

ADMINISTRATIVE BYLAW

A BYLAW of the Resort Village of Mistusinne 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 Mistusinne.

THE COUNCIL FOR THE RESORT VILLAGE OF MISTUSINNE 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. (a) The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; and
(b) 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 Resort Village of Mistusinne
(c) "Administrator" means the Administrator of the Resort Village appointed pursuant to Section 110 of *The Municipalities Act*

**PART II
ADMINISTRATOR**

Establishment of Position

4. The position of Administrator is established pursuant to Section 110 of the Act and:
 - (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) Any person appointed to the position of Administrator must be qualified as required by *The Urban 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.

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; (Section 111)
 - (b) Ensure all minutes of council meetings are recorded; (Section 111)

- (c) Record the names of all council present at council meetings; (Section 111)
- (d) Ensure the minutes of each council meeting are given to the council for approval at the next council meeting; (Section 111)
- (e) Advise the council of its legislative responsibilities pursuant to this or any other act; (Section 111)
- (f) Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality; (Section 111)
- (g) Provide the Minister with any statements, reports or other information that may be required by this Act or any other act; (Section 111)
- (h) Ensure that the official correspondence of Council is carried out in accordance with Council's direction; (Section 111)
- (i) Maintain an index register containing certified copies of all bylaws of the municipality; (Section 111)
- (j) Deposit cash collections that have accumulated to \$1,000 at least once a month, but not more than once a day, in the bank or credit union designated by council; (Section 111)
- (k) Disburse the funds of the municipality in the manner and to those directed by law, bylaw, or resolutions of council; (Section 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; (Section 111)
- (m) Ensure that the financial statements and information requested by resolution are submitted to council; (Section 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; (Section 111, 185)
- (o) Send copies of bylaws for closing and closing and leasing to the Minister of Highways and Transportation; (Section 13)
- (p) Bring forward any resignation(s) of elected officials; (Section 96)
- (q) At the first meeting in January of each year provide bond(s) to council; (Section 113)
- (r) Sign minutes of Council and Committee meetings; (Section 115)
- (s) Sign bylaws (Section 115)
- (t) Provide copies of public documents upon request or payment of fee; (Section 117)
- (u) Provide notice of first meeting of council; (Section 121)
- (v) Call a special meeting when lawfully requested to do so; (Section 123)
- (w) Determine the sufficiency of a petition requesting a public meeting of voters; (Section 129)
- (x) Determine the validity of a petition for referendum (30 days to report to council); (Section 135)
- (y) Administer public disclosure statements if the municipality adopts this requirement; (Section 142)
- (aa) Provide information to the Auditor; (Section 190)
- (bb) Send amended tax notices when required and make necessary adjustments to the tax roll; (Section 264)
- (cc) Provide for payment of writ of execution against the municipality; (Section 353)

- (dd) Produce certain records upon request of inspector appointed by Minister; (Section 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*.
 - (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) Monitor and control spending within program budgets established by Council.
 - (f) Attend meetings of Council and other meetings as Council directs.
 - (g) Council may delegate the authority for other matters excepting those listed in Section 127 which must be dealt with by the council.

PART III OTHER POSITIONS

Acting Administrator

- 8. Establishment of Position
 - (a) 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.
- 9. Duties
 - (a) The Acting Administrator shall have all the powers and duties of the Administrator while acting in the capacity of the Administrator.

PART IV MUNICIPAL DOCUMENTS

Signing Agreements

- 10. (a) The Mayor and the Administrator shall sign all agreements to which the municipality is party. In the absence of the Mayor, the Deputy Mayor; and/or
- (b) The Mayor and the Acting Administrator in the absence of the Administrator shall sign all agreements to which the municipality is party.

Cheques

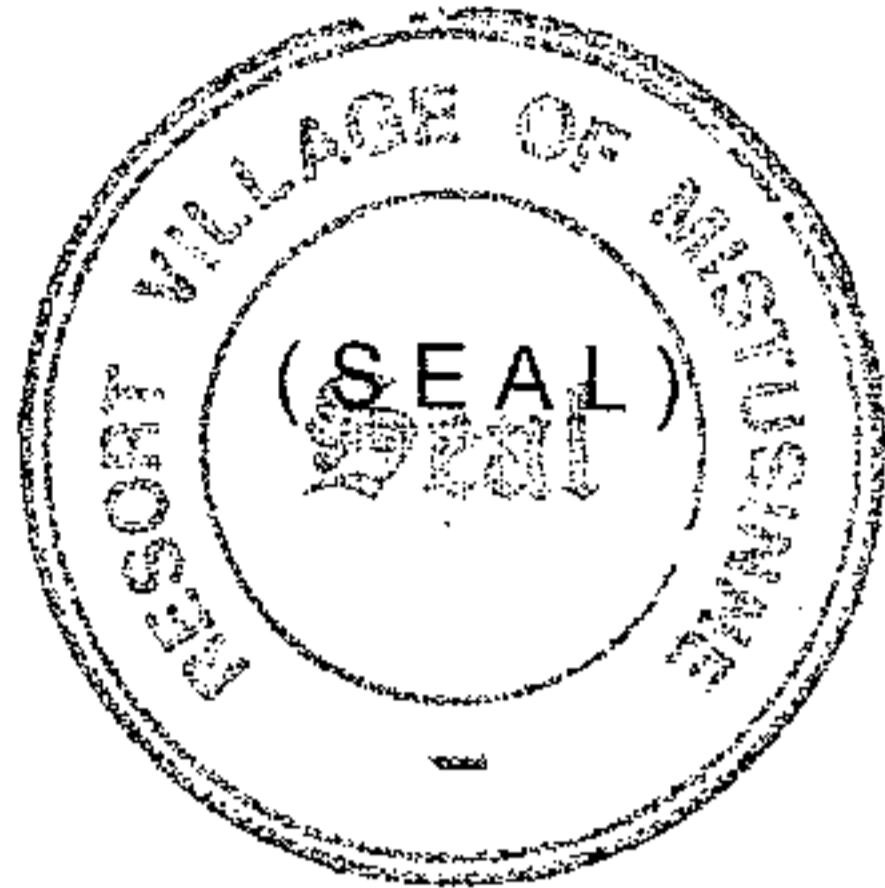
- 11. The Administrator and Mayor shall sign all cheques on behalf of the municipality, or in the absence of the Mayor the Deputy Mayor.

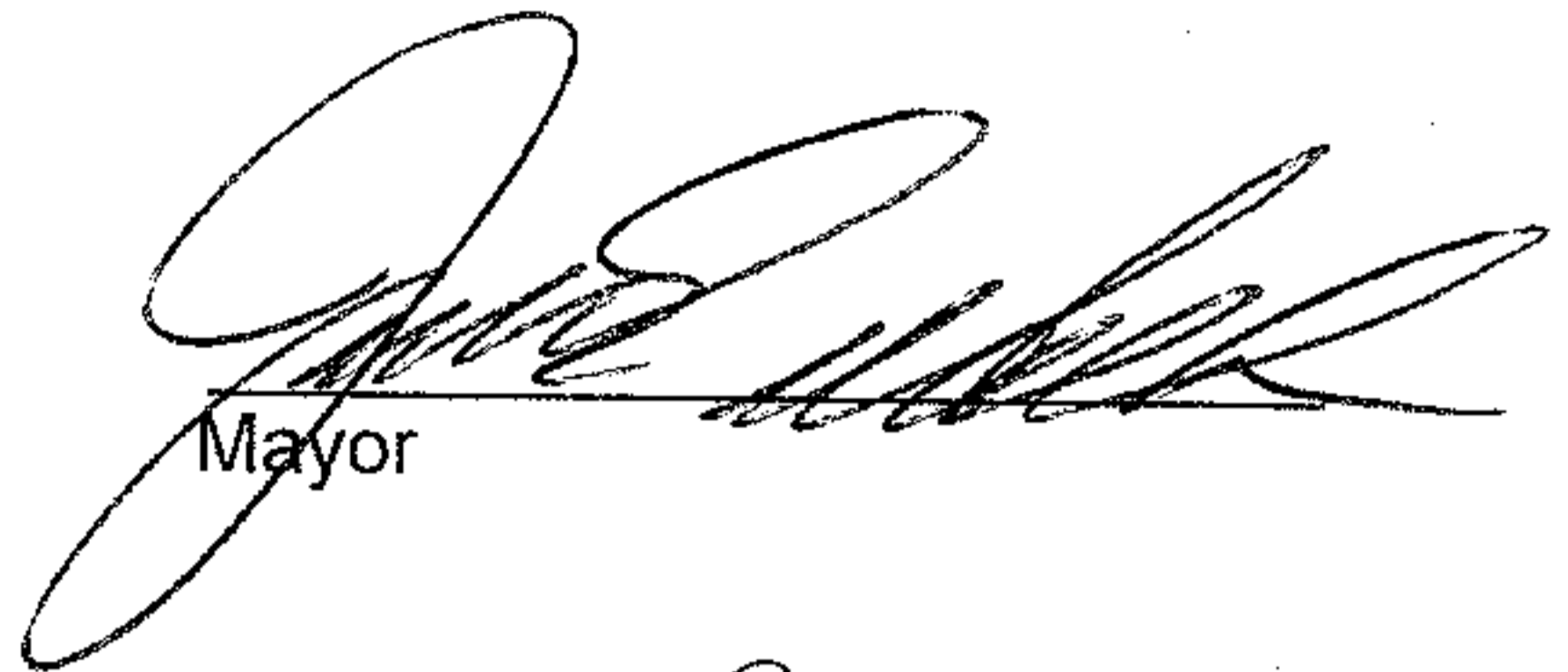
Negotiable Instruments

- 12. The Administrator and Mayor shall sign all other negotiable instruments on behalf of the municipality or in the absence of the Mayor the Deputy Mayor.

**PART V
COMING INTO FORCE**

13. This bylaw shall come into effect on January 1, 2006.




Mayor


Administrator

Certified a true copy of Bylaw No. 07-05
adopted by resolution of Council
on the 6th day of December, 2005.


Administrator

