Administrator AND Reeve** shall sign all other negotiable instruments on behalf of the municipality or in the absence of the Reeve the **Deputy Reeve**.

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**PART VI  
CORPORATION HEADQUARTERS**

**Municipal Office**

22. The headquarters for the municipality shall be located in the Town of Lumsden at 300 James Street N and shall be known as the municipal office;


**PART VII  
DESIGNATED OFFICERS**

**Temporary Road Closure (MA 14)**

23. The Administrator shall be the designated officer for the purpose of temporary road closures;

**PART VIII  
COMING INTO FORCE**

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

  
Reeve

  
Administrator



CERTIFIED A TRUE COPY

  
Administrator

Read a first time this 10<sup>th</sup> day of November, 2005.  
Read a second time this 8<sup>th</sup> day of December, 2005.  
Read a third time and passed this 12<sup>th</sup> day of January, 2006.