

PROVINCE OF QUEBEC  
CITY OF BEACONSFIELD

BY-LAW NO. BEAC-029

BY-LAW REGARDING BUDGET CONTROL AND MONITORING

Adopted at the special meeting of the municipal council held on Wednesday,  
December 19, 2007

**CONSOLIDATED**  
2008-05-26 (BEAC-029-1)

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At the special meeting of the City of Beaconsfield Municipal Council, held in City Hall, 303 Beaconsfield Boulevard, Beaconsfield, Quebec, on Wednesday, December 19, 2007 at 8:00 p.m.

WERE PRESENT: His Honour Mayor Bob Benedetti, Councillors, Karen Messier, Wade Staddon, and Roy Baird.

ABSENT: Councillors Kate Coulter and Jimmy Shiro Hasegawa.

On motion of Councillor W. Staddon, seconded by Councillor K. Messier and UNANIMOUSLY RESOLVED:

**WHEREAS** in accordance with the second paragraph of Section 477 of the Cities and Towns Act (R.S.Q. C. c-19), the Municipal Council must adopt by January 1, 2008, a by-law concerning budget control and monitoring;

**WHEREAS** this by-law must notably include a means to guarantee the credit availability, prior to a decision to authorize an expenditure, such means may vary according to the authority who grants the authorization of expenditure or the type of projected expenditure;

**WHEREAS** in accordance with the second paragraph of Section 73.2 of the Cities and Towns Act, the hiring of an employee has effect only if credits are available for this purpose, in conformity with the present by-law, adopted according to the second paragraph of Section 477;

**WHEREAS** in accordance with the first paragraph of Section 477.1 of the Cities and Towns Act, a by-law or a resolution from Council authorizing expenditures has effect only if credits are available for the purpose for which the expense is projected, in conformity with the present by-law, adopted according to the second paragraph of Section 477;

**WHEREAS** in accordance with the fourth paragraph of Section 477.2 of the Cities and Towns Act, an expenditure authorization granted by delegation has effect only if credits are available for the purpose for which the expense is projected, in conformity with the present by-law, adopted according to the second paragraph of Section 477;

**WHEREAS** Section 105.4 of the Cities and Towns Act, and the fifth paragraph of Section 477.2 provides for the terms of accountability to Council for budget control and monitoring;

**WHEREAS** the City adopted By-law BEAC-013, replacing BEAC-006, concerning the delegation of municipal council powers to municipal officers and employees; and

**THE COUNCIL OF THE CITY OF BEACONSFIELD ENACTS THE FOLLOWING:**

BY-LAW CONCERNING BUDGET CONTROL AND MONITORING

**CHAPTER I**

**TERMINOLOGY**

1. For the application of the present by-law, the following words mean:
  - a) City: City of Beaconsfield.
  - b) Council: Municipal Council of the City of Beaconsfield
  - c) Fiscal period: Period from January 1st to December 31st in a year.
  - d) Authorized officer: City officer or employee to whom the Council has delegated by by-law the power to authorize expenditures.

- e) Delegation by-law: By-law adopted by the City in accordance with the first and second paragraph of Section 477.2 of the Cities and Towns Act, by which the Council delegates to the municipal officers or employees the power to authorize expenditures and award contracts on behalf of the City.
- f) Person in charge of a budget activity: Municipal officer or employee responsible for a budget envelope, which includes any budget envelope under the responsibility of a subordinate employee.

## **CHAPTER II**

### **BY-LAW OBJECTIVES**

2. The present by-law establishes the budget control and monitoring rules that all applicable municipal officers and employees shall apply.
3. More specifically, it establishes the responsibilities and operation rules required to ensure that any expense made or incurred by a municipal officer or City employee, including the hiring of an employee, is duly authorized after verifying the availability of the necessary credits.
4. The present by-law applies to all credit allocations chargeable to financial activities or to investment activities of the current fiscal period that the Council may adopt by resolution or by-law.
5. The present by-law establishes the monitoring and accounting rules that the treasurer, the authorized officers and the persons in charge of budget activities shall apply.

## **CHAPTER III**

### **BUDGET CONTROL AND MONITORING PRINCIPLES**

6. The credits necessary for the City's financial and investment activities shall be approved by Council prior to their allocation or use for any related expenses, by one of the following means:
  - a) the adoption by Council, of the annual budget or a supplementary budget;
  - b) the adoption by Council, of a loan by-law;
  - c) the adoption by Council of a by-law or a resolution, by which credits are allocated from surplus revenues, the accumulated surplus, contingency reserves or the reserved funds.
7. To be made or incurred, every expenditure must be duly authorized by Council or by an authorized officer in conformity with the delegation by-law in force, and be subject to an availability verification of the necessary credits.
8. Every municipal officer or employee is responsible for the application and compliance with the present by-law within the limits of his delegated powers.
9. Every authorized officer must comply with the present by-law and the delegation by-law in force when he authorizes an expense within his responsibility, before it is made or incurred. He may only authorize expenditures within his responsibility and only incur the credits approved in his budget for the purpose for which they were allocated.
10. The Director General is responsible for updating the present by-law. He shall submit to Council for adoption, if need be, any proposed amendment to this by-law necessary to adjust it to any new circumstances or a related legislative modification.
11. The Director General, together with the Treasurer, is in charge of establishing and maintaining adequate internal controls to ensure the application and the respect of the by-law by all municipal officers and employees.

## CHAPTER IV

### GENERAL TERMS AND CONDITIONS OF BUDGET CONTROL AND MONITORING

12. To verify the availability of credits prior to an expenditure authorization, the authorized officer relies on the accounting system and on the budget control and monitoring procedures in force in the City. This also applies to the Treasurer and the Director General, as applicable, when one or the other must authorize or submit an expenditure for approval by Council in accordance with the delegation by-law in force.
13. If the credits verification indicates insufficient available credits, the person in charge of budget activity, the Treasurer or the Director General as applicable, shall proceed with a budget transfer.
14. Only an authorized municipal officer or employee may authorize any expenditure. Without authorization, an employee or officer may only incur or make an expenditure previously authorized by an authorized officer.
15. If, for emergency purposes, a municipal officer or employee must incur an expenditure without authorization, he or she must advise the appropriate authorized officer thereafter, and remit the related statements, invoices or receipts.
16. Every authorization for an expense commitment that goes beyond the current fiscal period must previously be subject to a verification of available credits for the chargeable part of the current fiscal period.
17. During the budget preparation for each fiscal period, each person in charge of budget activities or authorized officer shall ensure that his budget covers the previously incurred expenditures which must be charged to the financial activities of the fiscal period for which he is responsible. The municipal Treasurer shall ensure that the necessary credits are correctly forecasted in the budget.
18. Expenditures previously incurred include, in addition to the expenditures subject to disbursement in a previous fiscal period, expenses that have not been disbursed and that are related to contractual short-term or long-term commitments, for example the expenses related to debt service, to a snow removal or residual materials removal contract, or to a lease.
19. Certain expenditures of a particular nature are time mandated and difficult to control beforehand. They must, however, like all expenditures, be controlled thereafter and have a budgetary monitoring. These expenditures are paid upon reception of the bill, justification documents or legal documents supporting the expense:
  - a) Electricity, heating, telecommunications and drinking water;
  - b) Expenditures inherent to the application of collective agreements or related to work conditions, to basic wages or salary, and related governmental remittances;
  - c) Commitments related to future social benefits;
  - d) Apportionments to inter-municipal organizations and other organisms;
  - e) Accounting provisions and appropriations;
  - f) Postage fees,
  - g) Vehicle matriculation fees, repairs and maintenance;
  - h) Expenditures related to long term debt reimbursement as well as the fees related to financing the long term debt;
  - i) Fees related to courses offered by teachers in the within the leisure program;
  - j) Tax refunds when a new municipal real estate valuation certificate is issued;
  - k) Concluding an out-of-court settlement or a new collective agreement ;

20. During the budget preparation for each fiscal period, each person in charge of a budget activity or authorized officer shall ensure that his budget covers the particular expenditures under his responsibility. The municipal Treasurer shall ensure that the necessary credits for these expenditures are correctly forecasted in the budget.
21. Every person in charge of a budget activity shall submit a report monitoring the budget under his responsibility by the following dates: May 31, August 31 and October 31. As soon as a he anticipates a budget variation, he shall inform his direct superior. He shall justify or explain in writing any unfavourable budget variation noted or anticipated, accompanied if need be, by a request for a budget transfer.  
  
If the budget variation cannot be corrected by a budget transfer, the Director General shall inform the Council and, if need be, submit a supplementary budget proposal for adoption, to cover the necessary additional credits.  
**(B-L. BEAC-029-1, art.1)**
22. As prescribed by Section 105.4 of the Cities and Towns Act, the Treasurer shall every half-year, prepare in collaboration with each person responsible for budget activity, and file at a Council sitting, two (2) comparative statements pertaining to the revenues and expenditures of the City.  
  
The comparative statements to be submitted during the first half-year shall be filed at a regular sitting in May at the latest. The statements for the second half-year period shall be filed at the last regular sitting held at least four weeks before the sitting at which the budget for the following fiscal year is to be adopted.
23. So that the City may conform to article 82 and the fifth subparagraph of article 477.2 of the City and Towns Act, the Treasurer shall also prepare and deposit periodically to the municipal Council during a regular meeting, a report of authorized expenditures by any officer or employee, in compliance with the delegation by-law in force.
24. The present by-law comes into force on January 1, 2008.

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MAYOR

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CITY CLERK