

CITY OF NORTH BATTLEFORD
SASKATCHEWAN

BYLAW NO. 1715

A BYLAW OF THE CITY OF NORTH BATTLEFORD 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.

The Council of the City of North Battleford enacts as follows:

Title

1. This Bylaw may be cited as The City 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 North Battleford;
 - c) **Council** means the City Council of The City of North Battleford;
 - d) **Executive Committee** means the Executive Committee of Council;

Part II**City Manager****Establishment of Position**

4. 1) The Position of City Manager is continued.
- 2) Council shall by resolution appoint an individual to the position of City Manager and shall establish the terms and conditions of the City Manager's employment.

Chief Administrative Officer

5. The City Manager 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 Manager

6. Without limiting the generality of Section 5, the City Manager shall:
 - a) ensure that the policies and programs of the City are implemented;
 - 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 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) 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 as Council may direct;
- l) prepare and submit such reports and recommendations to Council as Council or a Committee of Council may require;
- m) keep the public informed, through reports to Council, regarding the operations of the City;
- n) be responsible for the labour relations of the City within the mandate established by Council and submit collective bargaining agreements to Council for approval;
- o) declare a lockout of civic employees with the approval of the Executive Committee;
- p) appoint an Acting City Manager in the absence of the City Manager;
- q) exercise such other powers and perform such other duties and functions as required by Council.

Investigations on Behalf of the City Manager

7. The City Manager shall have the authority, upon approval of His Worship the Mayor, to request the Auditor to investigate any matter within the City Manager's jurisdiction as Chief Administrative Officer of the City. In such case, the Auditor shall report to the City Manager.

Claims and Lawsuits

8.
 - 1) The City Manager, following consultation with City Council, 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

- b) to settle any claims, grievances or lawsuits that do not exceed the spending authority limit for the City Manager per the City Purchasing Policy.
- 2) The settlement of claims, grievances or lawsuits that exceed the spending authority limit of the City Manager per the City Purchasing Policy will require City Council approval.

Contracts

- 9. The City Manager shall have the authority to:
 - a) call for tenders and arrange for contracts for the supply to the City of goods, services and work as authorized by the budget;
 - b) in the case of public tenders when the City is purchasing goods, services or work, award contracts where:
 - i) the contract has been provided for in the approved project budget;
 - ii) the amount of the contract does not exceed the approved project budget;
 - iii) the contract is being awarded to the lowest qualified bidder meeting specifications notwithstanding the amount of the contract to not exceed the spending authority limit for the City Manager per the City Purchasing Policy; and
 - iv) the award of the contract is not of a controversial nature;
 - c) notwithstanding clause (b) of this Section and Section 11, award all other contracts including requests for proposals when the City is purchasing goods, services or work where:
 - i) the contract has been provided for in the approved project budget;
 - ii) the amount of the contract does not exceed the approved project budget;
 - iii) the amount of the contract does not exceed the spending authority limit for the City Manager per the City Purchasing Policy; and
 - iv) the award of the contract is not of a controversial nature;

- d) call for tenders and arrange for contracts for the purchase from the City of goods, services and work of any kind; and
- e) in the case of public tenders when the City is receiving revenue from the sale of goods, services and work where:
 - i) the contract is being awarded to the highest qualified bidder meeting specifications notwithstanding the amount of the contract to not exceed the spending authority limit for the City Manager per the City purchasing Policy; and
 - ii) the award of the contract is not of a controversial nature;
- f) notwithstanding clause (e) of this Section, award all other contracts when the City is receiving revenue from the sale of goods, services and work where:
 - i) the amount of the contract does not exceed the spending authority limit for the City Manager per the City Purchasing Policy; and
 - ii) the award of the contract is not of a controversial nature.

Land Transactions

10. The City Manager shall have the authority to:
- a) conduct negotiations on behalf of the City for the purchase, sale or exchange of land; and,
 - b) approve agreements for use of surplus space at City-owned and operated recreational facilities.

Routine Expenditures

11. The City Manager 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

12. The City Manager 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

13. The City Manager may only be dismissed by an affirmative vote of a majority of members of Council.

Part III**City Clerk****Continuation of Position**

14.
 1. The position of City Clerk is continued.
 2. 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*

15.
 - 1) The City Clerk shall be responsible for carrying out the duties required by the *Act*.
 - 2) Without limiting the generality of subsection (1), the City Clerk shall:
 - a) attend all meetings of Council and truly record in the minutes all resolutions and proceedings of Council;
 - b) take charge of and safely keep all books, documents and records of the City committed to the charge of the City Clerk;
 - c) 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;
 - d) maintain an index register containing certified copies of all bylaws of the City;

- 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 as required 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 City Clerk in the absence of the City Clerk.
3. The City Clerk shall ensure that the duties described in subsections (1) and (2) 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*

16. 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 that *Act*.

Other Duties

17. 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 resolutions to the City Manager and civic administration and for such purpose shall report to and be accountable to the City Manager;
 - d) carry out such other duties as may be assigned by the City Manager and for such purposes, shall report to and be accountable to the City Manager.

Duties – Boards and Agencies

18. 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

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

Dismissal

20. 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**

21. 1) The position of Director of Finance is continued.
- 2) The City Manager 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

22. 1) The Director of Finance shall be responsible for carrying out the duties assigned by the City Manager.
- 2) Without limiting the generality of subsection (1), the Director of Finance shall:
- a) sign, exchange or transfer securities on behalf of the City;
 - b) maintain securities register;
 - c) certify the date tax notices are sent;
 - d) send an amended tax notice to a taxpayer if required;
 - e) provide receipts for the payment of taxes;

- f) apply a tax payment in accordance with the *Act*;
- g) forward to the registrar of the land titles office a withdrawal of a tax lien, if required;
- h) issue tax certificates;
- i) certify as a true copy the tax roll, if required;
- j) provide a statement of account to the school boards;
- k) distraint and seize goods to satisfy the amount of the outstanding taxes;
- l) arrange for the payment of executions against the City; and
- m) ensure collection of moneys owed to the City by way of agreements.

Bank Accounts

23. The Director of Finance is authorized by Council to open or close the accounts that hold the money of the City.

Part V

City Assessor

Continuation of Position

24. 1) The position of City Assessor is continued.
- 2) The City Manager shall appoint an individual to the position of City Assessor and shall establish the terms and conditions of the City Assessor's employment.

Duties

25. 1) The City Assessor shall be responsible for carrying out the duties required by the City Manager.
- 2) Without limiting the generality of subsection (1), the City Assessor shall also be responsible for carrying out the duties required by the *Act*.

Assessor

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

Part VI**Municipal Documents****Signing Agreements**

27. The City Clerk and the Mayor shall sign all agreements to which the City is a party. In the absence of the City Clerk, the City Manager shall sign the agreement and furthermore, in the absence of the Mayor, the Deputy Mayor shall sign the agreement.

Cheque Signing

28. That all cheques on behalf of the City be signed by the City Manager, City Clerk or Director of Human Resource as the first signator and the Director of Finance, City Assessor/Office Manager or Financial Accountant as the second signator. These signators will also be the designated individuals authorized to operate any bank account and/or to borrow against the City.

Reproduction of Signatures

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

Part VII**Vacancy in Office****Temporary Appointment by Mayor**

30. When the City Manager or City Clerk are 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 Manager or 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 or she is appointed.

Part VIII

Repeal

31. Bylaws No. 1364 and 1439 are hereby repealed.

Part IX

Transitional and Coming into Force

Transitional

32. Notwithstanding anything contained in this Bylaw, the individuals holding the positions of City Manager, City Clerk, Director of Finance and City Assessor immediately prior to the coming into force of this Bylaw, shall continue in the positions of City Manager, City Clerk, Director of Finance and City Assessor, respectively.

Coming into Force

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

Read a first time this 14th day of July , A.D., 2003.

Read a second time this 14th day of July , A.D., 2003.

Read a third time and adopted this 11th day of August, A.D., 2003.

Wayne Ray
Mayor

Elaine J. Kostiuk
City Clerk