

**VILLAGE OF PORT CLEMENTS  
BYLAW NO. 333, 2003**

Being a Bylaw for the purpose of establishing the powers, duties and functions of the officers of the Village of Port Clements.

**Whereas:** Under the statutory powers of the Local Government Act of British Columbia Chapter 323, Part 5.1, Division 1, Sections 197, 198 & 199. Council must, by bylaw, establish Officer Position with titles it considers appropriate. Within such bylaw Council may assign powers, duties and functions to these officer positions. For certainty, Council may assign to an officer position powers, duties and functions in addition to those required or permitted to be assigned by this act or other enactment, and the same person may be appointed to two or more officer positions.

**And Whereas:** Under the statutory powers of the Local Government Act of British Columbia Chapter 323, Part 5.1, Division 2, Section 201 which states:  
“ Before taking on the duties of Office, a person appointed to an officers position for a Municipality or Regional District must swear or affirm an oath of office in the form prescribed by regulation or established by Local Government Bylaw.”

**Now Therefore:** The Council of the Village of Port Clements in open meeting assembled enacts as follows:

1. This by-law shall be cited as the Village of Port Clements By-law No. 333, 2003.
2. There is hereby established the officer positions of:
  - a) Clerk/Treasurer
  - b) Deputy Clerk/ Treasure
3. The powers, duties and functions of the Clerk/Treasurer are as set out in Schedule “A” of this by-law.
4. The powers, duties and functions of the Deputy Clerk/Treasurer are as set out in Schedule “B” of this by-law.
5. The Oaths of Office is as set out in Schedule “C” of this by-law is hereby adopted as the Oaths of Office of the Village of Port Clements.

Read a first time this 5th day of November, 2003.

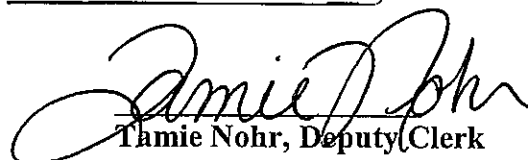
Read a second time this 10th day of November, 2003.

Read a third time this 17th day of November, 2003.

Reconsidered and Adopted this 17th day of November, 2003.

Signed & Sealed this 17th day of November, 2003.

  
Dale Lore, Mayor

  
Tamie Nohr, Deputy Clerk

## VILLAGE OF PORT CLEMENTS

### BYLAW NO. 333, 2003

#### SCHEDULE "A" CLERK/TREASURER

The position of Clerk/Treasurer of the Village of Port Clements shall include but not be limited to the powers, duties and functions as established under Part 5.1, Div. 1, Section 197, 198 & 199 of the Local Government Act of British Columbia as outlined as follows: -

#### 1. General

##### Section 197

- Overall management of the administrative operations of the municipality.
- Ensuring that the policies and directions of the Municipality are implemented.
- Advising and informing the municipality on the operation and affairs of the municipality.

##### Section 198

- Ensuring that accurate minutes of the meetings of the municipality and its committees are prepared and that the minutes, bylaws and other records of the business of the municipality and its committees are maintained and kept safe.
- Ensuring that access is provided to records of municipality and its committees, as required by law or authorized by municipality.
- Certifying copies of bylaws and other documents, as required or requested.
- Administering oaths and taking affirmations, declarations and affidavits required to be taken under this or any other Act in relation to municipality matters.
- Accepting, on behalf of the municipality, notices and documents that are required or permitted to be given, served on, filed with or otherwise provided to the municipality.

##### Section 199

- Receiving all money paid to the municipality.
- Ensuring the keeping of all funds and securities of the municipality.
- Expending and disbursing money in the manner authorized by the municipality.
- Investing funds, until required, in investments referred to in section 336 (investment of municipal funds).
- Compiling and supplying information on the financial affairs of the municipality required by the inspector.

## **1. General cont.**

And in Addition:

- Reports directly to the Mayor & Council.
- Be fully conversant with the Bylaws & policies of the Municipality and Local Government Act of B.C., its regulations and all pertinent statutes and regulations as well as keep up to date on their amendments.
- Prepare timely annual plans and supplementary budgets for the efficient operation of the municipality.
- Approve all municipal purchases including issuing purchase orders within the limits of the approved financial plan or as otherwise authorized by Council.
- Draft or with the approval of Council, cause to be drafted, bylaws, tender documents, request for proposals, public notices and other such necessary documents and letters, as required.
- Ensure the operation of an efficient filing system for all municipal documents.
- Consistent with the appropriate bylaw, rent municipal facilities.
- Tender projects and ensure they are competent management as approved by council.
- Act as the principal contact and intermediary between the municipality and the public, administration of other Governments and entities dealing with the municipality.
- The Clerk/Treasure may delegate portions of his/her authority and responsibility to appropriate staff, by may not delegate or relinquish overall responsibility for results nor accountability to the Mayor or Council for the performance of his/her duties.
- To assist in planning and co-ordinating municipality hosted events or dignitaries' visits.
- Oversee and approve the review, updating and maintenance of the municipality's Web page and Internet services.

## **2. Corporate**

- Supervise the preparation of Council agendas
- Provide advice to council, its committees, commissions and organizations.
- Act as approving officer as defined by the Land Title Act of B.C.
- Seek professional legal and accounting advice as limited within the approved financial plan or as approved by Council.
- Perform the duties of the Emergency Operations Centre Co-ordinator as required.
- Receive and record building permit applications, hire competent building Inspectors, issue permits upon the building inspector's approval and notify the Land Titles Office regarding non-performances.

## **2. Corporate Cont.**

- ❑ To oversee the Freedom of Information and Protection of Privacy Legislation for the Municipality.
- ❑ Perform the duties of tax collector as defined by the Local Government Act that pertains to the levying, collection and distribution of taxes and tax revenues.
- ❑ To supervise the preparation and maintenance of personnel files on all municipal employees.
- ❑ To ensure that evaluative reports on all staff under his/her jurisdiction are undertaken on an annual basis.

## **3. Human Resources**

- ❑ Ensure a safe and efficient work environment.
- ❑ Hire casual labour as required and as limited by the approved financial plan.
- ❑ Supervise custodial services.
- ❑ Identify to Council, staff training requirements.
- ❑ Plan and prepare for job succession
- ❑ Supervise the Public Works Supervisor.

## **4. Additional Powers, Duties and Functions**

- ❑ Exercise whatever additional powers and discharge whatever additional duties and functions assigned by Council.

# THE VILLAGE OF PORT CLEMENTS

## SCHEDULE "B"

### DEPUTY / CLERK / TREASURER

The position of Deputy/Clerk/Treasure of the Village of Port Clements shall include but not be limited to the powers, duties and functions described herein:

The Deputy/Clerk/Treasurer shall:

#### 1. General

- Report directly to the Clerk/Treasurer.
- Perform secretarial/receptionist duties.
- Be a liaison between the Municipality, the public and other levels of government and business contacts in a courteous and effective manner.
- Perform regular office functions.
- Operate an efficient filing system
- To promote and reflect a proactive approach to problem solving and conflict management.
- To promote and reflect a philosophy of teamwork.
- Update the Village Web Page when required.
- Maintain a high level of proficiency in the operation of the Municipal computer software. (Muniware, Office XP Professional etc.)

#### 2. Corporate

- Assume the position of Clerk/Treasurer when required
- In the absence of the Administrator, consults the Mayor on matters requiring immediate direction.
- Be accountable for keeping accurate and timely accounts payables & receivable, and accounting reconciliation / analyses.
- Maintain and effective working knowledge of the bylaws and policies of the municipality.
- Assist in preparation of financial reports and budget statements
- Be fully conversant with the accepted practices of bookkeeping.
- Ensuring that accurate records and full accounts of the financial affairs of the municipality or regional district are prepared, maintained and kept safe.
- Prepare and submit monthly financial progress reports to the Clerk/Treasurer.
- Prepare tax and utility searches as required.
- Prepare tax reports and process tax notices.
- Bill for water and sewer user fees and other receivables
- Issue and keep records of all business licenses.
- Responsible for the administration of employee benefits including Municipal Pensions, Medical Services Plan, Medical Services Association and Canada Life

#### 3. Additional Powers, Duties and Functions

- Exercise whatever additional powers and discharge whatever additional duties and functions assigned by Clerk / Treasurer.



The Village of  
**PORT CLEMENTS**

P.O. Box 198  
Port Clements, B.C.  
V0T 1R0  
Phone: (250) 557-4295  
Fax: (250) 557-4568  
E-mail: portclem@qcislands.net

**BYLAW NO. 333, 2003**

**SCHEDULE "C"**

**OATH OF OFFICE OF BYLAW ENFORCEMENT OFFICER**

Consistent with the provisions of the Police Act, R.S.B.C. 1996,

**Section 70:**

I, Dana Schmidt, do solemnly affirm that:

- I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and Successors;
- I will faithfully, honestly and importantly perform my duties as "Bylaw Enforcement Officer for the Village of Port Clements.

Sworn/Affirmed by me, at Port Clements, BC. (place),  
on Jan 26, 2004 (date).

[Signature]  
(Signature of person swearing/affirming oath).

[Signature]  
(Signature of person administering oath)

**FILED WITH THE MASSET DETACHMENT OF THE R.C.M.P.**

On \_\_\_\_\_ (date)

\_\_\_\_\_  
(Signature of person filing this oath/affirmation)



The Village of  
**PORT CLEMENTS**

P.O. Box 198  
Port Clements, B.C.  
V0T 1R0  
Phone: (250) 557-4295  
Fax: (250) 557-4568  
E-mail: portclem@qcislands.net

**BYLAW NO. 333, 2003**

**SCHEDULE "C"**

**OATH OF OFFICE OF BYLAW ENFORCEMENT OFFICER**

Consistent with the provisions of the Police Act, R.S.B.C. 1996,

**Section 70:**

I, \_\_\_\_\_, do solemnly affirm that:

- I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and Successors;
- I will faithfully, honestly and importantly perform my duties as "Bylaw Enforcement Officer for the Village of Port Clements."

Sworn/Affirmed by me, at \_\_\_\_\_ (place),

on \_\_\_\_\_ (date).

\_\_\_\_\_  
(Signature of person swearing/affirming oath).

\_\_\_\_\_  
(Signature of person administering oath)

**FILED WITH THE MASSET DETACHMENT OF THE R.C.M.P.**

On \_\_\_\_\_ (date)

\_\_\_\_\_  
(Signature of person filing this oath/affirmation)