



BYLAW NUMBER 291

A Bylaw of the Municipal Corporation of the Hamlet of Fort Liard in the Northwest Territories to provide for financial administration of the Hamlet pursuant to the provisions of the Hamlets Act., provisions of the Hamlets Act, R.S.N.W.T., 2003, c 22, c. 74, 97, 102 and 103.

WHEREAS the Hamlet of Fort Liard deems it necessary to regulate the financial administration of the Hamlet of Fort Liard;

WHEREAS the Hamlet of Fort Liard deems it necessary to amend the funds established to record all transactions and balances related to the general operations of the Hamlet of Fort Liard;

NOW THEREFORE the Council of the Hamlet of Fort Liard, in Council duly assembled, hereby enacts as follows:

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SHORT TITLE

1. This Bylaw may be cited as the **“Financial Administrative Bylaw”**.

INTERPRETATION

2. In this Bylaw:

“Budget” means the budget of the Hamlet for the current fiscal year;

“CIBC” means the Canadian Imperial Bank of Commerce;

“Deputy mayor” means the Deputy Mayor of the Hamlet of Fort Laird;

“Council” means the Council of the Hamlet of Fort Liard;

“Fee” means a charge for a service provided by the Hamlet of Fort Liard or a recovery of costs incurred by the Hamlet of Fort Liard;

“Hamlet” means the Hamlet of Fort Liard;

“Mayor” means the Mayor of the Hamlet of Fort Laird;

“Minister” means the Minister of Municipal and Community Affairs;

“Municipal Services” means the provision of water delivery, sewage pump out and disposal, and solid waste pickup and disposal;

“Reserve” means funds which are segregated and committed for a specific purpose in a future period;

“Security Deposit” means money given or paid to the Hamlet by a customer or agent to be held by the Hamlet as a security against non-payment of services provided.

“SAO” means the Senior Administrative Officer of the Hamlet of For Liard

APPLICATION

3. This bylaw provides for the regulation of financial activities except where specifically prescribed in the Hamlets Act or Municipal and Community Affairs Policy.

FUNDS

4. The Hamlet shall maintain a GENERAL MUNICIPAL FUND to record all transactions and balances related to the general operations of the Hamlet.
5. The Hamlet shall maintain the following reserves and transfer and all financial activity shall be approved by resolution, normally as part of the infrastructure and operational budgets;



- a) The Hamlet shall maintain a MUNICIPAL SERVICES [WATER/SEWAGE] FUND to account for financial activities related to the provision of water and sewage services. Services operations include all aspects of establishing; operating and maintaining buildings, equipment, water plant, and sewage lagoon; and work related to the supply, treatment and distribution of potable water and pump out and treatment of domestic sewage. Council shall review municipal service rates to ensure adequate levels of funding required to provide municipal services. This fund will also include the accounting of service any subsidies provided by the Government of the Northwest Territories and//or the Hamlet.
 - b) The Hamlet shall maintain a MUNICIPAL SERVICES [WASTE PICKUP/DISPOSAL] FUND to account for financial activities related to the provision of solid waste pickup and disposal services. Service operations include all aspects of establishing, operating, and maintaining buildings, equipment and disposal site and work related to the collection and disposal of domestic solid waste. Council shall review the municipal service rates to ensure adequate levels of funding required to provide municipal services. This fund will also include the accounting of service and subsidies provided by the Government of the Northwest Territories and/or the Hamlet.
 - c) The Hamlet shall maintain a PUBLIC INFRASTRUCTURE FUND to account for financial activities related to the acquisition of public infrastructure required to support Hamlet programs and services. Council shall review the Capital Plan and Capital Forecasting Plan annually to ensure sound financial planning and adequate funds.
 - d) The Hamlet shall maintain an INFRASTRUCTURE REHABILITATION FUND to account for financial activities related to rehabilitation of public infrastructure required to ensure the full life cycle is realized. Council shall review the Rehabilitation Plan and Rehabilitation Forecasting Plan annually to ensure sound financial planning and adequate funds.
 - e) The Hamlet shall maintain a GAS TAX FUND to account for all financial actives related to the federal gas tax revenue received by the Hamlet as detailed in the contribution agreement between the Government of the Northwest Territories and the Hamlet.
 - f) The Hamlet shall maintain a TANGIBLE CAPITAL ASSET FUND to record signification resources of the municipality as a key component in the delivery of the Hamlet's programs and services.
 - g) The Hamlet shall maintain a STABALIZATION FUND to provide for any emergency, or large expenditures. The amount of this fund and expenditures from this fund shall be established by motion of Council.
 - h) The Hamlet shall maintain a TRAINING AND DEVELOPMENT FUND to provide for the training and development of employees as per the Employment Bylaw and Policy and the awarding of student bursaries approved by council. The amount of this fund and expenditures from this fund shall be budgeted in the annual operating budget.
6. Funds can be invested in accordance with section 128 (1) of the Hamlets Act.
7. The Hamlet shall maintain other specific reserves as required by funding agreements with the Government of the Northwest Territories and the Government of Canada.



8. Surplus funds may be invested in accordance with section 128 (1) of the Hamlets Act.

INVESTMENT OF SURPLUS AND RESERVE FUNDS

9. Any surplus or reserve funds may be invested when all the following conditions are met:

- a) The rate of return on the investment excess the current interest rate being paid on current account funds;
- b) The funds to be invested are not required to meet the financial obligations of the Hamlet prior of the investment
- c) The investment is made pursuant to the Hamlets Act, R.S.N.W.T., 2003, c 22, sec 128-130.

ALLOCATION OF INVESTMENT INCOME

10. All income earned from funds and reserve in an interest-bearing account or investment shall accrued to each fund or reserve account in the general ledger, in direct proportion the total funds deposited under such deposit or investment.

BUDGETS

- 11. The fiscal year for the Hamlet is the period commencing on April 1 and ending on March 31 in the following year.
- 12. Council shall, before each fiscal year adopt an operational budget for that fiscal year. This budget will be made public and provided to the Minister of Municipal and Community Affairs.
- 13. The Hamlet will not prepare a deficit budget.
- 14. Council shall, before each fiscal year adopt a Capital Plan for the fiscal year. This plan will be made public and provided to the Minister.
- 15. Council shall adopt a fifteen-year Capital Forecasting Plan. This plan will be made public and is provided to the Minister.
- 16. An Infrastructure Maintenance Budget is prepared on an annual basis and presented to Council for approval.
- 17. All budgets adopted must follow guidelines issued by the Minister regarding the form and content of the budgets.

CUSTOMER INFORMATION

18. Customer information and credit ratings will be kept confidential and used only for the intended purpose.



FEES

19. Customers may be required to pay fees to recover the administrative costs of services provided by the Hamlet.
20. Council will establish the rates in a bylaw.

CUSTOMER PAYMENT

21. Customers shall be invoiced monthly for the delivery of goods and services provided by the Hamlet. No statements or other documents will be issued.
22. Invoices are payable immediately when rendered.
23. The liability to an invoice shall not be affected by any defect in the form of the invoice or non-receipt of an invoice.
24. The Council may prescribe terms and conditions for billing customers.
25. Payments on accounts will be applied in order of the most aged invoices.
26. Payments can be made to the Hamlet office during normal business hours, by electronic bank payment or by mailing to the address provided on the invoice. For electronic transfers, payments are considered received once they are deposited in the Hamlet's bank account. The Hamlet may prescribe the method of electronic payment.
27. Second/Third party cheques will not be accepted for payment.
28. The Hamlet may reject customer payments if the payment is made by cheque and the SAO believed that there is a higher than normal risk that the cheque will be returned by the bank.
29. A \$35.00 fee will be levied for any NSF cheques returned by a bank or financial institution. This fee will be addition to any charge levied by the bank or financial institution.

INTEREST

30. Unless otherwise prescribed for in another bylaw or superseding legislation, the Hamlet may levy interest at a rate of 1.25% per month on all accounts over 30 days past due.

DISCONTINUATION OF MUNICIPAL SERVICES FOR NON-PAYMENT

31. Where the Hamlet has made every reasonable attempt to collect monies owed to it by a resident, or other debtor, and are unable to satisfy collection of those monies, the Hamlet may discontinue the delivery of municipal services until such claim is satisfied in full or arrangements for payment have been made which are satisfactory to the SAO.
32. If a customer fails to pay for outstanding rental charges, the Hamlet will not rent any hamlet facilities until the rental charge is paid in full.



33. If the account is past 60 days, the Hamlet will terminate water and sewage service and put a green tag on the door of the resident. The resident will have three business days to make payment on the amount owing over the 60 days. If no payment is made in the prescribed period, the full amount of the balance owing plus the re-installation fee will be considered receivable from the resident and may have to pay the security deposit.
34. The receipt of a green tag is considered written notification.

ADVANCES

35. The Hamlet may provide an accountable advance to those authorized to travel on Hamlet business upon completion of a Travel Authorization and Expense Claim Form. The person receives the advance shall submit a written accounting of the money and/or return the unused money within five (5) days of the completion of the trip. Only those expenses related to the approved travel will be reimbursed.
36. Under special circumstances, the SAO has the right to authorize an advance.

SECURITY DEPOSITS

37. At the time an application is made for a utility account, the Hamlet will collect a security deposit in the amount of one hundred dollars (\$100) for residential domestic, three hundred and fifty dollars (\$350) for commercial accounts and an amount for the average of two months services costs for industrial accounts.
38. The security deposit should be in the form of cash, cheque, or credit card payment.
39. The Hamlet shall pay interest on the security deposit for the period held, calculated at the current savings rate paid by the CIBC when the deposit is returned to the customer.
40. The security deposit and accrued interest shall be returned to a customer within ten (10) days of the closure of the account and payment of all amounts due to the Hamlet.

COLLECTION

41. In default of payment of charges, the Hamlet may recover the amount due and payable by action in any court of competent jurisdiction against the person or organization liable to pay the charges.

DISBURSEMENTS

42. Cheque and electronic bank transfers for authorized payments on behalf of the Hamlet must be authorized by one elected official (either Mayor or Deputy Mayor) and one designated Administration member (either Senior Administrative Officer or Finance Officer).
43. The signatures of the Mayor and SAO may be mechanically reproduced for cheque preparation purposes.
44. The Hamlet may maintain float not exceeding \$150 for the Hamlet Office. A special float is allowed once approved by the Senior Administrative Officer.



SPECIAL FUNDS

45. If the Hamlet receives special funding such as a contribution agreement, separate revenue and expenditures accounts should be maintained.
46. The specific terms and conditions of the Hamlet should be reviewed at the completion of the contribution agreement.

CORPORATE CREDIT CARD

47. The SAO is responsible for maintaining custody of the corporate VISA card.
48. The corporate credit card and its credit limits must be approved annually by bylaw.
49. The corporate credit card may be used for the payment of authorized Hamlet disbursements by the Senior Administrative Officer.
50. The corporate credit card may be used to secure travel expenses but not used the payment of the expense unless authorized by the Senior Administrative Officer.
51. The Finance Officer will prepare a monthly accounting of all corporate credit expenditures attaching all related documents for approval.

GRANTS AND DONATIONS

52. Grants and donations made by Council must be consistent with Council objectives and it considers the grant will benefit the residents of the Hamlet.
53. Grants and donations are a non-budgeted item and approved on a first come individual basis.
54. The total amount of the grants and donations in any given fiscal year will not exceed two percent of the Hamlet's budgeted operational expenditures.
55. Payment of all grants and donations will be made by cheque.
56. Grants and donations will not be made to community groups or individuals who have final reports outstanding from previous donations.
57. Requests for donations from community groups or individuals must be received in writing outline the following: the dollar amount of the request, a proposed budget, identification of any portion of the donation being issued to pay Hamlet fees and charges, other funding courses, and a commitment to provide Council with a written report within two weeks of the expenditure of the donation.
58. Approval of all donations will be by resolution of Council which contains the following information: the recipient of the donation, the dollar value of the donation, the use of the funds, and identification of the source of funds.



REPEAL

59. The following bylaws are hereby repealed:

- a) Bylaw 200, Donations Bylaw, and all subsequent amendments
- b) Bylaw 216, Municipal Service Payment Security Bylaw, and all subsequent amendments
- c) Bylaw 238, Financial Administration Bylaw, and all subsequent amendments
- d) Bylaw 284, Financial Administration - Reserves and all subsequent amendments

EFFECTIVE DATE

60. This bylaw is effective March 1, 2021

READ a First Time this 17th day of December 2020.

READ a Second Time this 25th day of February 2021.

READ a Third Time and finally passed this 25th day of February 2021.



Hilary Deneron
MAYOR



John W. McKee
SENIOR ADMINISTRATIVE OFFICER

As per Section 77(1)(d) of the Hamlets Act, I hereby certify that this bylaw has been made in accordance with the requirements of the Hamlets Act, and the bylaws of the Hamlet of Fort Liard.

