

**TOWN OF DAYSLAND  
PROVINCE OF ALBERTA**

**Chief Administrative Officer and Designated Officer Bylaw**

**A bylaw to establish the position of chief administrative officer and designated officers.**

**BYLAW NO. 2022-670**

**WHEREAS** Section 210 of the Municipal Government Act, provides that a council may, by bylaw, establish one or more positions to carry out the power, duties and functions of a designated officer;

**NOW THEREFORE** Council of the Town of Daysland, in the Province of Alberta, duly assembled, enacts as follows:

**1. Short Title**

This Bylaw may be cited as the “Chief Administrative Officer and Designated Officer Bylaw”

**2. Definitions**

In this Bylaw, unless the context otherwise requires:

- (a) “Assessor” shall mean a person who has the qualifications set out in the *Municipal Government Act Qualifications of Assessor Regulation – Alberta Regulation 233/2005* with amendments up to and including *Alberta Regulation 63/2012*
- (b) “Bylaw Enforcement Officer” means an individual who has been appointed pursuant to this Bylaw as a Bylaw Enforcement Officer for the Town;
- (c) “Chief Administrative Officer” or “CAO” means the individual appointed by Council as the Chief Administrative Officer of the Town or their delegate;
- (d) “Chief Bylaw Enforcement Officer” means the CAO who has been appointed pursuant to this Bylaw as the Chief Bylaw Enforcement Officer of the Town, or their delegate;
- (e) “Council” means the municipal council of the Town;
- (f) “Designated Officer” as defined by the *Municipal Government Act*
- (g) “FOIP” means the Freedom of Information and Protection of Privacy Act, RSA 2000 c-F25 and the regulations thereunder;



- (h) "MGA" means the Municipal Government Act, RSA 2000, M-26 and the regulations thereunder
- (i) "Town" means the municipal corporation of the Town of Daysland or, if the context requires, the geographical area within the boundaries of the municipality

### **3. Interpretation**

Any references in this Bylaw to any statutes, regulations, bylaws or other enactments is to those statutes, regulations, bylaws or other enactments as amended or replaced from time to time and any amendments thereto.

The headings in this Bylaw do not form part of this Bylaw and shall not affect its interpretation

### **4. Chief Administrative Officer**

The position of the CAO is hereby established.

- a. The Chief Administrative Officer shall be given the title of "CAO".
- b. Council will by resolution appoint an individual to the position of Chief Administrative Officer.
- c. Council will establish the terms and conditions of the Chief Administrative Officer's employment.
- d. The Chief Administrative Officer is authorized to appoint an Assistant Chief Administrative Officer to act during absences of the Chief Administrative Officer
- e. The Chief Administrative Officer shall be responsible to Council for the overall administration of municipal operations of the Town in accordance with the objectives, policies and plans approved by Council.
- f. In the case of emergency, the Chief Administrative Officer is authorized to incur any expenditure not previously approved by council provided a detailed report on such expenditure and its need is presented at the next meeting of Council.
- g. The Chief Administrative Officer is delegated authority for the management of Town personnel.
- h. The Chief Administrative Officer shall notify Council of the termination of any department manager.
- i. Without limiting the generality of section 4.5 of this Bylaw, the Chief Administrative Officer is the head of the Town within the meaning of FOIP.
- j. Unless a designated officer is expressly appointed in this Bylaw or another bylaw of the Town, the Chief Administrative Officer has all the powers, duties and functions given to a designated officer under the Municipal Government Act or any other statute or enactment.

### **5. Designated Officers**

- A. The following Designated Officer Positions are established and the person appointed to these positions will have the following titles:
  - (i) Assistant Chief Administrative Officer, to carry out the powers, duties and functions set out in Section 8.



(ii) Assessor, to carry out the power, duties and functions set out in Section 9.

(iii) Chief Bylaw Enforcement Officer, to carry out the powers, duties and functions set out in Section 10.

#### **6. Sub-Delegation**

The Chief Administrative Officer is authorized to further delegate and to authorize further delegation of, any matter delegated to the Chief Administrative Officer by Council under this Bylaw, or any Designated Officer or employee of the Town.

#### **7. Powers, duties and functions of the Chief Administrative Officer**

In addition to the power, duties and functions given to a Chief Administrative Officer under the Municipal Government Act or any other Act, the Chief Administrative Officer will:

- a. Establish the structure of the administration of the municipality, including merging, dividing and eliminating departments and establishing a managerial hierarchy and administrative and reporting policies and procedures;
- b. Cause annual current and capital budgets to be prepared, including estimates of revenue and expenditures for the following year, in such detail as Council may prescribe;
- c. Unless other provision has been made, provide for the supervision, care, control and maintenance of all thoroughfares, buildings and properties owned or controlled by the municipality;
- d. Provide for the prosecution of all claims by the municipality of whatever nature and the defense or compromise of all claims against the municipality;
- e. Ensure that the policies and programs of the municipality are implemented;
- f. Supervise, direct, hire, fire, discipline, terminate, demote, transfer and direct all employees of the municipality;
- g. Administer employees, salaries and benefits of employees in accordance with the Human Resources policy to carry out the power, duties and functions of the municipality;
- h. Direct, supervise and review the proponents of all departments of the municipality;
- i. Monitor and control municipal spending with the budgets established by Council;
- j. Advise Council and make recommendations about the financial condition of the municipality and the policies and programs as may be necessarily desirable to carry out the powers, duties and functions of the municipality;
- k. Ensure all minutes of Council are recorded in the English language, without note or comment;
- l. Ensure the name of the Councillors present at Council meetings are recorded;
- m. Ensure the minutes of each Council meeting are given to Councillor for adoption at a subsequent Council meeting;
- n. Ensure the bylaws and minutes of Council meetings and all other records and documents of the municipality are kept safe;
- o. Ensure the Minister is sent a list of the councillors and any other information the Minister requires within five days after the term of the councillors begins;



- p. Ensure the corporate seal, if any is kept in the custody of the Chief Administrative Officer;
- q. Ensure the revenues of the municipality are collected and controlled and receipts are issued in the manner direct by Council;
- r. Ensure all money belonging to or held by the municipality is deposited in a bank, credit union, loan corporation, treasury branch or trust corporation designated by Council;
- s. Ensure the accounts for authorized expenditures referred to in Section 248 of the MGA are paid;
- t. Ensure accurate records and accounts are kept of the financial affairs of the municipality, including the things on which a municipality's debt limit is based and the things included in the definition of debt for the municipality
- u. Ensure the actual revenues and expenditures of the municipality compared with the estimates in the operating or capital budget approved by Council are reported to Council as often as Council directs;
- v. Ensure money invested by the municipality is invested in accordance with Section 250 of the MGA;
- w. Ensure assessments, assessment rolls and tax rolls for the purposes of Parts 9 and 10 of the MGA are prepared;
- x. Ensure Public Auctions held to recover taxes are carried out in accordance with Part 10 of the MGA;
- y. To review all requests of any person to obtain information in possession of the municipality and to provide such information in accordance with the MGA;
- z. Authorize the entering into of contracts or expenditure of funds where such contracts or expenditures have been approved by Council, either in the budget or otherwise;
- aa. Ensure all contracts and agreements are signed with any other person authorized by Council to sign them;
- bb. Conduct a census as when required by Council and submit population affidavits in accordance with requirements of the MGA;
- cc. Ensure that the sufficiency of all petitions to Council be determined as set out in the MGA;
- dd. Accept service of all notices and documents on behalf of the municipality;
- ee. Provide certification of notices, decision, documents and any other certificate or statutory declaration as provided for or required by the MGA;
- ff. Ensure that all minutes of Council meetings are signed in conjunction with the person presiding at the meeting;
- gg. Ensure that all bylaws are signed in conjunction with the Chief Elected Official;
- hh. Ensure that bylaws of the municipality are consolidated as authorized by Council;
- ii. Authorize a temporary closure of whole or part of any road at any time that a construction or maintenance project on or adjacent to the road may create a hazard;
- jj. Authorize the placement from time to time of traffic control devices, including traffic control devices restricting the speed of vehicles, at any location considered necessary for controlling highways subject to the direction, management and control of the municipality;
- kk. Exercise such other power, duties and functions as may be required by Council from time to time



## **8. Assistant Chief Administrative Officer**

- a. The Assistant Chief Administrative Officer will be the designated officer for the purposes of the following section(s) of the MGA:
  - Signing or authorization of municipal documents in accordance with
    - Section 213 (1) Minutes of Council Meetings
    - Section 213 (2) Minutes of Council Committee Meetings
    - Section 213 (3) Bylaws
    - Section 213 (4) Agreements and cheques and other negotiable instruments
    - Section 439 (2) Prepare and issue distress warrants and seize goods pursuant to the tax recovery process
    - Section 606 (7) Signing Certificates of Advertising
    - Section 612 (1) Certifying copies of bylaws, resolutions and records
    - Section 542 (1) Municipal Inspections and enforcement
    - Section 545 (1) Prepare and issue written Orders to remedy contraventions
    - Section 546 (0.1-1) Prepare and issue a written Order to remedy dangers and unsightly property
- b. The Assistant Chief Administrative Officer will otherwise carry out the functions as specified in other Bylaws of the municipality.

## **9. Assessor**

- a. The Assessor will be the designated officer for the purposes of carrying out the power, duties and functions of an “assessor” as defined in Section 284 of the MGA and as set out in the following Parts of the MGA:
  - Part 9 – Assessment
  - Part 10 – Taxation
  - Part 11 – Assessment Review Boards
- b. The Assessor will otherwise carry out the functions as specified in other Bylaws of the municipality.

## **10. Chief Bylaw Enforcement Officer**

- a. The Chief Administrative Officer shall be designated as the Chief Bylaw Enforcement Officer for the Town.
- b. Shall have the same powers and duties as Bylaw Enforcement Officers under Section 555 of the MGA.
- c. May Exercise all the powers and duties of a designated officer to conduct any inspections, remedies, or enforcement authorized or required by a bylaw or enactment in accordance with Section 542 of the Municipal Government Act, unless such authority has been assigned to a designated officer by way of a bylaw passed under Section 210 of the MGA.
- d. To exercise all the powers and duties of a designated office to issue written orders pursuant to Section 545 and 546 of the Municipal Government Act
- e. May delegate any of the Chief Bylaw Enforcement Officer’s powers, duties or functions contained in subsection (10.c-d) to any employee of the Town including the option to further delegate those powers, duties and functions.



**11. Accountability**

The Chief Administrative Officer will report and be accountable to Council for the exercise of all their powers duties and functions.

The Assistant Chief Administrative Officer, and Assessor are subject to the supervision of and accountable to the Chief Administrative Officer.

**12. General**

Except for the purposes of general inquiry, Council and its members will deal with and control the Town's administrative services solely through the Chief Administrative Officer and will not give directions to any employee of the Town either publicly or privately.

**13. Repeal**

Bylaw 2002-423

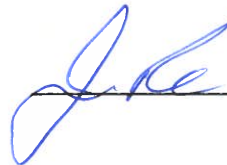
**14. Effective Date**

This bylaw comes into force on the final passing thereof.

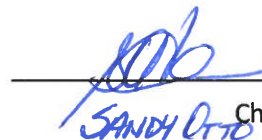
READ a first time this 25<sup>th</sup> day of January, 2022.

READ a second time this 25<sup>th</sup> day of January, 2022.

READ a third time and finally passed this 25<sup>th</sup> day of January, 2022.



\_\_\_\_\_  
Mayor/Deputy Mayor

  
SANDY OTTO


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Chief Administrative Officer




**Certificate**

WE HEREBY CERTIFY that the foregoing Bylaw was duly passed by the Council of the Town of Daysland therein mentioned at a duly and regularly constituted meeting thereof held on the 25<sup>th</sup> day of January, 2022 at which a quorum was present, as entered in the minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

WITNESS our hands and the seal of the Corporation this 25<sup>th</sup> day of January, 2022.

  
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Mayor/Deputy Mayor

  
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Chief Administrative Officer



