

**TOWN OF NORMAN WELLS  
BY-LAW NO. 14-01**

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**BEING A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF  
NORMAN WELLS IN THE NORTHWEST TERRITORIES TO PROVIDE FOR THE  
COLLECTION OF MONEY OWED TO THE TOWN OF NORMAN WELLS BY WAY OF  
SET-OFF OF MONEY PAYABLE BY THE TOWN**

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**WHEREAS** pursuant to Sections 45 (2) (g), 70 (1) (j), and 71 (2) (h) of the Cities, Towns and Villages Act, S.N.W.T. 2003, c. 22 and subsequent amendments thereto which state:

- 45. (2) The Senior Administrative Officer is responsible for:
  - (g) collecting and receiving all money owned by or owing to the municipal corporation;
- 70. (1) In addition to any power to make bylaws in any other enactment, council may make bylaws for municipal purposes respecting
  - (j) the operation and internal management of the municipal corporation;
- 71. (2) If approved by the Executive Council on the recommendation of the Minister, a bylaw that serves the residents of the municipality may apply outside the boundaries of a municipality, but within the Northwest Territories, in respect of
  - (h) operation and internal management of the municipal corporation and the conduct of its affairs and activities.

**NOW THEREFORE BE IT RESOLVED** that the Council of the Municipal Corporation of the Town of Norman Wells, in Council duly assembled, enacts as follows:

**SHORT TITLE**

1. This by-law may be cited as the "Set-Offs By-law."

**DEFINITIONS**

2. In this by-law:
  - (a) "**Person**" means any person(s), sole proprietorship, partnership, limited or incorporated company, co-operative, group or organization of any kind.
  - (b) "**Senior Administrative Officer**" means the person appointed by the Council of the Municipal Corporation of the Town of Norman Wells as Senior Administrative Officer pursuant to the Cities, Towns and Villages Act, and includes any person designated by him/her to act on his/her behalf.
  - (c) "**Town**" means the Municipal Corporation of the Town of Norman Wells in the Northwest Territories.
  - (d) "**Business**" means a company, partnership or sole proprietorship which includes:
    - i) a profession, trade, manufacture or undertaking of any kind
    - ii) an adventure concern in the nature of trade; and
    - iii) the sale or offer for sale of goods or services in any public place

**DIRECTIVES**

3. The Senior Administrative Officer may set off part or all of a debt including a non-monetary obligation which is owed by a person or business to the Town of Norman Wells when:
  - a. payment of the debt or fulfillment of the obligation is overdue and has not been forgiven; or
  - b. the person has commenced bankruptcy or liquidation procedures.

4. The Senior Administrative Officer may set off a Town of Norman Wells employee's debt to the Town of Norman Wells by deducting or withholding salary, wages or other earnings in accordance with the Town of Norman Wells Municipal Employee Policy Manual provisions when:
  - a. the employee has not paid a Town of Norman Wells invoice or bill when due;
  - b. the employee has resigned and owes a debt to the Town of Norman Wells;
  - c. the employee agrees to deduction from salary payment; or,
  - d. the employee has not fulfilled an obligation due to the Town of Norman Wells.
5. The Senior Administrative Officer or designate shall notify the debtor of the set-off and shall provide details of the debt settlement.
6. The Senior Administrative Officer may adjust the Town Financial Information System vendor file in order to withhold cheque payments to a debtor whose overdue debt to the Town is recoverable through set-off.
7. The Finance Department shall regularly review the Town payroll system employee register for overdue employee debts that may be recoverable through set-off.
8. The Senior Administrative Officer's discretion determines whether a set-off should:
  - a. be full or partial; and,
  - b. be continuous or fully satisfy the debt in one transaction.

A set-off should neither cause a debtor undue hardship nor risk the debtor's well-being or ability to pay the debt.

**COMING INTO FORCE**

8. This by-law shall take force and effect upon its final passage.

**READ A FIRST TIME THIS 11th DAY OF February, 2014 A.D.**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

**READ A SECOND TIME THIS 11th DAY OF February, 2014 A.D.**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

**READ A THIRD TIME AND FINALLY PASSED THIS 4<sup>th</sup> DAY OF MARCH, 2014 A.D.**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

I hereby certify that this By-Law No. 14-01 has been made in accordance with the requirements of the Cities, Towns and Villages Act and the by-laws of the Town of Norman Wells.

  
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SENIOR ADMINISTRATIVE OFFICER