

**VILLAGE OF BEECHY  
ADMINISTRATION BYLAW  
02-2021**

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**VILLAGE OF BEECHY**

**BYLAW NO. 02-2021**

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

The council of the Village of Beechy 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 office of Administrator, Assistant Administrator or any other municipal office that council considers necessary; AND
  - (b) to establish who may sign specified municipal documents on behalf of the municipality; AND
  - (c) to establish the powers, duties and functions of municipal officials and/or employees of the municipality.

**Definitions**

3.
  - (a) “Act” means the Municipalities Act
  - (b) “Municipality” means the Village of Beechy.
  - (c) “Administrator” means the Administrator of the Village of Beechy appointed pursuant to Section 110 of The Municipalities Act.
  - (d) “Assistant Administrator” means the person appointed as Assistant Administrator.

**PART II  
ADMINISTRATOR**

**Establishment of Position**

4. 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 by The Urban Municipal Administrators Act
  - (e) Any person appointed to the position of Administrator shall be compensated as per the Urban Municipal Administrators Association of Saskatchewan guidelines.

**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.

## **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 the 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 not more than \$5,000 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, closing and leasing, or closing and selling roadways 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; *(MA 142)*
  - (z) Record any 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 Administrator**

7. The Administrator shall:
- (a) Act as the returning officer for all elections under The Local Government Elections Act, 2015.
  - (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 including:
    - i. Annual reviews for each municipal employee
    - ii. Submission of a wage recommendation for each employee to council
    - iii. Keeping record of all employee violations to the employee code of conduct including but not limited to all verbal or written warnings, suspensions, or other contraventions of the employee code of conduct.
    - iv. All other aspects of employee supervision with the exception of commencement and termination of employment; which is to be the duty of council.
  - (f) Be responsible for the preparation and submission of the annual budget estimates from departments for Council
  - (g) Monitor and control spending within budgets established by Council.
  - (h) Make routine expenditures on a daily basis until the annual budget is adopted by council.
  - (i) Call for tenders upon the request of council
  - (j) Purchase goods, services or work up to a maximum of \$500 as per bylaw 2-16
  - (k) Award contracts as per resolution of council
  - (l) Conduct negotiations for land purchases, annexations etc.
  - (m) Attend meetings of Council and other meetings as Council directs
  - (n) Sign the Securities Register by designated officer requires a bylaw to be in place. *(Section 174)*
  - (o) Maintain debenture register and other duties relating to debenture transactions. *(Section 175)*
  - (p) Certify the date on which tax notices are sent. *(Section 269)*
  - (q) Prepare and send amended tax notices when required. *(Section 271)*
  - (r) Provide receipt for tax payment on request of tax payer or agent. *(Section 272)*
  - (s) Apply partial tax payments on arrears first and if undesignated decide to which taxable property or properties the payment is to be applied. *(Section 273)*
  - (t) Removal of tax lien if all arrears are compromised or abated. *(Section 274)*
  - (u) Issue tax certificates. *(Section 276)*
  - (v) Proof of taxes signed by the Administrator *(Section 277)*
  - (w) Transfer special assessments to the tax roll *(Section 310)*
  - (x) Submit school liability Statement no later than January 31<sup>st</sup> of each year *(EPTA 15(2))*
  - (y) May be responsible for service for Seizure of Goods *(Section 323)*
  - (z) Present identification upon request if undertaking an inspection of property *(Section 362, 363, 364)*
  - (aa) Council may delegate the authority for other matters excepting those listed in Section 127 which must be dealt with by the council.
  - (bb) Add a penalty as per bylaw to all taxes in arrears as of January 1<sup>st</sup> *(MA 280, 281)*
  - (cc) Prepare a list of lands in arrears and present it to council no later than November 15<sup>th</sup> *(TEA 3)*
  - (dd) The Assessor (Administrator) shall make a return to the Saskatchewan Assessment Management Agency in the form and at the time required by the agency *(MA 258)*
  - (ee) File monthly Education Property Tax Returns before the 10<sup>th</sup> of each month *(EPTA 15(1))*

- (ff) Remit employee CPP contributions, EI premiums and Income Tax Monthly to the Canada Revenue Agency (*CRA*)
- (gg) Remit Municipal Employees Pension Plan Contributions monthly with respect to the previous month (*MEPA 18(1)*)
- (hh) Complete Water Usage reports no later than January 31<sup>st</sup> of each year
- (ii) Register Tax Liens against properties included in the list of lands in arrears previously presented to council if arrears and costs have not been paid (*TEA 10*)
- (jj) Notify other taxing authorities of any tax exemptions (*MA 298(7)*)
- (kk) Submit Employees Earning records to WBC annually (*WCA 124*)
- (ll) Issue T4 slips for all elected officials and employees (*CRA*)
- (mm) Completion of all documentation required for the operation of a waste disposal ground
- (nn) Prepare the assessment roll no later than May 1<sup>st</sup> (*MA 204*)
- (oo) Send assessment notices to assessed persons, publish a notice in the Gazette, and a news paper within 15 days of the assessment roll preparation. (*MA 216*)
- (pp) Send the Assessment Return to the Saskatchewan Assessment Management Agency within 30 days of the expiration of the appeal period or the decision rendered by the board of revision. (*MA 258*)
- (qq) Present the Education purpose mill rates from the Minister of Education to the council. (*EPTA 8*)
- (rr) Complete the Annual Notice to Consumers no later than June 30<sup>th</sup> (*The waterworks and Sewage Works Regulations (42)*)
- (ss) Ensure Tax notices are sent out in the month with the largest discount (*MA 267*)
- (tt) Publicize/provide information regarding municipal waterworks system to consumers and to the minister of Government Relations no later than September 1<sup>st</sup> (*MA Regs 55-56*)
- (uu) Publicize the previous year's financial statements and auditors report no later than September 1<sup>st</sup> (*MA 185(3)*)
- (vv) Adding any custom work performed by the municipality during the year to taxes of any land owned by the person whom requested the work. (*MA 405*)
- (ww) Maintain and update a Quality Assurance/Quality Control Policy and Emergency Response Plan for the Municipalities water works (*Water Works and Sewage Works Regulations*)
- (xx) Ensure Permit to Operate a Waterworks is current (*EMPA Section 28(1)(h)*)
- (yy) Ensure Permit to Operate a Sewage Works is current (*EMPA Section 28(1)(h)*)
- (zz) Ensure Permit to Operate a Waste Disposal Ground is current (*EMPA Section 7(1)*)

### **PART III OTHER POSITIONS**

#### **Assistant Administrator**

##### **8. Establishment of Position**

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

##### **9. Duties**

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.

#### **Acting Administrator**

##### **10. 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.

**11. Duties**

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

**PART V  
MUNICIPAL DOCUMENTS**

**Signing Agreements**

**12.** A member of council and the Administrator shall sign all agreements to which the municipality is party. (MA 115.4)

**Cheques**

**13.** The Administrator AND a member of council shall sign all cheques on the behalf of the municipality (MA 115.5)

**Negotiable Instruments**

**14.** The Administrator AND a member of council shall sign all other negotiable instruments on behalf of the municipality (MA 115.5).

**PART VI  
DESIGNATED OFFICERS**

**Temporary Road Closure**

**15.** The Administrator shall be the designated officer for the purpose of temporary road closures. (MA 14)

**Enforcement of Municipal Law**

**16.** Council may appoint a bylaw enforcement officer to inspect, remedy or enforce any bylaw or the Municipalities Act. (MA 362-367)  
The Designated Bylaw Enforcement Officer may:  
(a) Inspect, remedy or enforce any bylaw or the Municipalities Act.  
(b) Enter and search for Dangerous Animals (Section 378)  
(c) Giving written notice for the unpaid fees of a building contract (i.e. transient trader or other license fees) (Section 9(5)).

**Right of Entry for Public Utility Service**

**17.** The Administrator shall be the designated officer for entering a building for the purpose of a public utility service. (MA 26(5))

**PART VII  
COMING INTO FORCE**

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

{Seal}

\_\_\_\_\_  
Reeve / Mayor

\_\_\_\_\_  
Administrator

Read a third time and adopted  
this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Administrator