



## BYLAW NO. 19/24 ADMINISTRATION BYLAW

The Council of the Rural Municipality of Corman Park No. 344, in the Province of Saskatchewan, enacts as follows:

### 1. Purpose and Scope

- a) The purpose of this Bylaw is to establish the powers, duties, and functions of the Chief Administrative Officer, and any other municipal position that the Council considers necessary; and
- b) The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the Municipality.

### 2. Definitions

- a) "**Act**" means *The Municipalities Act*
- b) "**act**" means any other relevant and legitimate legislation in force within the Province of Saskatchewan;
- c) "**Acting Administrator**" means the person the Chief Administrative Officer or the Council appoints to carry out duties under the *Act*, this Bylaw, any other bylaw, policy, or resolution during the CAO's absence.
- d) "**Chief Administrative Officer**" or "**CAO**", means the Administrator of the Rural Municipality of Corman Park #344 as appointed per *Section 110 of The Municipalities Act*
- e) "**Council**" means the Reeve and Councillors of the Rural Municipality of Corman Park #344 elected pursuant to the provisions of *The Local Government Election Act*.
- f) "**LAFOIP**" means *Local Authority Freedom of Information and Protection Act*.
- g) "**LGEA**" means *Local Government Election Act, 2015*.
- h) "**Minister**", unless otherwise specified in this Bylaw, means the member of the Executive Council to whom for the time being the administration of *The Municipalities Act* is assigned.
- i) "**Municipality**" means the Rural Municipality of Corman Park #344.
- j) "**R.M.**" means the Rural Municipality of Corman Park #344

### 3. Establishment of Position

- a) The Council shall by resolution appoint an individual to the position of Chief Administrative Officer pursuant to *Section 110 of the Act*.
- b) The Council shall establish the terms and conditions of employment of the CAO.
- c) Any person appointed to the position of CAO must be qualified as required by *The Rural Municipal Administrators Act*.
- d) The CAO will conduct themselves in an accountable, transparent, communicative, and open manner in their relationship with Council.

### 4. Assignment of Responsibility

The CAO shall perform the duties as well as exercise the powers and functions assigned by the *Act*, any other acts, this Bylaw, and/or any other bylaw or resolution of the Council.



## 5. Duties of the Chief Administrative Officer

Under Sections 13, 96, 111, 113, 115, 117, 121, 129, 135, 142, 144, 190, 264, 353, and 396 of the Act, the duties of the CAO shall be:

- a) Take charge of and safely keep all books, documents, and records of the Municipality that are committed to his or her charge (*Act 111*);
- b) Produce, when called for by the Council, auditor, Minister, or other competent authority, all books, vouchers, papers, and moneys belonging to the Municipality (*Act 111*);
- c) On ceasing to hold office, deliver all books, vouchers, papers, and moneys belonging to the Municipality to their successor or to any other person that the Council may designate (*Act 111*);
- d) Ensure all minutes of Council Meetings are recorded (*Act 111*);
- e) Record the names of all Council Members present at Council Meetings (*Act 111*);
- f) Ensure the minutes of each Council Meeting are given to the Council for approval at the next regular Council Meeting (*Act 111*);
- g) Ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities, and any other records or documents of the Municipality (*Act 111*);
- h) Advise the Council of its legislative responsibilities pursuant to *the Act* or any other act (*Act 111*);
- i) Provide the Minister with any statements, reports, or other information that may be required by the *Act* or any other act (*Act 111*);
- j) Ensure that the official correspondence of the Council is carried out in accordance with the Council's directions (*Act 111*);
- k) Maintain an index register containing certified copies of all bylaws of the Municipality (*Act 111*);
- l) Deposit cash collections that have accumulated to an amount determined by the Council that is equal to or less than the amount of the CAO's bond, at least once a month, but not more than once a day, in the bank or credit union designated by the Council (*Act 111*);
- m) Disburse the funds of the Municipality in the manner and to those directed by law or by the bylaws or resolutions of the Council (*Act 111*);
- n) Maintain an accurate account of assets, liabilities, and all transactions affecting the financial position of the Municipality in accordance with generally accepted accounting principles (*Act 111*);
- o) Ensure that the financial statements and information requested by resolution are submitted to the Council (*Act 111*);
- 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 (*Act 111*);
- q) Be responsible for the hiring, suspension, and dismissal of all employees of the Municipality (*Act 111*);
- r) Witness any oaths or affirmations required pursuant to the *Act* (*Act 111*);
- s) Send copies of bylaws for closing roads and/or leasing roads to the Minister of Highways (*Act 13*);
- t) Bring to the Council's attention any resignation(s) of elected officials (*Act 96*);
- u) Record each abstention in the meeting minutes that may occur at the time of voting (*Act 99*);
- v) At the first meeting in January of each year, provide all bond or equivalent insurance of employees to the Council (*Act 113*);



- w) Sign minutes of Council and Council Committee Meetings (*Act 115*);
- x) Sign bylaws (*Act 115*);
- y) Sign cheques and other negotiable instruments (*Act 115*);
- z) Provide copies of public documents upon request and payment of applicable fees (*Act 117*);
- aa) Provide notice of first meeting of the Council (*Act 121*);
- bb) Call a special meeting when lawfully requested to do so (*Act 123*);
- cc) Determine the sufficiency of a petition for a public meeting of voters (*Act 129*);
- dd) Determine the sufficiency of a petition for a referendum (*Act 135*);
- 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 (*Act 142*);
- ff) Make each public disclosure statement and declaration available for public inspection during regular business hours (*Act 142*);
- gg) Provide copies of public disclosure statements to any designated officials when directed to do so by the Council (*Act 142*);
- 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 (*Act 144*);
  - ii) Provide information to the auditor (*Act 19*);
  - jj) Send amended tax notices when required and make necessary adjustments to the tax roll (*Act 264*);
- kk) Provide for payment of writ of execution against the Municipality (*Act 353*); and
- ll) Produce certain records upon request of the inspector appointed by the Minister (*Act 396*).

## **6. Additional Duties of the Chief Administrative Officer**

- a) Act as the returning officer for all elections under *LGEA 47*;
- b) Ensure that public notice is given as required in the *Act*, any other act, and/or as required by the Council, in this Bylaw, any other bylaw, or resolution of the Council;
- c) Ensure the policies and programs of the Municipality are implemented, maintained, and enforced;
- d) Advise, inform, and make recommendations to the Council on the:
  - i. Operations and affairs of the Municipality,
  - ii. Policies and programs of the Municipality, and
  - iii. The financial position of the Municipality.
- e) Supervise all operations of the Municipality, ensuring appropriate internal controls are in place and followed;
- f) Be responsible for the preparation and submission of the annual budget;
- g) Approve all reports prior to their transmittal to the Council and other Council Committees and, where appropriate or necessary, provide comments or recommendations for the benefit of the Council;
- h) Subject to the directions and approval of the Council, negotiate all collective agreements with the Union(s);
- i) Ensure that grants are applied for and administered in a timely manner;
- j) Retain and instruct legal counsel for advice or on matters involving any actual or potential legal and administrative proceeding involving the R.M.;
- k) Where a representative of Administration is required to be a member of any Committee, Board, Association, Commission, or any other group, the CAO shall appoint that representative to serve as the Administration's representative at the pleasure of the CAO;
- l) Authorize over-expenditures as well as monitor and control spending within the operating budget as established by the Council that would not make any financial impact to the



- passed budget;
- m) Control and monitor spending within the capital budget as established by the Council;
  - n) Make routine expenditures until the annual budget is adopted by the Council;
  - o) Purchase goods, services, or work according to policy as established by the Council (*Act 184*);
  - p) Award contracts according to the purchasing policy as established by the Council (*Act 184*);
  - q) Manage R.M. owned property, conduct negotiations for land purchases, annexation, and the like;
  - r) For the purposes of the *LAFOIP*, the CAO shall be designated the 'Head' (*LAFOIP Section 50*);
  - s) Establish the structure of the Administration including creating, eliminating, merging, or dividing departments provided that any such reorganization does not result in a decreased level of services to the R.M.;
  - t) The CAO shall be responsible for ensuring that members of the Leadership Team are familiar with the duties and responsibilities of the CAO, Council processes and procedures, issues being addressed by the Council, and issues of concern to the R.M.;
  - u) Declare by Municipal Order on Fire Bans or their removal according to the R.M.'s applicable bylaws and/or policies; and
  - v) Attend meetings of the Council and other meetings as the Council directs.

## **7. Indemnification**

The R.M. shall indemnify the CAO provided that the CAO was acting in good faith to carry out the powers, duties, and functions given to the CAO by this Bylaw, the *Act*, any other act, any other bylaw, resolution, policy or procedure.

## **8. Dismissal**

The CAO may only be dismissed by an affirmative vote of a majority of Members of Council conducted during a legally convened meeting as described in the *Act* or as defined in the CAO's Employment Contract.

## **9. Acting Administrator**

- a) For the purpose of a temporary leave of not more than 30 consecutive days, the CAO shall appoint a person to the position of Acting Administrator.
- b) For leave of absence by the CAO beyond the timeline described in section 9.a of this Bylaw and the CAO is unable to act for any reason, the Council will appoint a person within 30 days to fill the position of Acting Administrator. This appointment will be for a period of no longer than 3 months. Should the Council require to extend the appointment of the Acting Administrator beyond 3 months, they will obtain permission from the Board of Examiners (*Act 110.1*).
- c) The Acting Administrator shall have all the powers and duties of the CAO while acting in the capacity of the CAO.

## **10. Other Municipal Employees**

- a) The CAO is permitted to hire employees, consultants, and contractors necessary for the operations of the Municipality subject to the approved municipal budget.



- b) The CAO will determine the working schedules, conditions, job description and list of duties for each position established. The Council and/or Council Committees may provide suggestions regarding municipal operations and duties to the CAO from time to time.

#### **11. Delegation of Authority**

- a) The Council hereby authorizes the CAO to delegate any of his or her powers, duties, or functions to another employee, consultant, or contractor as necessary (*Act 110, 126*).
- b) The Council retains the right to delegate all decisions other than those specified by *Section 127* of the *Act* to the CAO. Refer to Appendix A, attached, for the list of items contained in *Section 127* of the *Act*.
- c) While recognizing that the Council has the ultimate responsibility for the operations of the R.M., the Council supports the principle of delegations of such responsibilities to the CAO so that the Council is free from dealing with operational matters and it can focus solely on its legislated role.
- d) The Council governs by setting strategic direction and developing policy. Policy directs the CAO to achieve certain results and requires the CAO to act within the boundaries defined by policy.
- e) Any delegation or authority not defined in this Bylaw shall be under the authority of the Council

#### **12. Council's Limit of Delegation to the Chief Administrative Officer**

- a) The CAO shall not make or permit decisions to be made in any area that is defined by the *Act* as not being appropriate for delegation. The CAO shall report to the Council any instance where a decision has been taken in an area which cannot be lawfully delegated by the Council.
- b) The CAO shall not accept or assume delegation authority as outlined in *Section 127* of the *Act*.

#### **13. Municipal Documents**

Signing Agreements – The Reeve or the Reeve's designate and CAO or the CAO's Designate shall sign all agreements to which the Municipality is party to, when appropriate, as described in the policies of the Municipality.

#### **14. Enforcement of Municipal Law**

The CAO shall be the designated officer to inspect, remedy, and/or enforce any bylaw or the *Act*.

#### **15. Other Designated Officers**

The CAO may:

- a) Give written notice of unpaid fees including, but not limited to, transient trader or other license fees;
- b) Sign the Securities Register, with the understanding that a designated officer may only sign the Securities Register if authorized by a separate bylaw (*Act 174*);
- c) Maintain debenture register and other duties relating to debenture transactions (*Act 175-178*);

Rural Municipality of  
**Corman Park**

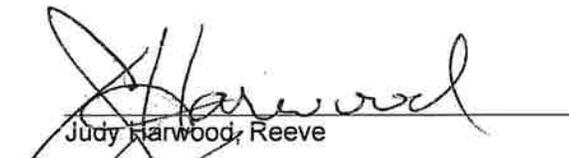
- d) Certify the date on which tax notices are sent (Act 269);
- e) Prepare and send amended tax notices when required (Act 271);
- f) Provide receipts for tax payments at the request of a taxpayer or his or her agents (Act 272);
- g) Apply partial tax payments on arrears first and if undesignated, exercise discretion as to which taxable property, or properties, such payment is to be applied (Act 273);
- h) Remove tax lien(s) if all arrears are compromised, abated, or paid (Act 274);
- i) Issue tax certificates (Act 276);
- j) Certify a true copy of the proof of taxes payable (Act 277);
- k) Transfer special assessments to the tax roll (Act 310);
- l) Issue and act upon a distress warrant in accordance with *The Distress Act*;
- m) Present identification upon request if undertaking an inspection of property or premises within the Municipality;
- n) May enter and search premises within the Municipality, except for private dwellings, to search for dangerous animals in accordance with *Section 378* of the Act;
- o) Give written notice for the unpaid license fees of a building contractor (Act 9 (5));
- p) Designated to temporarily close a road/street (Act 14);
- q) Designated to enter a building for the purpose of providing a public utility service (Act 26(5));
- r) Designated to collect amusement tax (Act 316);
- s) Designated to be responsible for seizure of goods if a distress warrant has been issued (Act 323);
- t) Designated to inspect, remedy, or enforce any bylaw or the Act (Act 362-367); and
- u) Designated to enter and search premises for dangerous animals under consent of the owner or occupant, or where a warrant authorizing entry has been issued (Act 378).

### 16. Conflict

In the event that the provisions of this Bylaw conflict with the provisions of any other bylaw, this Bylaw shall prevail.

### 17. Coming into Force.

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

  
Judy Harwood, Reeve

  
Kerry Hilts, Chief Administrative Officer



Certified a true copy of Bylaw 19/24  
passed by the Council of the Rural  
Municipality of Corman Park No. 344 on  
the 21 day of October A.D. 20 24

  
Chief Administrative Officer

Read a first time 21 day of October, 2024

Read a second time this 21 day of October, 2024

Read a third time and passed this 21 day of October, 2024

**Appendix A - Section 127 of the Act**

Matters that must be dealt with by council

127. No council shall delegate:

- a) its power to make bylaws;
- b) its power or duty to hold a public hearing and decide a matter after a public hearing, pursuant to the *Act* or any other act;
- c) its power to adopt a public notice bylaw pursuant to *Section 128* of the *Act*;
- d) its power to adopt budgets pursuant to *Section 155* of the *Act*;
- e) its power to borrow money, lend money, or guarantee the repayment of a loan pursuant to *Sections 161 to 183* of the *Act*;
- f) its duty to establish a records retention and disposal schedule pursuant to *Section 116* of the *Act*;
- g) its power to exempt from taxation, forgive taxes owing or defer taxes pursuant to *Sections 274 and 292* of the *Act*;
- h) its power to move capital moneys to its operating budget or operating reserve;
- i) its power to establish a purchasing policy pursuant to *Section 184* of the *Act*;
- j) the sale or lease of land for less than fair market value and without a public offering;
- k) the sale or lease of park land;
- l) the sale or lease of dedicated lands;
- m) the sale or lease of mines and minerals owned by a municipality;
- n) its power pursuant to *Section 81* to of the *Act* to establish council committees and other bodies and to define their functions;
- o) its power to set the remuneration for members of council and for members of council committees and other bodies established by the council pursuant to *Section 81* of the *Act*;
- p) its power to establish a business improvement district pursuant to *Section 38* of the *Act*;
- q) its power to appoint, suspend, or dismiss the Chief Administrative Officer;
- r) its power to appoint a divisions commission and to divide the municipality into divisions; or
- s) its power to prohibit or limit the operation of a business or class of business pursuant to *clause 8(3)(d)* of the *Act*.