

TOWN OF ITUNA

BYLAW NO. 1-2024

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

The council of the TOWN OF ITUNA, in the Province of Saskatchewan, enacts as follows:

Short Title

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

PART I PURPOSE AND DEFINITIONS

Purpose and Scope

2. The purpose of this Bylaw is:
 - a) to establish the powers, duties and functions of municipal officials and/or employees of the municipality;
 - b) To establish who may sign specified municipal documents on behalf of the municipality; and
 - c) To establish the position of administrator, assistant administrator, treasurer or any other municipal position that council considers necessary.

Definitions

3.
 - a) "Act" means The Municipalities Act;
 - b) "Municipality" means the Town of Ituna;
 - c) "Administrator" means the administrator of the Town of Ituna appointed pursuant to section 110 of *The Municipalities Act*;
 - d) "Administrative Assistant" means the person appointed as Administrative Assistant; and
 - e) "Department Head" means the Recreation Director, the Treasurer, Public Works Lead Hand, Fire Chief and any other person appointed as a Department Head.

PART II ADMINISTRATOR

Establishment of Position

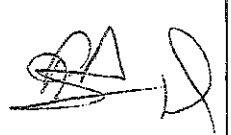
4. The position of administrator is established pursuant to section 110 of the Act.
Council shall, by resolution, appoint an individual to the position of administrator.
 - (a) Council shall establish the terms and conditions of employment of the administrator.
 - (b) The Administrator shall be the chief administrative officer of the municipality.
 - (c) Any person appointed to the position of administrator must be qualified as required by *The Urban Municipal Administrators Act*.

Assignment of Responsibility

5. The administrator 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.

Duties of the Administrator – *The Municipalities Act*

6. Without limiting the generality of section 5 of this bylaw, the administrator 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 his or her successor in office or to any other person that the council may designate;
- (d) Attend meetings of council and other meetings as council directs;
- (e) Ensure all minutes of council meetings are recorded;
- (f) Record the names of all council members present at council meetings;
- (g) Ensure the minutes of each council meeting are given to the council for approval at the next regular council meeting;
- (h) Ensure the safe keeping of the corporate seal, bylaws, minutes of Council meetings, funds, securities and any other records or documents of the municipality;
- (i) Advise the council of its legislative responsibilities pursuant to *The Municipalities Act* or any other act;
- (j) Provide the Minister with any statements, reports or other information that may be required by the Minister pursuant to *The Municipalities Act* or any other act;
- (k) Ensure that the official correspondence of council is carried out in accordance with council's directions;
- (l) Maintain an indexed register containing certified copies of all bylaws of the municipality;
- (m) Deposit cash collections that have accumulated to **Fifteen Thousand Dollars (\$15,000)** at least once a month, but not more than once a day in the name of the town, in the bank or credit union designated by council, of which the Administrator is not an employee;
- (n) Disburse the funds of the municipality only in the manner and to those directed by law or by the bylaws or resolutions of council;
- (o) 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;
- (p) Ensure that the financial statements and information requested by resolution are submitted to council;
- (q) 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;
- (r) Witness any oaths or affirmations required pursuant to *The Municipalities Act*;
- (s) Send copies of bylaws for closing roads and closing and leasing roads to the Minister of Highways;
- (t) Bring to council's attention any resignation(s) of elected officials;
- (u) Record each abstention in the meeting minutes that may occur at the time of voting;
- (v) At the first meeting in January of each year, provide all bond or equivalent insurance of employees to council;
- (w) Sign minutes of council and committee meetings;
- (x) Sign bylaws;
- (y) Sign cheques and other negotiable instruments;
- (z) Sign the securities register;
- (aa) Maintain the debenture register and other duties relating to debenture transactions;
- (bb) Provide copies of public documents upon request or payment of fee;
- (cc) Provide notice of first meeting of council;
- (dd) Call a special meeting when lawfully requested to do so;
- (ee) Determine the sufficiency of a petition for a public meeting of voters;
- (ff) Determine the sufficiency of a petition for a referendum;
- (gg) 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;



- (hh) Make each public disclosure statement and declaration available for public inspection during regular business hours;
- (ii) Provide copies of public disclosure statements to any designated officials when directed to do so by council;
- (jj) 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;
- (kk) Provide information to the auditor;
- (ll) Provide for payment of writ of execution against the municipality; and
- (mm) Produce certain records upon request of inspector appointed by the Minister;
- (nn) Ensure an assessment is prepared for each property in the municipality;
- (oo) Prepare an assessment roll for each year for all assessed property in the municipality no later than May 1;
- (pp) Prepare assessment notices for all assessed property shown on the assessment roll of the municipality;
- (qq) Send the assessment notices to the assessed person within 15 days after the assessment roll is completed;
- (rr) Within 15 days after completion of the assessment roll, annually publish in the Gazette, and in one issue of a newspaper or in any other manner considered appropriate by the municipality, a notice that the assessment roll is open to inspection, that assessment notices have been sent, that a bylaw pursuant to section 214 of *The Municipalities Act* has been passed, and the last date on which appeals may be lodged against the assessment;
- (ss) Prepare supplementary assessments when required;
- (tt) Make corrections or amendments to the assessment roll as required;
- (uu) Prepare the tax roll on or before August 15;
- (vv) Prepare the tax notices and send them to the taxpayers before September 1 of the year in which taxes are imposed;
- (ww) Certify the date on which tax notices were sent;
- (xx) Issue tax certificates;
- (yy) Prepare and send amended tax notices and make adjustments to the tax roll, when required;
- (zz) Provide receipts for tax payments on request of tax payer or agent;
- (aaa) Apply partial tax payments on arrears first and decide to which taxable property or properties the payment is to be applied;
- (bbb) Provide certified copy of portion of tax roll as proof of taxes payable;
- (ccc) Transfer special assessments to the tax roll;
- (ddd) Submit school liability in a timely manner;
- (eee) Serve documents for seizure of goods;
- (fff) Collect amusement tax, if applicable;
- (ggg) Be responsible for the preparation and submission of the annual budget and the five year capital budget to council;
- (hhh) Monitor and control spending within the budget established by council;
- (iii) Make routine expenditures on a daily basis until the annual budget is adopted by council;
- (jjj) Ensure that public notice is given as required by *The Municipalities Act*, any other act, and/or as required by council in this bylaw or any other bylaw or resolution of council.

Additional Duties of the Administrator

7. The administrator shall:

- (a) Act as the returning officer for all elections under *The Local Government Election Act, 2015*;
- (b) Ensure the policies and programs of the municipality are implemented, maintained and enforced;
- (c) 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.
- (d) Supervise all operations of the municipality, ensuring appropriate internal controls are in place and followed.
 - (e) Call for tenders upon request of council, ensuring consistency with any provincial, national or international trade agreements related to municipal procurement.
 - (f) Purchase goods, services or work, in accordance with municipal purchasing policy or as directed by council;
 - (g) Award contracts in accordance with municipal purchasing policy or as directed by council;
 - (h) Conduct negotiations for land purchases, annexations, etc.
 - (i) Give written notice for the unpaid fees of a building contractor, transient trader or other licence fees;
 - (j) Enforce the payment of taxes pursuant to *The Tax Enforcement Act*;
 - (k) Remove tax lien if all arrears are compromised or abated; and
 - (l) Any other duties that may be required by legislation or as directed by council.

PART III OTHER POSITIONS

Acting Administrator

8. Establishment of Position

If the administrator is unable to act for any reason, council will appoint a person within thirty (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 three months, they will obtain permission from the Urban Board of Examiners.

9. Duties

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

Administrative Assistant

10. Establishment of Position

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

11. Duties

The Administrative 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.

Establishment of Other Positions

12. Other Positions

Council shall from time to time establish other positions as may be necessary for the operation of the Municipality.

13. Duties

Council, with the assistance of the administrator, will determine the job descriptions and list of duties for each position established. Council and/or council committees may provide suggestions regarding municipal operations and duties to the administrator.

**PART IV
DELEGATION OF AUTHORITY**

14. Council hereby authorizes the administrator to delegate any of its powers, duties or functions to another employee.

**PART V
MUNICIPAL DOCUMENTS**

Signing Agreements

15. The Mayor and the administrator shall sign all agreements to which the municipality is party. In the absence of the Mayor, the Deputy Mayor shall sign. In the absence of the administrator, the administrative assistant shall sign.

Cheques and Negotiable Instruments

16. The administrator, or if the administrator is unavailable, the administrator's designate, and Mayor, or, if the Mayor is unavailable, the Deputy Mayor shall sign all cheques and negotiable instruments on behalf of the municipality.

**PART VI
DESIGNATED OFFICERS**

Other Designated Officers

17. The Lead Hand shall be the designated officer to enter a building for the purpose of a public utility service.
18. The Lead Hand shall be the designated officers to temporarily close a road or street.

**PART VII
COMING INTO FORCE**

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

{Seal}



Lore Kucinski
Mayor Signature

Wanda P.
Administrator Signature

Read a third time and adopted
this 9th day of JANUARY, 2024.

Wanda P.
Administrator Signature