

Bylaw No. 8174

The City Administration Bylaw, 2003

**Codified to Bylaw No. 9765
(June 28, 2021)**

Bylaw No. 8174

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The Council of The City of Saskatoon enacts:

Title

1. This Bylaw may be cited as The City Administration Bylaw, 2003.

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 Saskatoon;
 - (c) **“Council”** means the Council of the City of Saskatoon;
 - (d) **“Finance Committee”** means the Finance Committee established pursuant to *The Procedures and Committees Bylaw, 2014*;
 - (e) **“Governance and Priorities Committee”** means the Governance and Priorities Committee established pursuant to *The Procedures and Committees Bylaw, 2014*;
 - (f) **“Treasurer’s Alternate”** means an individual appointed to one of the following positions:

- (i) Chief Financial Officer;
- (ii) Director of Finance;
- (iii) Banking & Revenue Operations Manager;
- (iv) Property Taxation and Support Manager;
- (v) Revenue Utility Group Manager;
- (vi) Revenue Collection and Licensing Manager.

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. (1) 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. (1) 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* and the provisions of this Bylaw regarding the City Clerk and the City Solicitor;
 - (d) restructure civic departments and, with the approval of Council, create, merge or eliminate civic departments, if required;
 - (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) (Repealed – Bylaw No. 8229 – September 8, 2003);
- (o) be responsible for the labour relations of the City within the mandate established by Council and submit collective bargaining agreements to Council for approval;
- (p) declare a lockout of civic employees with the approval of the Governance and Priorities Committee, if required;
- (q) appoint an Acting City Manager in the absence of the City Manager;
- (r) 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 the Mayor and the Chair of the Finance Committee, to request the internal auditor to investigate any matter within the City Manager's jurisdiction as chief administrative officer of the City. In such case, the internal auditor shall report to the City Manager.

Claims and Lawsuits

- 8. (1) The City Manager shall have the authority:
 - (a) to 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.
- (2) The City Manager shall report to Governance and Priorities Committee for its information:
 - (a) on an annual basis:
 - (i) any unusual water and sewer claims, occurring at a specific property, or in a specific area or neighbourhood on a recurrent basis;
 - (ii) the resolution of any claims, grievances or lawsuits relating to sexual, racial, religious or sexual orientation harassment; and

- (iii) any other claims, grievances or lawsuits the settlement of which is in excess of \$100,000.00.
- (b) on an individual basis:
 - (i) any human rights complaints; and
 - (ii) any wrongful dismissal claims or lawsuits.

Advertising and Arranging for Contracts

9. The City Manager shall have the authority to arrange for contracts and to advertise the intention of the City to receive tenders, quotes, or other proposals with respect to potential contracts.

Award of Contracts

10. The City Manager shall have the authority to award contracts.

Award of Contracts When the City is Receiving Revenue

11. (Repealed – Bylaw No. 9579 – April 29, 2019)

Land Transactions

12. (1) Notwithstanding Section 10, the City Manager does not have the authority to award contracts regarding the sale, purchase, lease or license of land or buildings except as provided in this section.
- (2) In the case of contracts where there is a public tender and the City is receiving revenue from the lease or license of land or buildings, the City Manager shall have the authority to award contracts where:
- (a) the contract is being awarded to the highest qualified bidder meeting specifications notwithstanding the amount of the contract exceeds \$100,000.00; and
 - (b) the award of the contract is not of a controversial nature.

- (3) In the case of all other contracts, including requests for proposals, regarding the sale, purchase, lease or license of land or buildings, the City Manager shall have the authority to:
 - (a) conduct negotiations on behalf of the City for the purchase, sale or exchange of land;
 - (b) secure options to purchase land provided that the consideration for any option does not exceed \$100,000.00; and
 - (c) approve the lease or license of land or buildings provided the annual rental charge does not exceed \$20,000.00.
- (4) If land is offered for sale by public offering by the Government of Saskatchewan, the Government of Canada, a crown corporation of either government or a local authority, the City Manager shall have the authority to purchase such land provided prior authorization to purchase has been received by the City Manager from Governance and Priorities Committee. Every successful purchase shall be reported to the next City Council meeting.

Reporting to Council

13. (Repealed – Bylaw No. 9579 – April 29, 2019)

Enquiries by Members of Council

14. (Repealed – Bylaw No. 9579 – April 29, 2019)

Routine Expenditures

15. 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

16. 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

17. 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

18. (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*

19. (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 when 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 duties described in subsections (1) and (2) shall apply to the City Clerk with respect to any Council Committee that is carrying out powers, duties or functions delegated to them by Council.

Duties - *The Local Government Elections Act*

20. The City Clerk shall be responsible for carrying out the duties required by *The Local Government Elections Act*.

Other Duties

21. 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

22. 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

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

Dismissal

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

Part IV City Solicitor

Continuation of Position

25. (1) The position of City Solicitor is continued.
- (2) Council shall by resolution appoint an individual to the position of City Solicitor.

Duties, Reporting and Accountability

26. (1) The City Solicitor shall be responsible for the provision of legal services to:
 - (a) the City Manager and the civic administration;
 - (b) Council and its Committees; and
 - (c) such Boards, agencies and other organizations as may be approved by Council provided that, in the event of any conflict between Council and such Board, agency or other organization, the City Solicitor shall provide legal services only to Council.

- (2) The City Solicitor shall report directly to Council with respect to any matter determined to be of legal significance by the City Solicitor or the City Manager.
- (3) Subject to subsection (2), the City Solicitor shall report to the City Manager.
- (4) Outside counsel may be retained and instructed by the City Manager or the City Solicitor if an outside opinion is requested by Council, the Governance and Priorities Committee, the City Manager or the City Solicitor.

Claims and Lawsuits

27. The City Solicitor shall have the authority to settle claims or lawsuits to an expenditure limit of \$35,000.00.

Access to Records

28. The City Solicitor shall have access to all files, documents and records of the City for the purpose of carrying out the City Solicitor's duties, and is entitled to receive such information, reports and assistance from City officials and employees as may reasonably be required.

Dismissal

29. The City Solicitor may only be dismissed by an affirmative vote of a majority of all Council members.

Part V City Treasurer

Continuation of Position

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

Duties

31. (1) The City Treasurer shall be responsible for carrying out the duties assigned by the City Manager.
- (2) Without limiting the generality of subsection (1), the City Treasurer or Treasurer's Alternate, if the Treasurer is not available, shall:
- (a) sign, exchange or transfer securities on behalf of the City;
 - (b) maintain a securities registry;
 - (c) effect the transmission of securities issued by the City;
 - (d) certify the date tax notices are sent;
 - (e) send an amended tax notice to a taxpayer if required;
 - (f) provide receipts for the payment of taxes;
 - (g) apply a tax payment in accordance with the *Act*;
 - (h) forward to the registrar of the land titles office a withdrawal of a tax lien, if required;
 - (i) issue tax certificates;
 - (j) certify as a true copy the tax roll, if required;
 - (k) provide a statement of account to the school boards;

- (l) distraint and seize goods to satisfy the amount of outstanding taxes;
- (m) arrange for the payment of executions against the City; and
- (n) certify a printout of an electronic record of a municipal violation.

Bank Accounts

32. The opening and closing of any bank accounts that hold the money of the City shall require two authorized signatures. The City Treasurer and all persons holding one of the positions described as a Treasurer's Alternate are hereby authorized to open and close bank accounts of the City. In the absence of the City Treasurer, the signature of any two persons holding positions described as a Treasurer's Alternate shall be sufficient.

Part VI City Assessor

Continuation of Position

33. (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

34. (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

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

Part VII
Other Provisions - City Clerk and City Solicitor

Budget - City Clerk and City Solicitor

36. (Repealed – Bylaw No. 9579 – April 29, 2019)

Appointment and Dismissal of Staff

37. Where the City Clerk or City Solicitor do not concur with the City Manager as to the appointment or dismissal of a member of their staff, the matter shall be referred to the Governance and Priorities Committee for a decision.

Part VIII
Delegation of Authority

38. City Council hereby delegates the following authority to the individuals indicated on the terms and conditions listed herein:
- (a) the authority to approve temporary road closures to the City Manager or designate;
 - (i) the City Manager shall review all applications for temporary road closures to ensure compliance with the City Policies, and shall approve all applications in conformity with said Policies; and
 - (ii) where the City Manager refuses to approve a temporary road closure, the City Manager shall report to Council the terms of the application and the reasons for the refusal.
 - (b) the authority to approve the granting of distribution line easements over City-owned lands where the easement is not part of a subdivision application to the General Manager of Transportation & Construction or designate;
 - (i) the General Manager of Transportation & Construction shall review all applications for distribution line easements to ensure compliance with the City Policies, and shall approve all applications in conformity with said Policies; and

- (ii) where the General Manager of Transportation & Construction refuses to approve a distribution line easement, the General Manager shall report to Council the terms of the application and the reasons for the refusal.
- (c) the authority to approve placement of parking restrictions and parking prohibitions to the General Manager of Transportation & Construction or designate;
 - (i) the General Manager of Transportation & Construction shall review all applications for placement of parking restrictions and parking prohibitions to ensure compliance with the City Policies, and shall approve all applications in conformity with said Policies; and
 - (ii) where the General Manager of Transportation & Construction refuses to approve placement of a parking restriction or a parking prohibition, the General Manager shall report to Council the terms of the application and the reasons for the refusal.
- (d) the authority to appoint the following to the City Manager or designate:
 - (i) weed inspectors pursuant to *The Weed Control Act*,
 - (ii) municipal inspectors pursuant to *The Forest Resource Management Act*, and
 - (iii) bylaw enforcement officers pursuant to *The Cities Act*.

Part IX Municipal Documents

Signing Agreements

39. The City Clerk and either, but not both, the Mayor or City Manager shall sign all agreements to which the City is a party.

Cheque Signing

40. (1) The City Treasurer or if the City Treasurer is unavailable, the Treasurer's Alternate, may sign cheques on behalf of the City.
- (2) Notwithstanding subsection (1), in the absence of the City Treasurer, the Revenue Utility Group Manager may not sign cheques with respect to accounts established for the purpose of light and water deposit refunds or property tax refunds.
- (3) Notwithstanding subsection (1), cheques drawn from pension fund trust accounts must be jointly signed by the City Treasurer or the Treasurer's Alternate and one of the following:
 - (a) City Manager;
 - (b) Chief Financial Officer;
 - (c) Director of Finance;
 - (d) Banking & Revenue Operations Manager;
 - (e) Property Taxation and Support Manager;
 - (f) Revenue Utility Group Manager;
 - (g) Revenue Collection and Licensing Manager.
- (4) For the purposes of subsection (3), if a person signs a cheque as the Treasurer's Alternate, that person shall not co-sign the same cheque.

Reproduction of Signatures

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

Part X Vacancy in Office

Temporary Appointment by Mayor

42. 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 they are appointed.

Part XI Repeal

Bylaws No. 7570 and 7266 Repealed

43. Bylaw No. 7570 and Bylaw No. 7266 are repealed.

Part XII Transitional and Coming into Force

Transitional

44. Notwithstanding anything contained in this Bylaw, the individuals holding the positions of City Commissioner, City Clerk, City Solicitor, City Treasurer and City Assessor immediately prior to the coming into force of this Bylaw shall continue in the positions of City Manager, City Clerk, City Solicitor, City Treasurer and City Assessor, respectively.

Coming into Force

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

Read a first time this 6th day of January, 2003.

Read a second time this 6th day of January, 2003.

Read a third time and passed this 6th day of January, 2003.

“James Maddin
Mayor

“Janice Mann”
City Clerk

“SEAL”