



Administration Bylaw

BYLAW NO. 21 - 2003

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of Interpretation and application of the law.

BYLAW NO. 21 - 2003

A BYLAW of the City of Swift Current, in the Province of Saskatchewan, to establish the powers, duties and functions of the municipal officials and employees of the City and to establish who may sign specified municipal documents on behalf of the City.

NOW THEREFORE, COUNCIL FOR THE CITY OF SWIFT CURRENT IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

Title

1. This Bylaw may be cited as "The Administration Bylaw".

Part I Purpose and Definitions

Purpose

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

Definitions

3. In this Bylaw:
 - a) "Act" means *The Cities Act*;
 - b) "City" means the City of Swift Current;
 - c) "Council" means the City Council of the City of Swift Current;
 - d) "Treasurer" means the Director of Finance;
 - e) "Treasurer's Alternate" means the Manager of Financial Accounting.

Part II City Commissioner

Establishment of Position

4.
 - a) The position of City Commissioner is continued.
 - b) Council shall by resolution appoint an individual to the position of City Commissioner and shall establish the terms and conditions of the City Commissioner's employment.

Chief Administrative Officer

5. The City Commissioner shall:
 - a) be the chief administrative officer of the City;
 - b) perform the duties and exercise the powers and functions assigned to a chief administrative officer by the *Act*, any other *Acts*, this bylaw, any other bylaw or by resolution of Council.

Powers, Duties and Functions of City Commissioner

6. Without limiting the generality of Section 5, the City Commissioner shall:
 - a) ensure that the bylaws, policies, resolutions and programs of the City are implemented and enforced;
 - b) advise and inform Council on the operations and affairs of the City;
 - c) supervise all operations of the City and, in particular, direct, supervise and review the performance of all departments of the City, subject to the *Act*;
 - d) restructure civic departments and, with the approval of Council, create, merge or eliminate civic departments;
 - e) have the authority to appoint and dismiss all civic staff except as provided in the *Act* and this bylaw;
 - f) be responsible, in conjunction with the Director of Finance, for the preparation and submission of budget estimates for the operating and capital budgets annually, or as required by Council;
 - g) monitor and control civic spending within the program budgets established by Council;
 - h) transfer funds between program budgets with the approval of Council;
 - i) in conjunction with the Director of Finance, advise Council and make recommendations concerning the financial condition of the City;
 - j) advise Council and make recommendations concerning policies or programs which may be necessary to carry out the powers, duties and functions of the City;
 - k) attend meetings of Council and such other meetings, when able, as Council may direct;
 - l) prepare and submit such reports and recommendations to Council as Council or a Committee of Council may require;
 - m) execute contracts and agreements, together with the City Clerk, as authorized by Council;
 - n) be responsible for the labour relations in conjunction with the Director of Human Resources of the City within the mandate established by Council and submit collective bargaining agreements to Council for approval;

- o) appoint an *Acting* City Commissioner in the absence of the City Commissioner;
- p) exercise such other powers and perform such other duties and functions as required by Council;
- q) be authorized to negotiate the settlement of all records of the Director of Finance's Accounts Receivable which are disputed or of doubtful value and to authorize the writing off of all such accounts receivable in an amount not exceeding \$2,500.00 which are considered non-collectable, and report such *Actions* monthly to the Council detailing the accounts dealt with under this power;
- r) when the City Clerk is incapable of performing his/her duties or when there is a vacancy in such position, the City Commissioner may appoint a person to *Act* in place of the City Clerk until the next meeting of council, and during that time, the person appointed has all the powers of the office to which he/she is appointed.

Claims and Lawsuits

- 7. The City Commissioner shall have the authority to:
 - a) instruct the City Solicitor to commence, defend or conduct any *Action* or proceeding in any court or before any board or tribunal; and to
 - b) settle any claims, grievances or lawsuits.
- 8. The settlement of claims, grievances or lawsuits must be reported to City Council for their information.

Award of Contracts

- 9. The City Commissioner's rights and authorities regarding the acquisition of property, goods and services for the City of Swift Current are included in the City's Purchasing Bylaw.

Routine Expenditures

- 10. The City Commissioner shall have the authority to make routine expenditures as required for the City to operate on a daily basis, until the operating budget is adopted by Council each year.

Delegation

- 11. The City Commissioner is authorized to delegate, and to authorize the further delegation, of any authority, function or responsibility granted under this Bylaw or any other bylaw to any City employee.

Dismissal

12. The City Commissioner may only be dismissed by an affirmative vote of a majority of all Members of Council.

**Part III
City Clerk**

Continuation of Position

13.
 - a) The position of City Clerk is continued.
 - c) Council shall by resolution appoint an individual to the position of City Clerk and shall establish the terms and conditions of the City Clerk's employment.

Duties – *The Cities Act*

14. The City Clerk shall be responsible for carrying out the duties required by the *Act*.
15. Without limiting the generality of Section 14, the City Clerk shall:
 - a) attend all meetings of Council, when able, and truly record in the minutes all resolutions and proceedings of Council;
 - b) take charge of and safely keep all minutes and bylaws of the City;
 - c) take charge of and safely keep all books, documents and records to the City committed to the charge of the City Clerk;
 - d) 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;
 - e) have custody of the seal of the City;
 - f) ensure that Council is advised in writing of its legislative responsibilities pursuant to the *Act* or any other *Act*;
 - g) ensure that public notice is given by the *Act* or any other *Act*;
 - h) provide the Minister with any statements reports or other information that the Minister may require pursuant to the *Act*, and
 - i) appoint an *Acting* Clerk in the absence of the City Clerk.
16. The City Clerk shall ensure that the duties described in Sections 14 and 15 are provided to any Council Committee that is carrying out powers, duties or functions delegated to them by Council.

Duties – The Local Government Elections Act

17. The City Clerk shall be responsible for carrying out the duties required by *The Local Government Elections Act*, including Acting as Returning Officer for all elections under the *Act*.

Other Duties

18. The City Clerk shall:
 - a) provide administrative support services to Councillors;
 - b) perform such other duties as required by statute, bylaw or otherwise assigned by Council;
 - c) provide research, information and advice on procedural matters, bylaws and resolution to the City Commissioner and civic administration and for such purpose shall report to and be accountable to the City Commissioner;
 - d) carry out such other duties as may be assigned by the City Commissioner, and for such purposes, shall report to and be accountable to the City Commissioner.

Duties – Boards and Agencies

19. The City Clerk shall provide administrative support to such boards, agencies and other organizations as Council may approve, and for such purposes, shall report to the board, agency or organization.

Reporting and Accountability

20. Except where otherwise specified in this Bylaw, the City Clerk shall report to and be accountable to Council.

Dismissal

21. The City Clerk may only be dismissed by an affirmative vote of a majority of all Council Members.

Part IV
Director of Finance

Continuation of Position

22. a) The position of Director of Finance is continued.
b) The City Commissioner shall appoint an individual to the position of Director of Finance and shall establish the terms and conditions of the Director of Finance's employment.

Duties

23. The Director of Finance shall be responsible for carrying out the duties assigned by the City Commissioner.
24. Without limiting the generality of Section 23, the Director of Finance shall:
- a) control city funds, insurance, investments, collections, disbursements, and long and short-term borrowing, as well as cash forecasting and long range financial planning;
 - b) approve cheque requisitions and payment vouchers;
 - c) supervise all accounting functions, Assessment and Taxes, Purchasing and Procurement, and all other revenue collections;
 - d) prepares financial statements for all funds;
 - e) prepares financial analysis on various cost centres and provides pertinent information on current issues;
 - f) prepares and compiles the annual budget estimates in conjunction with the Department Heads and City Commissioner;
 - g) responsible for information systems, internal controls, data integrity, as well as overseeing hardware purchases and software development;
 - h) provides information to the public on various financial issues;
 - i) ensures department is customer service orientated. Handles customer complaints related to the financial/assessment area and ensures appropriate *Acción* is taken and decisions are made with City policy;
 - j) be responsible for the Assessment/Tax Collection Department through the City Assessor and Manager of Revenue and Collections;
 - k) perform all such other related duties as may be assigned by the City Commissioner.

Bank Accounts

25. The Director of Finance or the Director of Finance's alternate is authorized by Council to open or close the accounts that hold the money of the City.

Part V
City Assessor

Continuation of Position

26. a) The position of City Assessor is continued.
b) The Director of Finance shall appoint an individual to the position of City Assessor and shall establish the terms and conditions of the City Assessor's employment.

Duties

27. a) The City Assessor shall be responsible for carrying out the duties required by the Director of Finance.
b) Without limiting the generality of subsection (a), the City Assessor shall also be responsible for carrying out the duties required by the *Act*.

Assessor

28. Any reference to Assessor in the *Act* shall mean the City Assessor of the City.

Part VI
Municipal Documents

Signing Agreements

29. The City Clerk and either, but not all, of the Mayor or Deputy Mayor or City Commissioner shall sign all agreements to which the City is a party.

Cheque Signing

30. Any two (2) of the four (4) authorized officers appointed by Council Resolution may sign cheques on behalf of the City.

Reproduction of Signatures

31. The signatures of all people authorized by Council to sign documents may be printed, lithographed or otherwise mechanically reproduced.

**Part VII
Vacancy in Office**

Temporary appointment by Mayor

32. When the City Commissioner is incapable of performing their duties or when there is a vacancy in such position, the Mayor may appoint a person to *Act* in place of the City Commissioner until the next meeting of Council, and during that time, the person appointed has all the powers of the office to which he or she is appointed.

**Part VIII
Repeal**

33. Bylaw No. 11-1988 and any amendments thereto and Bylaw No. 52-1988 and any amendments thereto are hereby repealed.

**Part IX
Coming Into Force**

34. THIS BYLAW shall come into force and have effect from the date of final passing.

_____ **MAYOR** _____ **CITY CLERK**

INTRODUCED AND READ a first time this 17th day of November, 2003.

READ a second time this 17th day of November, 2003.

READ a third time and finally passed this 17th day of November, 2003.