

# Roles

Excerpts from the *Municipal Act, 2001*, for references purposes only.

## PRACTICES AND PROCEDURES

### MUNICIPAL ORGANIZATION AND ADMINISTRATION

#### Role of council

##### **224. It is the role of council**

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act. 2001, c. 25, s. 224; 2006, c. 32, Sched. A, s. 99.

#### Role of head of council

##### **225. It is the role of the head of council**

- (a) to act as chief executive officer of the municipality;
- (b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- (c) to provide leadership to the council;
- (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- (d) to represent the municipality at official functions; and
- (e) to carry out the duties of the head of council under this or any other Act. 2001, c. 25, s. 225; 2006, c. 32, Sched. A, s. 100.

#### Municipal administration

##### **227. It is the role of the officers and employees of the municipality**

- (a) to implement council's decisions and establish administrative practices and procedures to carry out council's decisions;
- (b) to undertake research and provide advice to council on the policies and programs of the municipality; and
- (c) to carry out other duties required under this or any Act and other duties assigned by the municipality. 2001, c. 25, s. 227.

### **Chief Administrative Officer**

#### **229. A municipality may appoint a chief administrative officer who shall be responsible for**

- (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- (b) performing such other duties as are assigned by the municipality. 2001, c. 25, s. 229.

### **Clerk**

#### **228.(1) A municipality shall appoint a clerk whose duty it is**

- (a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;
- (b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- (c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- (d) to perform the other duties required under this Act or under any other Act; and
- (e) to perform such other duties as are assigned by the municipality. 2001, c. 25, s. 228 (1).

## **1. OFFICE OF THE RETURNING OFFICER**

Excerpts from the *Municipal Elections Act, 1996*, for references purposes only.

### [Election Officials](#)

### **Clerk**

#### **11 (2) Responsibility for conducting an election includes responsibility for,**

- (a) preparing for the election;
- (b) preparing for and conducting a recount in the election; and
- (c) maintaining peace and order in connection with the election. 1996, c. 32, Sched., s. 11 (2).

### **Clerk – powers**

#### **12 (1) A clerk who is responsible for conducting an election may provide for any matter or procedure that,**

- (a) is not otherwise provided for in an Act or regulation; and
- (b) in the clerk's opinion, is necessary or desirable for conducting the election. 1996, c. 32, Sched., s. 12 (1).

### **Clerk – to give notice – how – when**

#### **13 (1) Any notice or other information that this Act requires the clerk to give shall be given in a form and manner and at a time that the clerk considers adequate to give reasonable notice or to convey the information, as the case may be. 1996, c. 32, Sched., s. 13 (1).**