

**Advisory Services & Municipal Relations**  
 Ministry of Government Relations

Urban Municipal Administrators' Association  
 of Saskatchewan

Annual Convention  
 June 2022

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**The Saskatchewan Public Service Vision**  
 The Best Public Service in Canada

**Our Commitment to Excellence**  
 Dedicated to service excellence, we demonstrate innovation, collaboration and transparency, practice effective and accountable use of resources, and promote engagement and leadership at all levels

**Our Core Values**  
 Respect and Integrity  
 Serving Citizens  
 Excellence & Innovation  
 One Team

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**Ministry of Government Relations**

Advisory Services and Municipal Relations

Building and Technical Standards

Community Planning

Municipal Infrastructure and Finance

Other branches under the Ministry of Government Relations:

- Policy and Program Services
- Communications
- Corporate Services
- Indigenous and Northern Relations
- Lands and Consultation
- Northern Municipal Services

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## Advisory Services and Municipal Relations

- Comprised of three units:
  - Sector Relations
  - Strategic Initiatives
  - Advisory Services
- What our team does:
  - Monitor MRS eligibility requirements
  - Municipal compliance
  - Track election results
  - Facilitate strategic priorities (TSS Program)
  - Handle municipal inquiries
  - Manage municipal mergers or structural changes
  - Develop resource materials and prepare presentations and training sessions

**Advisory Services  
Inquiry Line**  
306-787-2680

Email:  
muninfo@gov.sk.ca

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## Building and Technical Standards

- Formerly known as Building Standards (name change April 2021).
- Responsible for the codes and standards that apply to the construction, renovation and the fire safe operation of buildings throughout Saskatchewan.
- Advise, review and approve municipal building bylaws.

**Building and Technical  
Standards Inquiry Line**  
306-787-4113

btstandards@gov.sk.ca

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## Community Planning

- Provide legislative advice about development and land use planning (i.e., zoning bylaws and official community plans).
- Responsible for questions related to *The Planning and Development Act, 2007* such as:
  - public notice and public hearing requirements for development permit applications
  - servicing agreements
  - development levy agreements

**Community Planning  
Regina**  
306-787-2725

**Community Planning  
Saskatoon**  
306-933-6937

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## Municipal Infrastructure and Finance

- Comprised of three units:
  - Grants Administration
  - Canada Community-Building Fund "CCBF" (formerly the Gas Tax Program) and Financial Management
  - Strategic Infrastructure Investment
- Collect mill rate returns, waterworks reports, audited financial statements and administer grant programs such as ICIP and CCBF.



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## Overview

- Local Government Elections
- Public Disclosure Statements
- Council Procedures Bylaw
- Special Meetings
- Conflict of Interest/Code of Ethics
- Online Resources

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## Election Dates

- General elections for cities, towns, and villages are held on the second Wednesday of November.
- Resort Villages must hold their general elections on the last Saturday of July.
- If the Wednesday is a holiday, the general election must be held on the Monday of that week.
- The next general election for urban municipalities will be in 2024.

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## By-elections

- If a vacancy occurs on council, at the next meeting, council must set a date for holding a by-election to fill the vacancy.
- The date for the by-election must be within six months after the date the vacancy occurred.
- By-elections for cities, towns, and villages must be held on a Wednesday. A resort village must hold their by-election on a Saturday.
- Upon completion of the Oath of Office, the successful candidate completes the unexpired term for the office created by the vacancy.

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## Notice Requirements

- All election notices must be posted:
  - in the municipal office;
  - in one or more public locations within the municipality aside from the municipal office;
  - if the returning officer (RO) is not the administrator, in the office of the RO;
  - all election notices must be published in at least one issue of a newspaper that circulates within the municipality unless council has adopted a general election bylaw specifying the method of distributing election notices; and
  - the RO may also choose to advertise on the local radio station, television station and website or by other electronic means.

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## General Election Bylaw

- Effective January 1, 2020, *The Local Government Election Act, 2015* provides council the authority to establish a general election bylaw.
- The general election bylaw may address:
  - changing the method of providing public notice;
  - disclosure of campaign contributions and finances;
  - addition of the candidate's occupation to the nomination paper and ballot;
  - use of voting machines, voting recorder, optical scanning vote tabulators or other similar devices permitted;
  - form of ballots; and
  - establishment of a mail-in-ballot system.
- The general election bylaw must be passed at least 90 days before a general election.

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### Election Notices and Forms

- Many notices and forms required to be completed during an election, are prescribed forms found in *The Local Government Election Regulations, 2015*.
- The non-prescribed notices and forms can be created and adapted to each municipality as required.

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### Election Schedule and Calendar

- The Election Schedule and Calendar tool is designed to outline all legislated dates municipalities must follow during the election process.
- The tool allows you to view the dates by way of a journal or calendar.
- The tool contains links to all the required forms you may need to access through an election.
- The Election Schedule and Calendar tool can be found on our website.

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### Nominations

- Call for nominations opens at least 10 business days before Nomination Day.
- Notice of Call for Nominations must be posted.
- The deadline for filing nomination papers for cities, towns and villages is 4:00 p.m. on Nomination Day.
- If a resort village, the deadline for filing nomination papers is 2:00 p.m. on Nomination Day.

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### Complete VS Correct

The RO is only responsible for verifying that the nomination papers are complete

The RO is **NOT** responsible for verifying that the information contained in the nomination papers is correct or truthful

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### Public Disclosure Statements

- **Section 142 of The Municipalities Act** requires every member of council to file a public disclosure statement within 30 days after being elected. **The date signed must not be before the council member is elected.**
- **The public disclosure statement must contain** specific information relating to the member of council and his or her family such as: names of sources of remuneration for services performed from employers, corporations, organizations, associations, contractors, etc. They must list corporations and partnerships they hold interests with, addresses or legal descriptions of land holdings in the municipality or an adjoining one. This is just a sample – please refer to legislation for a complete list.
- Members of council are required to annually submit a declaration by November 30<sup>th</sup> each year.
- **Public disclosure statements** are to be available for public inspection.

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### Failure to File Public Disclosure Statements

- Failing to file a public disclosure statement and annual declarations is a reason for a council member to be disqualified (MA 147).
- A member who is disqualified is not eligible to run for council of any municipality for 12 years.
- Enforcement of disqualification (MA 148) includes:
  - Council member must resign immediately;
  - If no resignation, council or a voter may apply to a judge for determination.

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## Council Procedures Bylaw

(Section 81.1)

- Council must designate a person to call a special meeting in the event the administrator is unable to do so, or the position is vacant.

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## Special Meetings

(Section 123)

- Special meetings are called by the administrator or designate (as per the council procedures bylaw) at the request of either the mayor or a majority of council members. We suggest this request be in writing.
- Sometimes, in an urgent situation, a special meeting may be required with less than 24 hours notice.
- A meeting of council is not a valid meeting unless an administrator, acting administrator or administrator's designate is present.

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## Conflict of Interest/Code of Ethics

- **A conflict of interest** happens when your public duties conflict with your private interests or the private interests of another person. Conflicts of interest can involve financial interests or personal interests.
- All municipalities must have a bylaw adopting a **code of ethics** in accordance with section 93.1 of the Act.

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### Ombudsman Saskatchewan

- Takes complaints from the public regarding municipalities.
- Takes complaints about council members including conflict of interest or code of ethics violations.
- Website contains information regarding conflict of interest in municipalities, investigative reports, and many other resources and brochures.

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### Ombudsman Saskatchewan

[www.ombudsman.sk.ca](http://www.ombudsman.sk.ca)

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### Municipal Revenue Sharing Eligibility Requirements

Municipalities must annually declare that they meet the eligibility requirements to receive their MRS Grant. The six eligibility requirements are:

1. Submission of the Annual Audited Financial Statement;
2. Submission of the Annual Waterworks Report, if applicable;
3. Considered "in good standing" with Education Property Tax reporting and remittance;
4. Adoption of a Council Procedures Bylaw;
5. Adoption of an Employee Code of Conduct; and
6. Council members file and annually update Public Disclosure Statements.

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### Municipal Revenue Sharing Eligibility Requirements Deadline

- Online annual declaration information is emailed to all municipalities on November 15<sup>th</sup> of each year;
- Deadline for response is January 31<sup>st</sup>, regardless if all requirements are met at that time;
- Declaration requires council resolution confirming responses; and
- Resources include the [Declaration of Eligibility Guide](#) and [Infographic](#).

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### MRS Declaration of Eligibility Random Audits

- The ministry selects a certain number of municipalities annually to audit.
- The audit is to verify the answers given in the declaration.
- Municipalities being audited are asked to provide:
  - Certified copy of the Council Procedures Bylaw;
  - Either a certified copy of council’s resolution or bylaw adopting the Employee Code of Conduct;
  - Each council member’s Public Disclosure Statement and Annual Declaration; and
  - A certified copy of the council resolution confirming the municipality’s answers in the declaration.

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### MRS Declaration Audit Findings

- Some of our audit findings include:
  - Documents provided are not signed and/or not certified;
  - Public Disclosure Statements (PDS) and annual declarations not dated within the legislated timeframe;
  - By-elections occurred that weren’t reported to the ministry as required by legislation;
  - Resolution submitted doesn’t match resolution number provided in declaration; and
  - Code of ethics bylaws are provided instead of employee code of conduct;

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### MRS Declaration Audit Findings (con't)

#### What is a Certified Copy?

- A certified copy is a copy of the signed bylaw or resolution which is signed and sealed by the administrator, or designate, to be a true copy of the original bylaw or resolution.
- Sample of certified true copy wording:

I certify this to be a true copy of "resolution No X or Bylaw No X" passed by the council of the "municipality name" at a meeting held on "date".

\_\_\_\_\_  
Administrator (or designate)



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### MRS Declaration Audit Findings (con't)

#### Public Disclosure Statements (PDS)

Issues found that would disqualify a member of council:

- PDS from a council member's prior term of office were provided;
- PDS signed prior to being elected (using one that was attached to nomination paper); or
- PDS Annual Declarations signed after deadline of November 30<sup>th</sup>.

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### Grant Information and Questions

#### For current grant-specific information contact:

Grants Administration  
Phone: 306-787-1262  
Email: [mifprovrants@gov.sk.ca](mailto:mifprovrants@gov.sk.ca)

#### For questions on MRS Eligibility Requirements contact:

Advisory Services and Municipal Relations  
Phone: 306-787-2740

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## Online Resources

- Publications Saskatchewan  
<http://www.publications.gov.sk.ca/>
- Municipal Administration  
<https://www.saskatchewan.ca/government/municipal-administration>
- Tools, Guides, and Resources for Municipalities  
<https://www.saskatchewan.ca/government/municipal-administration/tools-guides-and-resources>

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