

TOWN OF LUMSDEN

BYLAW NO. 03-2017

A BYLAW TO ESTABLISH THE DUTIES AND POWERS OF THE ADMINISTRATOR AND DESIGNATED OFFICERS FOR THE TOWN OF LUMSDEN

The Council for the Town of Lumsden 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 to establish the office of Chief Administrative Officer, Finance Officer, Assistant Administrator, Public Works Foreman, Utilities Foreman, Community Coordinator or any other municipal office that council considers necessary; AND
3. The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; AND
4. The purpose of this Bylaw is to establish the powers, duties and functions of municipal officials and/or employees of the municipality.

Definitions

5. In this bylaw following definitions shall apply to the respective terms:
 - (a) "Act" means the Municipalities Act;
 - (b) "Municipality" means the Town of Lumsden;
 - (c) "Chief Administrative Officer" means the Administrator of the 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, Utilities Foreman, Community Coordinator, Finance Officer and any other person appointed by Council as a Department Head.

PART II CHIEF ADMINISTRATIVE OFFICER

Establishment of Position / Qualifications

6. The position of Chief Administrative Officer 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 Chief Administrative Officer;
 - (b) Council shall establish the terms and conditions of employment of the Chief Administrative Officer;
 - (c) The Chief Administrative Officer shall be the Administrator of the municipality;
 - (d) Any person appointed to the position of Chief Administrative Officer must be qualified as required by The Urban Municipal Administrators Act.

Duties of the Chief Administrative Officer

7. The Chief Administrative Officer 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 Chief Administrative Officer – The Act

8. Without limiting the generality of Section 7 the Chief Administrative Officer 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 Chief Administrative Officer'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) Ensure the completion of 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 a road 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)*

Additional Duties of the Chief Administrative Officer

9. The Chief Administrative Officer 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 to oversee the preparation and submission of the annual budget estimates from departments for Council;
- (g) Supervise the monitoring 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.

Acting Chief Administrative Officer

Establishment of Position

10. If the Chief Administrative Officer 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 Chief Administrative Officer for a period of not longer than three months or any longer period that the board of examiners may allow.

Duties

11. The Acting Chief Administrative Officer shall have all the powers and duties of the Chief Administrative Officer while acting in the capacity of the Chief Administrative Officer.

PART III OTHER POSITIONS

Finance Officer

Establishment of Position

12. Council shall by resolution hire an individual to the position of Finance Officer.

Duties / Qualifications

13. The Finance Officer shall perform the duties and exercise the powers and functions that are assigned by the Chief Administrative Officer, this Bylaw, or any other bylaw or resolution of Council. The Finance Officer shall hold or be encouraged to obtain a professional accounting designation (CPA) and have a post-secondary education, with a preference to a business degree (bachelor or applied).

A full list of duties and qualifications are described in the job description for the position.

14. Without limiting the generality of section 13, the Finance Officer shall:
- a) Perform all activities and services associated with accounting, budgeting, auditing, general ledger, GST reporting and development and application of internal controls;
 - b) Work with departments heads, prepare annual operating and capital budgets for presentation to both Councils and act as a source of financial information throughout the year;
 - c) Prepare five year capital plans; develop and maintain Asset Management plans;
 - d) Prepare a variety of financial reports including monthly financial statements, year-end statements, periodic variance analysis and long range financial planning;
 - e) Act as a primary liaison with external auditors and prepare all worksheets required for the annual audit;
 - f) Prepare annual tax and assessment rolls, assessment maintenance list, assessment and tax notices, abatements and cancellations;
 - g) Maintain local improvement register, debenture register, annual school liability statement and annual assessment return;
 - h) Activities associated with the application of the Tax Enforcement Act and other legal remedies to recover outstanding taxes; ensure maintenance of Tax title property registry;
 - i) Research and prepare grant applications for funding capital projects;
 - j) Oversee and coordinate Office Service Clerks performing routine financial activities and provide training where required;
 - k) Deal effectively with council and other staff members relating to financial inquiries.

Assistant Administrator

Establishment of Position

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

Duties / Qualifications

16. The Assistant Administrator shall perform the duties and exercise the powers and functions that are assigned by the Chief Administrative Officer, 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.

17. Without limiting the generality of Section 16, the Assistant Administrator, shall:
- a) Be responsible for providing support to the Chief Administrative Officer;
 - b) Attend meetings and take minutes where required by the Chief Administrative Officer and/or Council;
 - c) Be familiar with municipal processes, applicable legislation and municipal bylaws to assist the public and administrative staff.

Public Works Foreman

Establishment of Position

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

Duties/Qualifications

19. The Public Works Foreman shall perform the duties and exercise the powers and functions that are assigned by the Chief Administrative Officer, this Bylaw, or any other bylaw or resolution of Council. The position requires 5 years experience working with transportation maintenance and construction and/or a related field with demonstrated leadership qualities. Level 2 Water Distribution; Water Treatment certification; Wastewater treatment and Wastewater Collection is an asset.

A full list of duties and qualifications are outlined in the job description for the Public Works Foreman position.

20. Without limiting the generality of Section 18, the Public Works Foreman, shall:
- d) Be responsible for the planning, organizing and directing of all Public Works maintenance programs and construction projects relating to streets, sidewalks, lighting, waste collection, recycling operations, cemetery, park and playground maintenance and regular maintenance of municipal equipment and property;
 - e) Assist in the development of annual budgets and five year capital projects for Transportation and related departments;
 - f) Provide current year budget monitoring and fiscal control for Transportation and related departments;
 - g) Develop strategic plans for the implementation of Public Works services;
 - h) Supervise public works employees, provide leadership and direction as well as complete staff evaluations;
 - i) Provide reports and presentations to Council and/or Committees with respect to Transportation planning and activities;
 - j) Liaise with suppliers, vendors, contractors, government agents and engineers;
 - k) Ensure operational compliance with relevant regulations, such as Occupational Health and Safety and environmental;
 - l) Manage Transportation services and operations;
 - m) Manage waste collection and disposal operations, including Recycling and Landfill;
 - n) Manage Cemetery operation and maintenance;
 - o) Manage parks and playground maintenance;
 - p) Coordinate special activities with the Community Coordinator;
 - q) Ensure risk management documentation is completed, such as building, equipment and park maintenance and inspections, to reduce the municipality's liability risk;
 - r) Ensure policies and directives of council are implemented;
 - s) Provide assistance to the fire department, building inspectors, bylaw enforcement officer and the Utilities Department

Utilities Foreman

Establishment of Position

21. Council shall by resolution hire an individual to the position of Utilities Foreman.

Duties/Qualifications

22. The Utilities Foreman shall perform the duties and exercise the powers and functions that are assigned by the Chief Administrative Officer, this Bylaw, or any other bylaw or resolution of Council. The position requires Level 2 Water Distribution; Water Treatment certification; Wastewater treatment and Wastewater Collection, as well as 5 years experience working with utilities and/or in a related field.

A full list of duties and qualifications are outlined in the job description for the Utilities Foreman position.

23. Without limiting the generality of section 21 the Utilities Foreman shall:
- t) Be responsible for the operation of water and wastewater machinery, maintenance of water and wastewater systems including main lines, hydrant replacement and expansion or upgrading infrastructure;
 - u) Provide assistance to the Public Works Foreman in times of need with support to supervision, documenting operating procedures, testing, and ensuring safety compliance of public works staff;
 - v) Assist in the development of annual budgets and five year capital projects for the Utilities department;
 - w) Provide current year budget monitoring and fiscal control for the Utilities department;
 - x) Develop strategic plans for the implementation of Water and Wastewater services;
 - y) Supervise utilities employees, provide leadership and direction as well as complete staff evaluations;
 - z) Ensure support staff are trained in the backup operation of the water and wastewater systems;
 - aa) Monitor Water and Wastewater Operations to ensure compliance with all federal and provincial regulations;
 - bb) Prepare water quality or water pollution control information for the public;
 - cc) Provide reports and presentations to Council and/or Committees with respect to Utilities planning and activities;
 - dd) Liaise with suppliers, vendors, contractors, government agents and engineers;
 - ee) Ensure operational compliance with relevant regulations, such as Occupational Health and Safety and environmental;
 - ff) Ensure risk management documentation is completed, such as building and equipment, to reduce the municipality's liability risk;
 - gg) Ensure policies and directives of council are implemented.

Community Coordinator

Establishment of Position

24. Council shall by resolution hire an individual to the position of Community Coordinator.

Duties/Qualifications

25. The Community Coordinator shall perform the duties and exercise the powers and functions that are assigned by the Chief Administrative Officer, this Bylaw, or any other bylaw or resolution of Council. The Community Coordinator will provide direction to programs and projects in the areas of recreation, economic and community development. This position will apply professional experience in guiding volunteer groups and organizations with existing programs and stimulate new opportunities within the community.

The Community Coordinator shall possess a degree or diploma in recreation or a related field as well as possess some practical or proven work experience in the recreation field. A full list of duties and qualifications are outlined in the job description for the position.

26. Without limiting the generality of section 24 the Community Coordinator shall:
- hh) Manage recreational programs, projects and events;
 - ii) Assist in the development of annual budgets and five year capital projects for the Recreation & Culture and Tourism departments;
 - jj) Promote recreation, culture and tourism for the municipality;
 - kk) Provide current year budget monitoring and fiscal control for Recreation and Culture and related departments;
 - ll) Liaise with volunteer groups wishing to establish recreation and culture clubs and organizations;
 - mm) Research, apply for and administer a variety of grants for the town in the area of recreation, culture or economic/community development;
 - nn) Provide recommendations on recreation/culture facility operation and buildings/park improvements;
 - oo) Evaluate current recreational programs in relation to community demographics and demands;
 - pp) Recommend program changes or new opportunities in the areas of recreation and culture and economic/community development;
 - qq) Act in the role of liaison to encourage local initiatives and efforts to enhance the image of the Town.

**PART IV
DELEGATION OF AUTHORITY**

27. The Council hereby authorizes the Chief Administrative Officer 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

28. Subsection 115(4) of the Act requires agreements to be signed by at least 2 persons designated by council.
(a) The Mayor and the Chief Administrative Officer shall sign all agreements to which the municipality is party to and in the absence of the Mayor, the Deputy Mayor.

Signing Cheques

29. Subsection 115(5) of the Act stipulates that the Chief Administrative Officer must sign all cheques AND that Council must designate at least one other person. Therefore, the Chief Administrative Officer, or in his/her absence the Financial Officer, AND Mayor shall sign all cheques on the behalf of the municipality or in the absence of the Mayor, the Deputy Mayor.

Negotiable Instruments

30. Subsection 115(5) of the Act also stipulates that the Chief Administrative Officer must sign all other negotiable instruments and that Council must designate at least one other person. Therefore, the Chief Administrative Officer AND Mayor shall sign all other negotiable instruments on behalf of the municipality or in the absence of the Mayor, the Deputy Mayor.

**PART VI
CORPORATION HEADQUARTERS**

Municipal Office

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

**PART VII
DESIGNATED OFFICERS**

Temporary Road Closure (MA 14)

32. The Chief Administrative Officer shall be the designated officer for the purpose of temporary road closures.

**PART VIII
REPEAL**

33. That Bylaw No. 10-2005 be repealed.

**PART IX
COMING INTO FORCE**

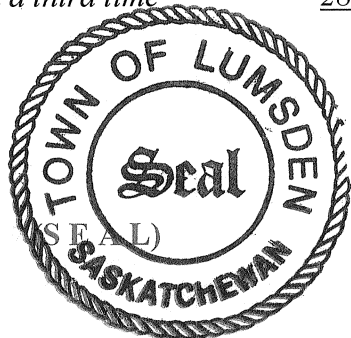
34. This bylaw shall come into effect on the day of its final passing.


Readings

Read a first time this 14th day of February, 2017.

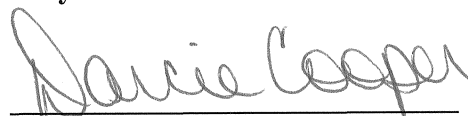
Read a second time this 28th day of February, 2017.

Read a third time 28th day of February, 2017.





Mayor



Chief Administrative Officer

Chief Administrative Officer

Certified to be a true copy of Bylaw No. 03-2017
adopted by the Council of the Town of Lumsden
on the 28th day of February, 2017.