

RESORT VILLAGE OF CANDLE LAKE
BYLAW NO. 22-2021

ADMINISTRATION BYLAW

A BYLAW OF THE RESORT VILLAGE OF CANDLE LAKE, IN THE PROVINCE OF SASKATCHEWAN, TO PROVIDE FOR THE ADMINISTRATION OF THE VILLAGE AND TO SET FORTH THE DUTIES AND POWERS OF THE DESIGNATED OFFICERS FOR THE RESORT VILLAGE OF CANDLE LAKE.

THE COUNCIL FOR THE RESORT VILLAGE OF CANDLE LAKE, IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

1) Short Title

This bylaw may be cited as the "Administration Bylaw".

**PART I
PURPOSE AND DEFINITIONS**

2) Purpose and Scope

The purpose of this Bylaw is to:

- a) establish the powers, duties and functions of municipal officials and employees of the municipality; and
- b) establish who may sign specific municipal documents on behalf of the Resort Village.

3) Definitions

For the purpose of this bylaw, the expression:

- a) *"The Act"* shall mean The Municipalities Act.
- b) *"Municipality"* shall mean the Resort Village of Candle Lake.
- c) *"Chief Administrative Officer"* (CAO) shall mean the Administrator of the Resort Village of Candle Lake pursuant to Section 110 of The Municipalities Act.
- d) *"Manager of Finance"* shall mean the person appointed by Council to manage the finances of the Village.
- e) *"Manager of Planning and Development"* shall mean that person appointed by Council to oversee all functions related to planning and development.
- f) *"Manager of Public Works"* shall mean that person appointed by Council to oversee the operations of all parks and recreation facilities, public works and utilities.
- g) *"Manager of Recreation and Community Development"* shall mean that person appointed by Council to oversee all aspects of community development and parks and recreation facilities and programs.
- h) *"Planning/Administration Administrative Assistant"* shall mean that person appointed by the CAO to assist the CAO in performing certain duties as delegated.
- i) *"Resort Village" or "Village"* shall mean the Resort Village of Candle Lake.

**PART II
ADMINISTRATOR**

4) Establishment of Position

The position of Administrator is established pursuant to 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 called the Chief Administrative Officer (CAO) 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.

5) Duties of the Chief Administrative Officer

The CAO 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.

6) Powers, Duties, and Functions of the Chief Administrative Officer

Without limiting the generality of Section 111 of The Act, the Chief Administrative Officer shall:

- a) perform all primary duties as defined in the CAO position description in a professional and respectful manner;
- b) perform all duties in accordance with Section 111 (1), (2), (3), and (4) of the Act.
- c) restructure departments and, with the approval of Council, create, merge or eliminate departments and delegate, and authorize the further delegation, of any authority, function or responsibility granted under this Bylaw or any other bylaw to any Village employee on such terms and conditions, and subject

- to such limitations, as the CAO may deem appropriate;
- d) give written notice for the unpaid fees of a building contract;
- e) approve all reports from Administration prior to their transmittal to Council and other Committees of Council, and where appropriate or necessary, may provide comments or recommendations for the benefit of Council;
- f) execute contracts and agreements as authorized by Council;
- g) appoint an Acting CAO in the absence of the CAO and provide Council notice of such absence and the name of the person or persons so appointed to Acting CAO;
- h) advise the council of its legislative responsibilities pursuant to this or any other Act;
- i) bring forward any resignation(s) of elected officials;
- j) sign minutes of council and committee meetings and bylaws
- k) provide notice of the first meeting of council following a general election;
- l) determine the validity of a petition requesting a public meeting of voters;
- m) determine the validity of a petition for a referendum;
- n) administer Council public disclosure statements;
- o) ensure that public notice is given as provided in the Act, or any other Act and/or as required by the council in this bylaw, any other bylaw or resolution;
- p) review all reports from Advisory and other Committees of Council prior to their transmittal to Council and where appropriate or necessary, provide comments or recommendations for the benefit of Council;
- q) commence, defend or conduct any action or proceeding in any court or before any board or tribunal as directed by Council;
- r) where a representative of Administration is required to be a member of any Committee, Board, Association, Commission, or any other group, appoint that representative to serve as Administration's representative at the pleasure of the CAO.
- s) act as the returning officer for all municipal elections under The Local Government Election Act;
- t) undertake other matters Council has the authority to delegate (excepting those listed in Section 127 of the Act which must be dealt with by Council).

7) Dismissal

The CAO may only be dismissed by an affirmative vote of a majority of members of Council.

PART III
DELEGATION OF AUTHORITY

8) Delegation to the Chief Administrative Officer

- a) The Council hereby delegate's authority to the Chief Administrative Officer through the powers of authority granted to them under Section 126 of The Act. The Council retains the right to delegate all decisions other than those specified by Section 127 of the Act to the Chief Administrative Officer.
- b) While recognizing that the Council has the ultimate responsibility for the operations of the Municipality, the Council supports the principle of delegation of such responsibility to the CAO so that the Council is free from dealing with operational matters and it can focus solely on its legislated role.
- c) The Council governs by setting strategic direction and developing policy. Policies direct the CAO to achieve certain results and require the CAO to act within the boundaries defined by these policies.

9) Councils 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 that cannot be lawfully delegated by the Council.
- b) The CAO shall not accept or assume delegated authority as outlined in Section 127 of The Act.

PART IV
OTHER POSITIONS

10) Delegation to Staff

- a) Through the powers of authority granted to them under Section 126 (2) of The Act, the Council hereby authorizes the Chief Administrative Officer to delegate any of his/her powers, duties, or functions to another employee.
- b) All Council authority delegated to staff is delegated to the CAO, so that all authority and accountability of staff - as far as the Council is concerned - is considered to be the authority and accountability of the CAO.

c) The Chief Administrative Officer delegates to the following positions so that they may act with additional authority from other levels of staff under the following guidelines:

i) Planning/Administration Administrative Assistant (PAA)

- (1) Performs all primary duties as defined in the PAA position description in a professional and respectful manner;
- (2) Shall perform the duties and exercise the powers and functions that are assigned by the Chief Administrative Officer, this Bylaw, or any other bylaw or resolution of Council.
- (3) Shall deal with Council related and human resources related confidential matters and be privy to in camera discussions at Council meetings as required by the CAO.
- (4) Summon all meetings of Council, prepare and distribute agendas as appropriate, communicate the resolutions and instructions of Council to the appropriate parties and conduct the official correspondence of Council;
- (5) Take charge of and safely keep all, documents and records of the municipality that are committed to his/her charge;
- (6) Record the names of all council present at council meetings;
- (7) Record any abstentions or pecuniary interest declarations in the minutes;
- (8) Ensure the safekeeping of the corporate seal, bylaws, minutes, and any other records or documents of the municipality;
- (9) Ensure that the official correspondence of the council is carried out in accordance with the council's direction;
- (10) Maintain an index register containing certified copies of all bylaws of the municipality;
- (11) Send copies of bylaws for closing roadways and closing and leasing of roadways or easements to the Minister of Highways;
- (12) Provide copies of public documents upon request or payment of the required fee;
- (13) Provide administrative support services to the Mayor, Council and other Managers as required;
- (14) Provide research, information, and advice on procedural matters, bylaws, and resolutions to the CAO and civic administration and for such purpose shall report to and be accountable to the CAO;
- (15) Will assist the returning officer for all municipal elections under The Local Government Election Act;
- (16) Carry out such other duties as may be assigned by the CAO.

ii) Manager of Finance (MF)

- (1) Performs all primary duties as defined in the CAO position description in a professional and respectful manner;
- (2) The MF shall perform the duties and exercise the powers and functions that are assigned by the CAO, this Bylaw, or any other bylaw or resolution of Council.
- (3) Transfer funds between specified reserve allocations with the approval of Council;
- (4) Deposit cash collections daily or that have accumulated to five hundred dollars but not more than once a day, in the bank or credit union designated by council;
- (5) Disburse the funds of the municipality in the manner and to those directed by law, bylaw, or a resolution of council;
- (6) 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;
- (7) Ensure that the financial statements and information requested by resolution are submitted to Council;
- (8) Transfer funds between program budgets with the approval of Council;
- (9) Apply for grants in a timely manner;
- (10) Prepare and submit school liability statement;
- (11) Send amended tax notices when required and make necessary adjustments to the tax roll;
- (12) Transfer special assessments to the tax roll;
- (13) Apply partial tax payments on arrears first and, if undesignated, decide to which taxable property or properties the payment is to be applied;
- (14) Remove tax lien(s) if all arrears are compromised, abated, or paid in full; Identify insurance needs;

- (15) Enforce tax collection procedures;
 - (16) Sign, exchange or transfer securities on behalf of the Village with the approval of Council;
 - (17) Certify the date tax notices are sent;
 - (18) Act as the Village's contact to Saskatchewan Assessment Management Agency;
 - (19) Provide written notice to any person regarding outstanding license fees owed by a contractor as allowed by the Act;
 - (20) Provide receipt for tax payment on request of a taxpayer or agent;
 - (21) The MF may act as the CAO's designate when given authorization by the Chief Administrative Officer;
 - (22) Maintain debenture register and other duties relating to debenture transaction;
 - (23) Issue tax certificates to The Act;
 - (24) Submit education property tax returns
 - (25) Carry out such other duties as may be assigned by the CAO.
- iii) Manager of Public Works (MPW)
- (1) Performs all primary duties as defined in the CAO position description in a professional and respectful manner;
 - (2) Ensures municipal compliance with any applicable Provincial Regulations or Acts and report all matters of non compliance to the CAO and Council.
 - (3) Call for tenders or proposals;
 - (4) Apply for grants in a timely manner;
 - (5) Shall be the designated officer for the purpose of facilitating temporary road closures;
 - (6) Carry out such other duties as may be assigned by the CAO.
- iv) Manager of Planning and Development (MPD)
- (1) Performs all primary duties as defined in the MPD position description in a professional and respectful manner;
 - (2) Play the lead role in all matters related to the Planning and Development Act, the Official Community Plan and Zoning Bylaw for the Village, Building Bylaw and any policy, resolution, or bylaw related to bylaw enforcement;
 - (3) Acts as the Village representative on any regional planning authorities;
 - (4) implement and manage The Planning and Development Act 2007;
 - (5) Carry out such other duties as may be assigned by the CAO.
- v) Manager of Recreation and Community Development (MRCD)
- (1) Performs all primary duties as defined in the MRCD position description in a professional and respectful manner;
 - (2) Carry out such other duties as may be assigned by the CAO
- vi) Acting Chief Administrative Officer
- (1) Establishment of Position
 - (a) In the event of any approved absence of the CAO from the workplace, the Manager of Finance shall be recognized as the Acting CAO;
 - (b) If the Chief Administrative Officer is deemed to be incapable of performing his or her duties, or if there is a vacancy in such position, Council may appoint a person as Acting Chief Administrative Officer for a period of no longer than three (3) months or any longer period that the UMAAS Board of Examiners may allow;
 - (c) 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;
 - (d) In the event that the CAO is away from the workplace, the Manager of Finance shall assume the responsibilities of the CAO until the CAO's return;
 - (e) The Acting CAO shall exercise the powers and functions that are assigned by the Chief Administrative Officer, this bylaw, or any other bylaw or resolution of Council.

PART V
MUNICIPAL DOCUMENTS

11) Signing Agreements

- a) The Mayor and the Chief Administrative Officer shall sign all agreements to which the municipality is a party to. In the absence of the Mayor, the Deputy Mayor, and in the absence of the Chief Administrative Officer, the Manager of Finance shall sign.

12) Cheques

- a) The Chief Administrative Officer, or if the Chief Administrative Officer is unavailable, the Manager of Finance and the Mayor, or in the absence of the Mayor, the Deputy Mayor, shall sign all cheques on behalf of the municipality.

13) Electronic Transactions

- a) E-transfers and other electronic type payments require dual electronic signing or approvals which shall be:
 - i) First Signature - the Administrative Assistant position responsible for Payables and in the absence of the Administrative Assistant position responsible for Payables, the Manager of Finance;
 - ii) Second Signature - the Manager of Finance if not the first signature, or the Chief Administrative Officer, and in the case of the absence of both the Chief Administrative Officer and the Manager of Finance, the Mayor shall provide the second electronic signature or approval.
- b) E Transfers and other Electronic payments are subject to limits set within the Purchasing Policy.

14} Negotiable Instruments

- a) General
 - i) The Chief Administrative Officer, or the Manager of Finance if the CAO is unavailable, and the Mayor, or in the absence of the Mayor the Deputy Mayor, shall sign all other negotiable instruments on behalf of the municipality.
- b) CreditCards
 - i) Credit card authorizations are to be signed by the individual named on the card. For credit card purchases, only a single signature is required. Appropriate documentation is to be attached to the payment voucher. Credit Card limits are subject to limits set within the Purchasing Policy.
- c) The signatures of all people authorized to sign documents by Council may be printed, lithographed, or otherwise mechanically reproduced.
- d) At least one signature on any document must be an original signature and not printed, lithographed, or otherwise mechanically reproduced.

PART VI
DESIGNATED OFFICERS

15) Enforcement of Municipal Law

- a) The Chief Administrative Officer, Manager of Public Works, Manager of Planning and Development, and any appointed Community Service Officer or Bylaw Enforcement Officer(s) shall be the designated officer(s) to inspect, remedy, or enforce any bylaw or any Act.

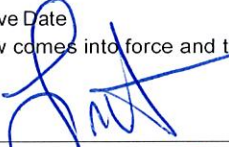
16) Right of Entry for Public Utility Service

- a) The Manager of Public Works or their designate will be the designated officer to enter a building for the purpose of public utility service.


PART VIII
COMING INTO FORCE

17) Effective Date

This Bylaw comes into force and takes effect on, from and after the final passing thereof.

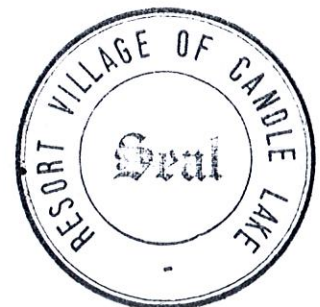


 Mayor



 Chief Administrative Officer

SEAL



Read a first time this 25th day of November, 2021
 Read a second time this 25th day of November, 2021
 Read a third time and adopted this 25th day of November, 2021