

Town of Nipawin
Bylaw No. 1188/24

**A BYLAW OF THE TOWN OF NIPAWIN, IN THE PROVINCE OF SASKATCHEWAN TO
PROVIDE FOR THE ADMINISTRATION OF THE MUNICIPAL CORPORATION AND TO
SET FORTH THE DUTIES AND POWERS OF DESIGNATED OFFICERS**

The Council of the Town of Nipawin, in the Province of Saskatchewan, enacts as follows:

PART I

Short Title:

1. This bylaw shall be referred to as the "Administration Bylaw".

Purpose:

2. The purpose of this Bylaw is to establish the powers, duties and functions of the municipal officials and employees of the Town, and to establish who may sign specified municipal documents on behalf of the Town.

Definitions

3. In this Bylaw:

Act means *The Municipalities Act*, SS 2005, c M-36.1.

Assistant Administrator means the person appointed as Assistant Administrator.

Chief Administrative Officer (CAO) means the Chief Administrative Officer of the Town of Nipawin appointed to the position of Administrator pursuant to Section 110 of *The Municipalities Act*. Also referred to as the Administrator.

Council means the Town Council of the Town of Nipawin

Department Head, the General Manager of Corporate Services, the General Manager of Community Services, the General Manager of Leisure Services, the General Manager of Operations and Engineering Services, the General Manager of Protective Services and any other person appointed as a Department Head.

Municipality means the Town of Nipawin.

Town means the Town of Nipawin.

Treasurer means the individual in charge of the finances of the Town of Nipawin.

Utilities means the Department of Utilities of the Town of Nipawin.

PART II

CHIEF ADMINISTRATIVE OFFICER (CAO)

Establishment of Position

4. The Chief Administrative Officer (CAO) of the Town of Nipawin appointed to 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 Chief Administrative Officer
 - (b) Council shall establish the terms and conditions of employment of the Chief Administrative Officer.
 - (c) The Administrator shall be the Chief Administrative Officer 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*.

Assignment of Responsibility

5. The Chief Administrative Officer 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 Chief Administrative Officer – *The Municipalities Act*

6. Without limiting the generality of section 5 of this bylaw, the CAO shall:
 - (a) Take charge of and safely keep all books, documents and records of the municipality that are committed to their 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 their successor in office or to any other person that the council may designate;
 - (d) Ensure all minutes of council meetings are recorded;
 - (e) Record the names of all council members present at council meetings;
 - (f) Ensure the minutes of each council meeting are given to the council for approval at the next regular council meeting;
 - (g) Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality;
 - (h) Advise the council of its legislative responsibilities pursuant to *The Municipalities Act* or any other act;

- (i) Provide the minister with any statements, reports or other information that may be required by *The Municipalities Act* or any other act;
- (j) Ensure that the official correspondence of council is carried out in accordance with council's directions;
- (k) Maintain an indexed register containing certified copies of all bylaws of the municipality;
- (l) Deposit cash collections that have accumulated to \$100,000.00, at least once a month, but not more than once a day, in the bank or credit union designated by council;
- (m) Disburse the funds of the municipality in the manner and to those directed by law or by the bylaws or resolutions of council;
- (n) 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;
- (o) Ensure that the financial statements and information requested by resolution are submitted to council;
- (p) 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;
- (q) Be responsible for the hiring, suspension and dismissal of all employees of the municipality;
- (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) Provide copies of public documents upon request or payment of fee;
- (aa) Provide notice of first meeting of council;
- (bb) Call a special meeting when lawfully requested to do so;
- (cc) Determine the sufficiency of a petition for a public meeting of voters;
- (dd) Determine the sufficiency of a petition for a referendum;
- (ee) 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;
- (ff) Make each public disclosure statement and declaration available for public inspection during regular business hours;
- (gg) Provide copies of public disclosure statements to any designated officials when directed to do so by council;

- (hh) 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;
- (ii) Provide information to the auditor;
- (jj) Send amended tax notices when required and make necessary adjustments to the tax roll;
- (kk) Provide for payment of writ of execution against the municipality; and
- (ll) Produce certain records upon request of inspector appointed by the minister.

Additional Duties of the Chief Administrative Officer

7. The Chief Administrative Officer 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 Town are implemented, maintained and enforced.
- d) Advise, inform, and make recommendations to Council on the:
 - i. operations and affairs of the Town;
 - ii. policies and programs of the Town; and
 - iii. the financial position of the Town.
- e) Supervise all operations of the Town, ensuring appropriate internal controls are in place and followed.
- f) Be responsible for the preparation and submission of the annual budget.
- g) Make routine expenditures until the annual budget is adopted by Council.
- h) Call for tenders.
- i) Purchase goods, services, or work.
- j) Award contracts.
- k) Conduct negotiations for land purchases, annexations etc.
- l) Attend meetings of Council and other meetings as Council directs;

**PART III
OTHER POSITIONS**

ACTING ADMINISTRATOR

Establishment of Position

8. If the Chief Administrative Officer is unable to act for any reason, the Council will appoint a person within 30 days to fill the position of Chief Administrative Officer 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 Chief Administrative Officer beyond three months, they will obtain permission from the Board of Examiners.

Duties

9. 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.

Other Municipal Employees

Establishment of Positions

10. The Chief Administrative Officer is permitted to hire employees necessary for the operations of the municipality subject to the approved municipal budget.

Duties

11. The Chief Administrative Officer will determine the job description and list of duties for each position established. Council and/or council committees may provide suggestions regarding municipal operations and duties to the Chief Administrative Officer.

**PART IV
DELEGATION OF AUTHORITY**

12. Council hereby authorizes the Chief Administrative Officer to delegate any of its powers, duties, or functions to another employee.

**PART V
MUNICIPAL DOCUMENTS**

Signing Agreements

13. All agreements to which the Town is a party shall require the signatures of both the Mayor and the Chief Administrative Officer, unless otherwise authorized by a resolution of the Council. In the event that the Mayor is unavailable, the Deputy Mayor shall sign in their place. In the event the Chief Administrative Officer is unavailable, the General Manager of Corporate Services shall serve as the alternate signatory. At all times, two authorized signatories must sign each agreement on behalf of the municipality.

Cheques

14. The Chief Administrative Officer, or if the CAO is unavailable, the CAO's designate, and the Mayor, or in the absence of the Mayor, the Deputy Mayor or another member of Council, shall sign all cheques on behalf of the municipality.

**PART VI
DESIGNATED OFFICERS**

15. Other Designated Officers

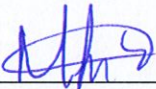
- (a) The **General Manager of Operations and Engineering Services** is designated to temporarily close a road/street;
- (b) The **Utilities Supervisor, or Utilities staff**, are designated to enter a building for the purpose of providing a public utility service;
- (c) The **General Manager of Corporate Services** is designated to sign the securities register;
- (d) The **General Manager of Corporate Services** is designated to maintain the debenture register and other duties relating to debenture transactions;
- (e) The **General Manager of Corporate Services** is designated to certify the date on which tax notices are sent;
- (f) The **General Manager of Corporate Services** is designated to prepare and send amended tax notices when required;
- (g) The **General Manager of Corporate Services** is designated to provide receipt for tax payment on request of taxpayer or agent;
- (h) The **General Manager of Corporate Services** is designated to apply partial tax payments on arrears first and if undesignated determine to which taxable property or properties a payment is to be applied;
- (i) The **General Manager of Corporate Services** is designated to remove a tax lien if all arrears are compromised, abated or paid;
- (j) The **General Manager of Corporate Services** is designated to issue tax certificates;

- (k) The **General Manager of Corporate Services** is designated to certify a true copy of the proof of taxes payable;
- (l) The **General Manager of Corporate Services** is designated to transfer special assessments to the tax roll;
- (m) The **General Manager of Corporate Services** is designated to collect amusement tax;
- (n) The **Bylaw Enforcement Officer** is designated to be responsible for seizure of goods if a distress warrant has been issued;
- (o) The **Bylaw Enforcement Officer** is designated to inspect, remedy or enforce any bylaw or *The Municipalities Act*; and
- (p) The **Bylaw Enforcement Officer** is designated to enter and search a premise for dangerous animals under consent of the owner or occupant, or where a warrant authorizing entry has been issued.

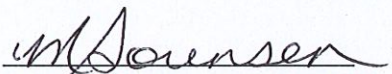
Bylaw 1124/21 and all amendments thereto are hereby repealed.



Read a ~~Third~~ Time and
Finally Adopted this 12
Day of November, A.D. 2024



MAYOR



CHIEF ADMINISTRATIVE OFFICER