

# **VILLAGE OF MCADAM**

## **BY – LAW NO. 10**

### A BY – LAW RELATING TO THE GENERAL ADMINISTRATION OF THE VILLAGE OF MCADAM

PASSED NOV. 14, 1967  
BE IT ENACTED by the Mayor and  
Councilors of the Village of  
McAdam as follows:

Original signed by the Mayor H.S. Dixon

1. At any regular meeting or at a special meeting called for the purpose, the council shall appoint as many competent persons as may be necessary for the proper administration of the civic service, and such other officers as shall from time to time be created by the council or by statutory authority where appointment is in the gift of the council.
2. The council shall by resolution fix and determine the salary or compensation to be paid to such officers and public servants for their services and the time and manner of the payment thereof where such salary or compensation is not provided for by statute.
3. Official hours for the transaction of public business in the offices in the Village hall, except the Mayor's office shall be from 1:30 o'clock P.M. to 5:00 o'clock P.M. on all week days except Saturday and holidays; provided, however, that nothing herein shall prevent the extension of official hours whenever public business so demands.
4. No person shall be appointed to or hold any position in the gift of the council who has not fully accounted for all Village moneys collected or received by him.
5. No officer or public servant of the Village receiving pay directly or indirectly from the Village shall take part in an election on behalf of any candidate for Mayor or councilor otherwise than by recording his vote as an elector if qualified by law says to do.
6. If any officer or public servant of the Village shall canvass or solicit any vote on behalf of any candidate as foresaid, or shall hold out to any elector of the Village any promise or reward or pecuniary consideration or any other inducement whatever in order to secure the vote of any elector in favor of any candidate for Mayor or councilor, or shall make use of any threat to intimidation with a view of preventing any elector from voting for any such candidate, such officer or servant as aforesaid shall be deemed guilty of a violation of this by-law and upon

satisfactory proof of such offence before the Council or a committee thereof may be dismissed from the services of the Village.

7. The duties prescribed by this by-law for the various Village officers shall be in addition to those prescribed by statute or by any other by-law of the Village.

### **THE VILLAGE CLERK**

8. The Village Clerk shall:
  - (a) Attend all meetings of the Council and record the minutes and proceedings thereof, including all resolutions and motions passed, with the names of the movers and seconders, and reports, petitions, and other papers submitted to the Council by their respective titles only, or by a brief description of their purport;
  - (b) Cause such minutes and proceedings to be entered in a book kept for the purpose and cause such book to be properly indexed;
  - (c) Cause such minutes and proceedings to be printed, multigraphed, mimeographed or otherwise reproduced when so directed by the council;
  - (d) Cause a copy of such minutes to be mailed to, or left at the residence or place of business of each member of the council at least one day before the next meeting of the Council;
  - (e) Furnish promptly to the chairman of any committee and any Village officer or other person affected thereby certified copies of all orders or resolutions made by the Council so that the requirements of same may be forthwith carried into effect;
  - (f) Prepare and cause to be delivered notices to the members of the council of all special meetings and of all meetings of committees when so directed by the Mayor or by the chairman of any committee;
  - (g) Prepare, issue and keep a record of all licenses granted;
  - (h) Prepare and attend to the execution of all bonds or other securities to the Village required to be taken from any person and also all contracts and agreements to be entered into by the Village;
  - (i) Communicate or convey to the proper committee petitions and other documents or correspondences referred to it by the Council;
  - (j) Act as custodian of all titles and evidences of title, deeds, mortgages leases, bonds, agreements or other instruments relating to the property and rentals of the Village, and allow the same to be taken from his office only on the order of the council or of a court of Law;
  - (k) Act as custodian of all bonds and securities of fidelity given for the faithful discharge of the duties of the officials and servants of the Village;
  - (l) Act as custodian of the corporate seal of the Village and be the person authorized to use and authenticate it;
  - (m) Instruct and advise all Village officers in relation to their duties as such and aid and assist any of them in the enforcement of the Village laws and regulations;
  - (n) Notify any person appointed to any office by the Village Council of his appointment and prepare and issue the necessary commissions for such officers;
  - (o) Attend all meetings of committees and keep a record of the business transacted thereat;
  - (p) Prepare and furnish the Mayor at each meeting of the Council with a summary of any unfinished business requiring consideration by the Council;

- (q) Do and perform any other act or service that may be required of him by resolution of the Council or any committee thereof which would naturally devolve upon him in his official capacity; and
- (r) Regulate with the consent of the Mayor the use of the Village Council Chamber and Committee Rooms.

### **THE ASSISTANT VILLAGE CLERK**

- 9. (a) The Council may appoint an Assistant Village Clerk;
- (b) Where such an appointment is made, the Assistant Village Clerk shall be subject to the direction of the absence or disability of such clerk and in such case shall exercise all the powers of the Village Clerk.

### **THE VILLAGE TREASURER**

- 10. No person shall assume the officers of the Village Treasurer until he has been sworn, or has affirmed that he will diligently, faithfully and impartially and to the best of his ability discharge the several duties appertaining to the office to which he has been appointed so long as he shall hold the same and that he will obey the by-law of the village and shall give security by bond in such sum as the Council may from time to time fix for the faithful performance of his duties which bond shall be deposited with the Village Clerk for safe keeping.
- 11. The Village Treasurer shall have control over any and all officers employed in his office or in connection with the discharge of the duties thereof and with the approval of the Finance committee may prescribe rules under which any person so employed shall discharge the duties assigned to him.
- 12. It shall be the duty of the Village Treasurer:
  - (a) to collect all moneys due the Village for ground rated and from any other source whatever and receive all moneys due the village and cause accounts to be furnished and delivered or served upon the persons by whom accounts are payable, and give and take vouchers for all moneys received and paid by him and deposit all moneys as received by him to the credit of the Village account in a chartered bank approved of by the Council;
  - (b) To pay no money or account except as provided for by statute or on the order of the council signed by the Mayor or Deputy Mayor;
  - (c) To keep or cause to be kept, according to the most approved system of bookkeeping, such books of account as may be necessary to show distinctly and continuously from day to day the reckonings and accounting of what nature of kind so ever connected with the monetary transactions of the Village;
  - (d) To use all diligence in enforcing the prompt collection of all water rates, sewer rentals, interest, rentals or other moneys due to the Village and, where necessary, to enforce payment of the same by a prompt recourse to legal process;
  - (e) To be guided in the payments and disbursements of his office by the by-laws, rules and regulations of the Village with regard to the passing and verification of accounts by the several committees, or by statutory or other authority and by the appropriation made for their liquidation, and advising the Council when such appropriations are exhausted;

- (f) To prepare for publication as early as may be practicable after the close of the financial year the annual abstract and report of the civic revenues and expenditures with statements of the assets and liabilities and such other information regarding the Village debt, sinking funds and any other special accounts of the Village as may be required by the Council;
  - (g) To generally superintend the transactions of his department and duly compare, check and verify the entries of receipts and disbursements with the accounts and vouchers of the same and with the books of the office.
13. All cheques for any sum of money whatever shall be signed by the Treasurer of Clerk and countersigned by the Mayor or Deputy Mayor. In the absence of illness of the Treasurer is vacant, such cheque shall be signed by the chairman or the Finance committee.

### **THE ASSISTANT VILLAGE TREASURER**

14. (a) The Council may appoint an Assistant Village Treasurer;
- (b) Where such an appointment is made, the Assistant Village Treasurer shall be subject to the direction of the Village Treasurer and shall act as Village Treasurer in the absence or disability of such case shall exercise all the powers of the Village Treasurer.

### **THE BUILDING INSPECTOR**

15. There may be appointed a Building Inspector and Electrical Inspector hereinafter called the Building Inspector.
16. It shall be the duty of the Building Inspector:
- (a) To perform any and all duties required to be performed by a Building Inspector of an Electrical Inspector under or by virtue of any by-law of the Village;
  - (b) To perform all the duties and to exercise all the authority of a Building Inspector or an Electrical Inspector required to be performed or executed under of by the virtue of any act of the Legislative of New Brunswick in so far as they relate to the Village of McAdam; and
  - (c) To perform any other act or service which may be required of him by resolution of the council and which would naturally devolve on him in his official capacity.

### **DUTIES OF COMMITTEES**

17. **General Duties.**  
The duties of standing and special committees shall be to report and to make recommendations of the Council from time to time on all matters under their jurisdiction or referred to them and to exercise general supervision over the work of any officer or department under their jurisdiction.
18. **Substitution.**  
The Council may appoint additional members of any committee to act in place of any members who, by reason of illness or absence from the Village, are unable to attend meetings of the committee.

19. **Duties of Finance committee.**  
The Finance Committee shall have jurisdiction in the following matters:
- (a) The preparation of estimated of revenues and expenditures for the year for submission to the Council;
  - (b) The sale, lease or other disposition of any lands belonging to the Village;
  - (c) All requests for supplementary appropriations in excess of those provided in the annual budget;
  - (d) Grants to be made by the Village;
  - (e) Insurance;
  - (f) Debenture issues;
  - (g) The development of plans for co-operation between the Village and other civic services; and
  - (h) Generally all matters affecting the revenues, expenditures and finances of the Village.
20. Duties of the street Lighting, Buildings and Equipment **committee.**  
The Street Lighting, Buildings and Equipment Committee shall have jurisdiction in the following matters:
- (a) Street lights;
  - (b) All buildings owned, leased, occupied or otherwise subject to the direct control of the Village;
  - (c) All equipment owed, leased, or otherwise used by the Village.
22. **Duties of Safety Committee.**  
The Safety committee shall have jurisdiction in the following matters:
- (a) Police;
  - (b) School patrols;
  - (c) Maintenance of pedestrian tunnel.
23. **Duties of Fire Department and Recreation Committee.**  
The Fire Department and Recreation Committee shall have jurisdiction in the following matters:
- (a) Fire;
  - (b) Recreation programming;
  - (c) Supervision of playground, rinks, swimming pools, and recreation facilities including beaches, the location oh which shall be determined by the Council;
  - (d) Care and maintenance of Village recreation buildings, rinks, pools, and bath houses.
24. The Council may alter or abolish the committees referred to in ss. 19, 20, 21, 22 and 23, and, from time to time, may provided for or create such other standing or special committees as the Council deems expedient for the better administration of the affairs of the Village.

Signed by the Village Clerk  
Marjorie O'Keefe

Read First Time: Sept. 26, 1967  
Read Second Time:  
Read Third Time: Nov. 14, 1967