

<b>DISCRETIONARY BYLAWS</b>					
<b>Bylaw</b>	<b>Purpose</b>	<b>Section No.</b>			
		<b>Charter Communities Act</b>	<b>Cities, Towns and Villages Act</b>	<b>Hamlets Act</b>	<b>Tlicho Community Government Act</b>
Term of Office	Subject to this Act, the mayor and councillors hold office for two years, unless council, by bylaw, increases the term of office to three years.	-	17	18	-
Staggered terms of office	Council may stagger the terms of office of councillors by providing, by bylaw, that councillors elected at the next general election hold office as follows: (a) half of the successful candidates who receive the highest number of votes hold office for the full term of office; (b) the balance of the successful candidates hold office for a term of one year less than the full term of office.	-	18	19	-
Rules for public meetings	Council may, by bylaw, make rules respecting (a) the calling of public meetings by the community government; (b) the procedure at the public meetings; and (c) the behaviour of persons at the public meetings.	34	30	32	28
Code of ethics	(1) Council may adopt a code of ethics for council members. (2) A code of ethics may provide that council, by a 2/3 majority, may publicly censure or remove from a meeting any council member who it determines has breached the code of ethics.	39	35	37	33
Deemed resignation for non-attendance	Council may, by bylaw, provide that a council member who is absent from regular meetings of council, without the consent of council, more than a certain number of times specified in the bylaw, is deemed to have resigned.	41	37	39	35
Other Officers	Council may, by bylaw, appoint officers in addition to the senior administrative officer, and may authorize them to perform (a) any duty or power assigned to the senior administrative officer by this Act, other than those referred to in subsection 47(1); or (b) any other duties council considers necessary or advisable.	46	42	44	39
Holding multiple offices or positions	Council may, by bylaw, allow one person to hold two or more offices or positions.	50 (2)	46 (2)	48 (2)	43 (2)
Terms of Employment	Council may, by bylaw, (a) establish the remuneration and benefits of employees; (b) establish hours of work and terms of employment; (c) provide for the manner of appointment, promotion, discipline and dismissal of employees;	52 (1)	48 (1)	50 (1)	45 (1)

	(d) provide retirement, death or disability benefits to employees; and (e) on behalf of the community government, enter into collective or other agreements with employees.				
Indemnification of Employees	Council may, by bylaw, (a) provide for the indemnification of employees who are sued in connection with the performance of their duties or the conduct of the business or affairs of the community government; (b) establish the terms and conditions of the indemnity; and (c) establish the risks and positions that will be covered.	52 (2)	48 (2)	50 (2)	45 (2)
Procedural bylaw	Council may, by bylaw, provide procedures for the (a) acquisition of personal property; (b) use or holding of personal property owned by the community government; and (c) disposition of personal property owned by the community government.	61 (3)	57 (3)	59 (3)	56 (3)
Establishment of boards and commissions	The Council may, by bylaw, establish a board or commission to administer or provide a service, public utility or facility as an agent of the community government.	64	60	62	59
Delivery by agents	A community government may, if authorized by bylaw, enter into an agreement to allow another person to provide a service, public utility or facility as an agent of the community government.	65	61	63	60
Delegation by community government	Council may, by bylaw, authorize the delegation to another government or entity of the authority and responsibility for administering and delivering any service or program on behalf of the community government.	66	62	64	61
Delegation to community government	Council may, by bylaw, authorize the community government to act as the delegate of another government or entity and receive the delegation of (a) authority and responsibility for administering or delivering a service or program on behalf of the other government or entity; and (b) the power to enact laws on behalf of the other government or entity.	67 (1)	63 (1)	65 (1)	62 (1)
Board or commission	If expressly authorized in a delegation agreement, council may, by bylaw, (a) establish a board or commission to administer all or part of a program or service transferred to the community government under a delegation agreement; (b) provide for the board or commission to be jointly controlled by two or more parties to the agreement; (c) define the powers and duties of the board or commission; and (d) provide for any matters with respect to the board or commission that the parties to the delegation agreement consider advisable.	67 (6)	63 (6)	65 (6)	62 (6)
Authority over highways	(1) Subject to subsection (2), a community government may make bylaws respecting any highway in the municipality. (2) Bylaws may be made in respect of a primary highway designated under the <i>Public Highways Act</i> only in accordance with an agreement made under	90	86	88	82

	section 10 of that Act.				
Opening and closing highways	A bylaw may provide for the opening and closing of highways.	92	88	90	84
Discharge of substances	For greater certainty, a bylaw respecting a public utility may (a) provide for the prohibition or regulation of the discharge of substances and liquids into a water distribution system, a sewage disposal system, a drainage system or a waste management system; (b) require the owners of real property to connect their buildings and structures to a public utility in the municipality in the manner required by the bylaw; and (c) impose a charge on the owner of real property for the costs incurred by the community government in providing a connection between a public utility and the edge of the real property to be served.	94 (2)	90 (2)	92 (2)	86 (2)
Public utility franchises	The grant of a public utility franchise by a community government to any person must be by bylaw approved by the voters.	95	91	93	87
Reproduction of signatures	The signature of any person referred to in paragraph (2)(b) or (c) may, if authorized by bylaw, be engraved, lithographed, printed or mechanically reproduced for the purpose of issuing cheques.	104 (3)	100 (3)	102 (3)	96 (3)
(Borrowing) Bylaw	All borrowing of money by a community government must be authorized by a bylaw that provides for those administrative matters in respect of the borrowing that council considers necessary or advisable.	112 (2)	108 (2)	110 (2)	104 (2)
(Long-Term Debt) Bylaw required	A community government may create a long-term debt only if the long-term debt to be created is specifically authorized by a bylaw.	115	111	113	107
Debt management plan	Council may, by bylaw approved by the Minister, adopt a plan to responsibly manage the community government's debt.	120	116	118	112
Undertaking local improvements	A community government may only undertake a local improvement if it is authorized by a bylaw.	121	117	119	113
(Forgiveness of Debts) Bylaw requirement	A community government may only forgive a debt if the forgiveness is specifically authorized by a bylaw	126	122	124	118
Loans	A community government may only lend money if the loan is (a) authorized by a bylaw made with the approval of the Minister; and (b) made pursuant to an agreement respecting the delivery or operation of a service, public utility or facility under section 63, 64, or 65.	128	124	126	120
Guarantees	A community government may only guarantee the repayment of a loan if the guarantee is (a) authorized by a bylaw made with the approval of the Minister; and (b) made pursuant to an agreement respecting the delivery or operation of a service, public utility or facility under section 63, 64, or 65.	129	125	127	121
Notice without delay	A person who brings an action for loss or damage referred to in sections 135 and 136 must notify the community government of the event that gives rise to the action within 30 days after the occurrence of the event or within such longer period of time	139	135	137	131

	as may be allowed by bylaw.				
Notice of certain bylaws	Council may not give third reading to a bylaw that authorizes the entry into or use of real property without the consent of its owner or occupier, unless council first gives public notice of the bylaw or, if the real property of a specific person is affected, actual notice to that person.	143	139	141	135
Destruction of records	Council may, by bylaw, provide for the destruction of records kept under subsection (1) when those records are no longer useful and their retention is no longer required by law.	154 (2)	150 (2)	152 (2)	146 (2)
Punishment for offences under Act or bylaws	Council may, by bylaw, provide that a person who is guilty of an offence under a bylaw is liable on summary conviction to a specific fine or imprisonment not exceeding the limits set out in subsection (1).	156 (2)	152 (2)	154 (2)	148 (2)

<b>General Bylaw Powers and Procedures</b>					
<b>Section Title</b>	<b>Section</b>	<b>Section No.</b>			
		<b><i>Charter Communities Act</i></b>	<b><i>Cities, Towns and Villages Act</i></b>	<b><i>Hamlets Act</i></b>	<b><i>Tlicho Community Government Act</i></b>
General bylaw powers	The general legislative powers of a hamlet to make bylaws are to be interpreted as giving broad authority to council to govern the municipality in whatever way council considers appropriate, within the jurisdiction given to a community government under this or any other enactment, and to address issues not contemplated at the time this Act is enacted.	4	4	4	6
Tlicho community government legislative powers	Consistent with the Tlicho Agreement, council may make bylaws relating to (a) the operation and internal management of the community government' (b) the borrowing of money by the community government; (c) the administration of and the granting of interests in Tlicho community lands; (d) the exemption from any requirement to obtain from the Wek'eezhii Land and Water Board an authorization in respect of a particular use or type of use of land or water or a particular deposit or type of deposit of waste; and (e) the following matters in the community: (i) management, use and protection of lands, including land use planning, (ii) public order, peace and safety, (iii) housing for residents, (iv) bylaw enforcement, (v) intoxicants, (vi) local transportation, (vii) business licensing and regulation, (viii) gaming and recreational contests, (ix) other matters of a local or private nature, including taxation.	-	-	-	66(1)
General legislative powers	In addition to any power to make bylaws in any other enactment, council may make bylaws for municipal purposes respecting (a) the safety, health and welfare of people and the protection of people and property; (b) people, activities and things in, on or near a public place or a place that is open to the public; (c) public nuisances, including unsightly property; (d) transport, motor vehicles, pedestrians and local transportation	74	70	72	66 (2)

	<p>systems;</p> <p>(e) the management, use and protection of lands, including land use planning in accordance with the <i>Planning Act</i>;</p> <p>(f) businesses, business activities and persons engaged in business;</p> <p>(g) public utilities;</p> <p>(h) programs, services, infrastructure and facilities provided or operated by or on behalf of the community government;</p> <p>(i) domestic and feral animals and activities related to them;</p> <p>(j) the operation and internal management of the community government; and</p> <p>(k) the enforcement of bylaws.</p>				
Amending or repealing bylaw	Council may, by bylaw, amend or repeal a bylaw.	77	73	75	69

<b>MANDATORY BYLAWS</b>					
<b>Section Title</b>	<b>Section</b>	<b>Section No.</b>			
		<b><i>Charter Communities Act</i></b>	<b><i>Cities, Towns and Villages Act</i></b>	<b><i>Hamlets Act</i></b>	<b><i>Tlicho Community Government Act</i></b>
Rules of procedure for council	<p>Council shall, by bylaw, make rules respecting</p> <ul style="list-style-type: none"> <li>(a) the calling of meetings of council and its committees;</li> <li>(b) the procedure of council;</li> <li>(c) the attendance of council members at meetings of council and its committees;</li> <li>(d) the conduct of meetings by electronic means;</li> <li>(e) the procedures for voting at meetings of council and its committees;</li> <li>(f) the behaviour of council members and other persons present at meetings of council and its committees;</li> <li>(g) the establishment, appointment and duties of committees of council; and</li> <li>(h) the general transaction of its business.</li> </ul>	33	29	31	27
Entitlement of Mayor's/Chief's to Vote	<p>Council shall, in the bylaw referred to in [Rules of Procedure for Council] section, specify whether the [mayor/chief] or other presiding council member has</p> <ul style="list-style-type: none"> <li>(a) the right to vote only in order to break a tie vote among the councillors; or</li> <li>(b) the same right to vote as a councillor, either generally or only in specific circumstances.</li> </ul>	40	36	38	34
Senior Administrative Officer	Council shall, by bylaw, appoint a senior administrative officer.	45	41	43	38
Corporate Seal	Council shall, by bylaw, adopt a corporate seal for the community government.	55	51	53	48

<b>RECOMMENDED BYLAWS</b>					
<b>Section Title</b>	<b>Section</b>	<b>Section No.</b>			
		<b><i>Charter Communities Act</i></b>	<b><i>Cities, Towns and Villages Act</i></b>	<b><i>Hamlets Act</i></b>	<b><i>Tlicho Community Government Act</i></b>
Power to Contract	The procedure for the making of contracts for and on behalf of the community government must be set out in a bylaw.	56	52	54	49
Acquisition and Use of Real Property	A community government may not acquire real property unless  (a) council has made a land administration bylaw and the acquisition is made in accordance with that bylaw; and (b) the acquisition is specifically authorized or approved by a bylaw.	57	53	55	50
Services, public utilities and facilities	(1) A community government may, for a municipal purpose, establish, deliver and operate services, public utilities and facilities. (2) Subject to the <i>Public Utilities Act</i> , council shall, when exercising the powers referred to in subsection (1), by bylaw,  (a) set the terms and conditions applicable to users; (b) set reasonable rates or amounts of deposits, fees and other charges; (c) provide for charging and collecting these deposits, fees and other charges; (d) provide criteria for when service will be discontinued, disconnected or refused; and (e) provide for a right of entry onto private property to determine compliance with terms and conditions of use, to determine the amount of deposits, fees or other charges, or to disconnect a service.	62	58	60	57
Matters relating to other funds	Council shall, by bylaw, in respect of each fund established under subsection (2), (a) designate the name of the fund; (b) describe the purpose of the fund; (c) describe what fund will be composed of; (d) describe the specific purposes of any reserves that will be created under the fund; and (e) make such rules governing the operation of the fund as council considers necessary or advisable.	105 (3)	101 (3)	103 (3)	97 (3)

Indemnities and allowances to council members	Payments for the following matters may only be made in accordance with a bylaw: <ul style="list-style-type: none"> <li>(a) an annual indemnity to the mayor;</li> <li>(b) an annual indemnity to the councillors;</li> <li>(c) an honorarium to council members for attending meetings of council or committees of council or for performing any other duties;</li> <li>(d) a reasonable allowance for expenses necessarily incurred in the performance of a council member's duties;</li> <li>(e) a retirement, death or disability benefit to the mayor and councillors.</li> </ul>	106	102	104	98
Investment plan	Council may, by bylaw, adopt a plan to manage the community government's investments and to authorize the making of investments.	132	128	130	124