

**ADMINISTRATIVE BYLAW  
RESORT VILLAGE OF ELK RIDGE  
BYLAW NO. 04-2022**

A BYLAW TO PROVIDE FOR THE ADMINISTRATION OF THE MUNICIPAL CORPORATION AND TO  
SET FORTH THE DUTIES AND POWERS OF THE DESIGNATED OFFICERS FOR THE RESORT  
VILLAGE OF ELK RIDGE

The Council of the Resort Village of Elk Ridge enacts as follows:

**Short Title**

1. This Bylaw may be cited as the Administration Bylaw.

**PART I  
PURPOSE AND DEFINITIONS**

**Purpose and Scope**

2.
  - a. The purpose of this Bylaw is to establish the office of Administrator or any other municipal office that council considers necessary; and
  - b. The purpose of this Bylaw is to establish who may sign specified municipal documents on behalf of the municipality; and
  - c. The purpose of this Bylaw is to establish the powers, duties and functions of the municipal officers and/or employees of the municipality.

**Definitions**

3.
  - a. "Act" means *The Municipalities Act*;
  - b. "Municipality" means the Resort Village of Elk Ridge;
  - c. "Administrator" means the Administrator of the Resort Village of Elk Ridge;
  - d. "Council" shall mean the Council of the Resort Village of Elk Ridge.

**PART II  
ADMINISTRATOR**

**Establishment of Position**

4.
  - 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 the Chief Administrative Officer of the municipality;
  - d. Any person appointed to the position of Administrator must be qualified as required by the Urban Municipal Administrators Act.

## Duties of the Administrator

5. The Administrator shall perform the duties and exercise the powers and functions that are assigned by the Act, any other acts, this Bylaw, or any bylaw or resolution of Council.

## Duties of the Administrator – *The Municipalities Act*

6. Without limiting the generality of Section 5, the Administrator shall:
  - a. take charge of and safely keep all books, documents and records of the municipality that are committed to his/her charge; (MA 111)
  - b. ensure all minutes of council are recorded; (MA 111)
  - c. record the names of all council present at council meetings; (MA 111)
  - d. ensure all minutes of each council meeting are given to council for approval at the next council meeting; (MA 111)
  - e. advise the council of its legislative responsibilities pursuant to this or any other act; (MA 111)
  - f. ensure the safe keeping of the corporate seal, bylaws, minutes, funds, securities and any other records or documents of the municipality; (MA 111)
  - g. provide the Minister with any statements, reports or other information that may be required by the Act or any other act; (MA 111)
  - h. ensure that the official correspondence of Council is carried out in accordance with Council direction; (MA 111)
  - i. maintain an index register containing registered copies of all bylaws; (MA 111)
  - j. deposit cash collection that has accumulated to \$50,000 once a month, but not more than once a day, in the bank or credit union designated by Council; (MA 111)
  - k. disburse the funds in the municipality in the manner and to those directed by law by, bylaw or resolution of Council; (MA 111)
  - l. 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; (MA 111)
  - m. ensure that the financial statements and information requested by resolution are submitted to Council; (MA 111)
  - n. completed a financial statement for the proceeding financial year in accordance with the generally accepted accounting principles for municipal governments recommended from time to time by the Canadian Chartered Accountants by June 1<sup>st</sup> of each year; (MA 111, 185)
  - o. send copies of bylaws for closing and leasing to the Minister of Highways and Transportation; (MA 13)
  - p. bring forward any resignation(s) of elected officials; (MA 96)
  - q. at the first meeting in January of each year provide bond(s) to Council; (MA 113)
  - r. sign minutes of Council and Committee meetings; (MA 115)
  - s. sign bylaws; (MA 115)
  - t. provide copies of public documents upon request or payment of fees; (MA 117)
  - u. provide notice of First meeting of Council; (MA 121)
  - v. call a special meeting when lawfully requested to do so; (MA 123)
  - w. determine the sufficiency of a petition requesting a public meeting of voters; (MA

129)

- x. determine the validity of a petition for referendum (30 days to report to Council); (MA 135)
- y. administer public disclosure statements if the municipality adopts this requirement; (MA 142)
- z. record any absentions or pecuniarty interest declarations in the minutes; (MA 144)
- aa. provide information to the Auditor; (MA 190)
- bb. send amended tax notices when required and make necessary adjustments to the tax roll; (MA 264)
- cc. provide for payment of writ of execution against the municipality; (MA 353)
- dd. produce certain records upon request of inspector appointed by Minister. (MA 396)

### **Additional Duties of the Administrator**

7. The Administrator Shall:

- a. act as the returning officer for all elections under The Local Government Elections Act;
- 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 municipality are implemented;
- d. advise, inform and make recommendations to council on the:
  - i) operations and affairs of the Municipality
  - ii) policies and programs of the Municipality
  - iii) the financial position of the Municipality
- e. make routine expenditures on a daily basis as directed by Council;
- f. purchase goods, services or work as directed by Council;
- g. monitor and control spending within program budgets established by Council;
- h. Council may delegate the authority for other matters excepting those listed in Section 127 of The Municipalities Act;
- i. give written notice for the unpaid fees of a building contract, transient trader or other license fees;
- j. certify the date on which tax notices are sent;
- k. prepare and send amended tax notices when required;
- l. issue tax certificates;
- m. attend meetings of Council and other meetings as Council directs;
- n. remove tax liens if all arrears are compromised or abated;
- o. submit school liability statements in a timely manner.

**PART III  
OTHER POSITIONS**

**Acting Administrator**

**Establishment of Position**

8. If the Administrator is incapable of performing his or her duties or if there is a vacancy in such position, the council may appoint a person as Acting Administrator for a period of not longer than three months or any longer period that the board of examiners may allow.

**Duties**

9. The Acting Administrator shall have all the powers and duties of the Administrator while acting in the capacity of the Administrator.

**PART IV  
MUNICIPAL DOCUMENTS**

**Signing Agreements**

10. The Mayor and Administrator shall sign all agreements to which the municipality is party.

**Cheques**

11. The Administrator and Mayor, or in the absence of the Mayor the designated councilor, shall sign all cheques on behalf of the municipality.

**Negotiable Instruments**

12. The Administrator and Mayor, or in the absence of the Mayor the designated councilor, shall sign all other negotiable instruments on behalf of the municipality.

**PART V  
DESIGNATED OFFICERS**

**Temporary Road Closure**

13. Council shall be the designated office for the purposes of temporary road closures.  
(MA 14)

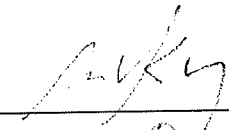
**Enforcement of Municipal Law**


14. The Administrator shall be the designated officer for the purpose to inspect, remedy or enforce any bylaw or The Municipalities Act.

PART VI  
COMING INTO FORCE

15. This bylaw shall come into effect on the day of its final passing.



  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Administrator

Read a third time and adopted  
this 12<sup>th</sup> day of July, 2022.