

**CORPORATION OF THE VILLAGE OF BARNWELL
IN THE
PROVINCE OF ALBERTA**

BYLAW 07-18

BEING A BYLAW OF THE VILLAGE OF BARNWELL TO ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER.

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26, Section 205, Council must establish by bylaw a position of Chief Administrative Officer; and delegate powers, duties and functions to that position

AND WHEREAS Section 207 and 208 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, prescribes the responsibilities and major administrative duties of the Chief Administrative Officer;

AND WHEREAS, Council wishes to delegate certain powers to the Chief Administrative Officer in accordance with Section 203 of the Municipal Government Act, R.S.A. 2000, Chapter M-26

NOW THEREFORE the Council of the Village of Barnwell, in the Province of Alberta, duly assembled enacts as follows:

1. TITLE

This Bylaw may be cited as the "Chief Administrative Officer" Bylaw.

2. PURPOSE

The purposes of this Bylaw are to establish the position of Chief Administrative Officer and to delegate certain powers, duties and functions to the Chief Administrative Officer.

3. DEFINITIONS

In this Bylaw, unless the content otherwise requires:

- a. "Act" means the *Municipal Government Act RSA 2000, Chapter M-26*, and regulations made under the *Municipal Government Act*, as amended;
- b. "Administration" means the general operations of the Village, including personnel, financial and other related matters as permitted by the Act;
- c. "Chief Administrative Officer (CAO)" means the person appointed to the position of Chief Administrative Officer by the Council of the Village of Barnwell and includes any person that the Chief Administrative Officer may appoint as his/her designate for the purposes of carrying out his/her responsibilities under this Bylaw and further, includes any person that may be appointed to act in the absence of the Chief Administrative Officer;
- d. "Council" means the Municipal Council of the Village of Barnwell;

- e. "Council Committee" means a committee within the meaning of the Act that is carrying out the powers, duties and functions delegated to it by Council and is comprised of all members of Council;
- f. "Designated Officer" has the same meaning as that prescribed in the Act;
- g. "Mayor" means the Chief Elected Official elected in accordance with the Municipal Government Act;
- h. "Village" means the Village of Barnwell.

4. References

References to any policies, procedures, standards, guidelines, bylaws, statutes or other enactments shall be deemed to include all amendments thereto, all regulations and orders thereunder and any successor thereto.

5. Office, Appointment and Delegation

- a. The position of Chief Administrative Officer for the Village of Barnwell is hereby established and the person appointed to that position shall have the title "Chief Administrative Officer, CAO or Administrator.
- b. Council shall, by resolution, appoint an individual to the position of Chief Administrative Officer.
- c. Council shall establish the terms and conditions for the appointment of an individual to the position of Chief Administrative Officer including the salary and benefits to be paid or provided to the Chief Administrative Officer, which may be varied from time to time by Council
- d. The appointment of a person to the position of Chief Administrative Officer may only be made, suspended or revoked if the majority of the whole Council votes to do so.
- e. The Village shall indemnify the Chief Administrative Officer, provided that the Chief Administrative Officer acts in the course and scope of his/her employment and acts in good faith to comply with any applicable bylaw, statute or enactment.
- f. The Chief Administrative Officer is authorized to further delegate and to authorize further delegations of any powers, duties and functions delegated to the CAO by Council under this or any other bylaw, to any employee of the Village unless otherwise specified by Council.

6. General Powers

The Chief Administrative Officer:

- a. has all the powers and functions given to a Chief Administrative Officer under the Act or any other statute or enactment;

- b. shall carry out all of the duties and functions of a Chief Administrative Officer as required by the Act or any other statute or enactment;
- c. has all the powers, duties and functions that are given to a designated officer under the Act or any other statute or enactment, except for the Designated Officer powers, duties and functions expressly given to the Village Assessor;
- d. has all the powers, duties and functions as delegated to the CAO by Council by this or any other bylaw or contract;
- e. may exercise such other powers, duties and functions as may be required by Council or Council Committee or any other Committee established by Council from time to time;
- f. may exercise the powers, duties and functions as delegated to the CAO by this Bylaw, subject to any restrictions or limitations contained in the Act, the Freedom of Information and Protection of Privacy Act or without limitation, any other statute or enactment; and
- g. shall keep the Mayor and/or Council informed on significant issues/events and/or when political intervention may be required;

7. Authority

The Chief Administrative Officer is authorized to:

- a. Appoint an Acting CAO to act during his/her absence;
- b. Coordinate, direct, supervise and review the performance of the Administration;
- c. Establish the structure of the Administration, including establishing, merging, dividing and eliminating departments and establishing a managerial hierarchy subject to approval by Council.
- d. Establish and implement all policies, procedures, standards and guidelines for all matters within the powers of the CAO
- e. Advise, inform and make recommendations to Council about:
 - i. The operations of the Village
 - ii. The financial state of the Village
 - iii. Council policies, procedures and programs as may be necessary or desirable to carry out the powers, duties and functions of the Village
- f. Attend or be represented by the Acting CAO at all meetings of Council, Council Committee and any other Committee or meetings as directed by Council, and be recognized to speak on any subject brought before Council;
- g. Enforce or cause to be enforced all bylaws and resolutions of the Village;

- h. Establish fees, charges, rates and tariffs as directed by Council;
- i. Take such other actions necessary to carry out the responsibilities assigned by Council;
and
- j. Provide corporate leadership in ensuring that all Village policies and programs are efficiently coordinated, are delivered in a responsive manner and where applicable, reflect the priorities of the Village as defined by Council.

8. Financial Powers and Functions

The Chief Administrative Officer shall:

- a. Annually, or as required or directed by Council, prepare and submit budgets to Council for operating and capital programs in accordance with the Act;
- b. Coordinate and assist, when necessary, the preparation and submission to Council of an annual multi-year Capital Plan;
- c. Coordinate the preparation and submission to Council or Council Committee or any other Committee established by Council, as directed, monthly reporting on the operating and capital budget;
- d. Ensure the efficient procurement and safekeeping of goods and services for which funds are provided within the budget;
- e. Review and approve any budget adjustment submitted by Administration, subject to policy and internal adjustments; and
- f. Invest funds on behalf of the Village in accordance with the provisions of the Act, Village policy and Council direction

9. Agreements & Contracts

The Chief Administrative Officer is authorized to:

- a. Negotiate contracts, agreements and transactions required for the effective operation of the Village and to recommend the approval of such contracts, agreements and transactions by Council;
- b. Sign any order, agreement, cheque, negotiable instrument or document made or executed on behalf of the Village;
- c. To retain the services of an individual, corporation or legal counsel for purposes relating to the operations of the Village and complete all necessary documents required for the provision of such services, as directed by Council; and
- d. To provide for insurance coverage for the Village.

10. Council

- a. Council shall deal with administration through the Chief Administrative Officer and Council shall as normal practice require that its' directives be carried out through the office of the Chief Administrative Officer.

11. Reporting

The Chief Administrative Officer will:

- a. Prepare and submit to Council, reports and recommendations as may be required by Council or any other Committee;
- b. Ensure that Council receives information and reports as it requires to make effective policy decisions; and
- c. Co-ordinate and direct presentations by Administration to the Council on policy proposals and ongoing municipal operations, making recommendations where appropriate.

12. Respond to Inquiries

The Chief Administrative Officer will respond to inquiries and requests for information on behalf of the Village, including stating the Villages' position, subject to any Council approved policy, procedure, standard or guideline, or as otherwise directed by Council.

13. Severability

It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

14. Repeal of Bylaw

Bylaw No. 2-95 is hereby repealed in its entirety.


15. Effective Date

This Bylaw shall come into full force and effect on the date of third and final reading.

READ a **first** time this 15th day of November, 2018

READ a **second** time this 15th day of November, 2018.

READ a **third** time and finally PASSED this 15th day of November, 2018.



MAYOR



CHIEF ADMINISTRATIVE OFFICER