

THE RESORT VILLAGE OF PELICAN POINTE

BYLAW 1/2006

ADMINISTRATIVE BYLAW, 2006

A **BYLAW** of the Resort Village of Pelican Pointe 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 Resort Village of Pelican Pointe.

THE COUNCIL FOR THE RESORT VILLAGE OF PELICAN POINTE IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

1. Title

- 1.1 This bylaw may be cited as Administration Bylaw, 2006

PART 1 PURPOSE AND DEFINITIONS

2. Purpose and Scope

- 2.1 The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; and
- 2.2 To establish the powers, duties and functions of municipal officials and/or employees of the resort village.

3. Definitions

- 3.1 "Act" means the *Municipalities Act*
- 3.2 "Municipality" Means the Resort Village of Pelican Pointe
- 3.3 "Administrator" means the Administrator of the Resort Village appointed pursuant to Section 110 of *The Municipalities Act*.

PART 11 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
- (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 *The Urban Municipal Administrators Act*

5. Duties of the Administrator

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

6. Duties of the Administrator – The Municipalities Act

6.1 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;
- (b) Ensure all minutes of council meetings are recorded;
- (c) Record the names of all council present at council meetings;
- (d) Ensure the minutes of each council meeting are given to the council for approval at the next council meeting;
- (e) Advise the council of its legislative responsibilities pursuant to this or any other act;
- (f) Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality;
- (g) Provide the minister with any statements, reports or other information that may be required by this Act or any other act;
- (h) Ensure that the official correspondence of Council is carried out in accordance with Council's direction;
- (i) Maintain an index register containing certified copies of all bylaws of the municipality;
- (j) Deposit cash collections that have accumulated to \$10,000, at Least once a month, but not more than once a day, in the bank or credit union designated by council;
- (k) Disburse the funds of the municipality in the manner and to those directed by law bylaw or resolutions of council;
- (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;
- (m) Ensure that the financial statements and information requested by resolution are submitted to council;

- (n) Complete a financial statement for the preceding financial year in accordance with the generally accepted accounting principles for municipal governments recommended for time to time by the Canadian Chartered Accountants by June 1st of each year;
- (o) Send copies of bylaws for closing and closing and leasing to the Minister of Highways and Transportation;
- (p) Bring forward any resignation(s) of elected officials;
- (q) At the first meeting in January of each year provide bond(s) to council;
- (r) Sign minutes of Council and Committee meeting;
- (s) Sign bylaws;
- (t) Provide copies of public documents upon request or payment of fee;
- (u) Provide notice of first meeting of council;
- (v) Call a special meeting when lawfully requested to do so;
- (w) Determine the sufficiency of a petition requesting a public meeting of voters;
- (x) Determine the validity of a petition for referendum (30 days to report to council);
- (y) Administer public disclosure statements if the municipality adopts this requirement;
- (z) Record any abstentions or pecuniary interest declarations in the minutes;
- (aa) Provide information to the Auditor;
- (bb) Send amended tax notices when required and make necessary adjustments to the tax roll;
- (cc) Provide for payment of writ of execution against the municipality;
- (dd) Produce certain records upon request of inspector appointed by Minister;

7. Additional Duties of the Administrator

7.1 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 Resort Village 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 preparations 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) Call for tenders
- (j) Purchase goods, services or work
- (k) Award contracts
- (l) Conduct negotiations for land purchases, annexations etc.
- (m) Attend meeting of Council and other meetings as Council directs
- (n) Certify the date on which tax notices are sent
- (o) Prepare and send amended tax notices when required
- (p) Provide receipt of tax payment on request of tax payer or agent
- (q) Apply partial tax payment of arrears first and if undesignated decide to which taxable property or properties the payment is to be applied
- (r) Removal of tax lien if all arrears are compromised or abated
- (s) Issue tax certificates
- (t) Transfer special assessments to the tax roll
- (u) Submit school liability in a timely manner

PART III DELEGATION OF AUTHORITY

8 Delegation of Authority

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

PART IV MUNICIPAL DOCUMENT

9 Signing Agreements

- 9.1 The Mayor and the Administrator shall sign all agreements to which the municipality is party; in the absence of the Mayor, the Deputy Mayor

10 Cheques

- 10.1 The Administrator and the Mayor or in the absence of the Mayor, the deputy Mayor shall sign all cheques on the behalf of the municipality

11 Negotiable Instrument

- 11.1 The Administrator and the Mayor shall sign all other negotiable instruments on behalf of the municipality

**PART V
DESIGNATED OFFICERS**

12 Enforcement of Municipal Law

- 12.1 Council may appoint a bylaw enforcement officer to inspect, remedy or enforce any bylaw or the Municipalities Act

13 Other Designated Officers

- 13.1 Council may appoint a designated officer :
- (a) Shall be responsible for service for Seizure of Goods
 - (b) Present identification upon request if undertaking an inspection of property
 - (c) May enter and search for Dangerous Animals

**PART VI
COMING INTO FORCE**

14 Coming into Force

- 14.1 This Bylaw shall come into force on the day of its final passing.

Read a first time this 14th day of January, 2006

Read a second time this 14th day of January, 2006

Read a third time and passed this 14th day of January, 2006



Chris Larson
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Mayor: Chris Larson

Lynda Stack
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Clerk: Lynda Stack