

BYLAW 1666/24

CHIEF ADMINISTRATIVE OFFICER BYLAW

STURGEON COUNTY, ALBERTA

A BYLAW OF STURGEON COUNTY, IN THE PROVINCE OF ALBERTA, RESPECTING THE APPOINTMENT OF, AND DELEGATION OF CERTAIN POWERS AND AUTHORITIES TO, THE CHIEF ADMINISTRATIVE OFFICER OF STURGEON COUNTY

WHEREAS, section 205 of the *Municipal Government Act*, RSA 2000, c. M-26 provides that Council must, by bylaw, establish the position of chief administrative officer and may give that position any title Council considers appropriate;

AND WHEREAS, section 203 of the *Municipal Government Act*, RSA 2000, c. M-26 provides that Council may by bylaw delegate certain powers, duties, or functions;

AND WHEREAS, pursuant to the provisions of the *Agricultural Pests Act*, RSA 2000 c. A-8, the *Weed Control Act*, SA 2008, c. W-5.1, the *Soil Conservation Act*, RSA 2000, c. S-15, the *Environmental Protection and Enhancement Act*, RSA 2000, c. E-12, the *Forest and Prairie Protection Act*, RSA 2000, c. F-19, and the *Emergency Management Act*, RSA 2000, c. E-6.8, a local authority must appoint sufficient municipal officers to carry out the provisions of these Acts;

AND WHEREAS, pursuant to the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c. F-25, a municipal council must designate a person as head of a local government body;

AND WHEREAS, Council deems it expedient and advisable to delegate to the chief administrative officer certain powers, duties, functions, and responsibilities;

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, enacts as follows:

1. Title

1.1. This Bylaw may be referred to as the “Chief Administrative Officer Bylaw”.

2. Purpose

2.1. The purpose of this Bylaw is to continue the established position of chief administrative officer of Sturgeon County and to delegate specified powers, duties, and functions to the chief administrative officer.

3. Definitions

3.1. Unless otherwise specified, words used in this bylaw have the same meaning as defined in the *Municipal Government Act*, RSA 2000, c. M-26.

3.2. In this bylaw:

(a) “Act” means the *Municipal Government Act*, RSA 2000, c. M-26, as amended or replaced from time to time.

(b) “Chief Administrative Officer” means the individual appointed as the chief administrative officer of the County by Council, including their delegate.

(c) "Council" means the Council of Sturgeon County.

(d) "County" means Sturgeon County.

4. Rules for Interpretation

4.1. If a power, duty, or function under this bylaw could also be exercised under another bylaw or enactment, the exercise of the power, duty, or function is subject to the more specific conditions wherever found.

4.2. If a power, duty, or function may be exercised pursuant to multiple provisions of this bylaw, the exercise of the power, duty, or function is subject to the more specific provision.

5. Establishment

5.1. Council hereby establishes the position of Chief Administrative Officer who:

(a) is the sole employee of Council, and reports to Council,

(b) is the administrative head of the County;

(c) ensures that the policies and programs of the County are implemented;

(d) advises and informs Council on the operation and affairs of the County; and

(e) performs the duties and exercises the powers and functions delegated to the Chief Administrative Officer by the Act or by any other bylaw or enactment, or as otherwise assigned by Council.

5.2. Council shall, by resolution, appoint an individual to the position of Chief Administrative Officer, and establish the terms and conditions of such employment.

6. General Powers, Duties, Functions, and Responsibilities

6.1. The Chief Administrative Officer has all the power, duties, functions, and responsibilities delegated to a chief administrative officer and a designated officer under the Act and under any other statute or enactment.

6.2. The Chief Administrative Officer shall exercise authority and responsibility in respect to the organization, supervision, and operation of all County programs and services including:

(a) establishing the structure of departments, including any structural changes;

(b) supervising, directing, and reviewing the performance of all employees of the County;

(c) hiring, appointing, suspending, removing, laying off, or terminating any employee with or without just cause;

- (d) developing and amending personnel, employment, and administrative policies, procedures, rules, and guidelines as deemed necessary for the safe, efficient, economic, and effective operation of the County; and
- (e) conducting audits, investigations, and studies of the County's operations.

6.3. The Chief Administrative Officer is authorized to:

- (a) recommend policies and programs to Council;
- (b) implement policies and programs set out by Council;
- (c) execute or direct the execution of documents, agreements, and contracts subject to limitations imposed by any enactment;
- (d) coordinate the prompt and proper handling of inquiries from the public;
- (e) attend all meetings of Council and Council Committees;
- (f) attend meetings of any boards, authorities, tribunals, or other bodies as required by Council;
- (g) retain, instruct, and pay for legal counsel to provide legal services to the County;
- (h) register, on behalf of the County, all forms of intellectual property including, but not limited to, trademarks, copyrights, and patents;
- (i) appoint:
 - i. inspectors under the *Agricultural Pests Act*, RSA 2000, c. A-8;
 - ii. inspectors under the *Weed Control Act*, SA 2008, c. W-5.1;
 - iii. soil conservation officers under the *Soil Conservation Act*, RSA 2000, c. S-15;
 - iv. agricultural fieldmen under the *Agricultural Service Board Act*, RSA 2000, c. A-10;
 - v. inspectors and investigators under the *Environmental Protection and Enhancement Act*, RSA 2000, c. E-12; and
 - vi. fire guardians under the *Forest and Prairie Protection Act*, RSA 2000, c. F-19; and
- (j) appoint an acting Chief Administrative Officer to act in the place of, and with all the powers, duties, and functions of, the Chief Administrative Officer during absences of the Chief Administrative Officer.

6.4. The Chief Administrative Officer is appointed as the head under the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c. F-25.

6.5. The Chief Administrative Officer is appointed as the director of the emergency management agency under the *Emergency Management Act*, RSA 2000, c. E-6.8.

7. Financial Powers of the Chief Administrative Officer

7.1. The Chief Administrative Officer is authorized to:

- (a) prepare and submit proposed operating and capital budgets as required by Council;
- (b) designate the County's bank, credit union, or financial institution and open and close accounts that hold the County's money;
- (c) invest funds on behalf of the County as permitted under the Act and any other statute, enactment, bylaw, or County policy;
- (d) pay expenditures authorized through the budget and any amounts which the County is legally required to pay pursuant to an Order or Judgment of a Court, Board, or other tribunal of competent jurisdiction, relating to an action against the County;
- (e) approve the settlement of all insured actions, claims, or demands by or against the County;
- (f) approve the settlement of all uninsured actions, claims, or demands by or against the County, where the expenditure or revenue is authorized by County bylaw or policy, or by any federal or provincial statute or enactment;
- (g) approve and enter into all agreements and contracts involving the sale, lease, or purchase of an interest in land, where the expenditure or revenue is included in an approved budget subject to limitations imposed by any enactment;
- (h) prepare and award all procurements where the expenditure or revenue is in an approved budget, and enter into all agreements and contracts required for the completion of awarded projects;
- (i) act pursuant to the provisions in any County policy that directs the Chief Administrative Officer to review expenditures;
- (j) exercise all the taxation powers and responsibilities assigned to a municipality under Part 10 of the Act; and
- (k) set reserve bids and conditions of sale for a parcel of land or a manufactured home offered for sale at a public auction pursuant to Part 10, Division 8, and Part 10, Division 8.1 of the Act.

7.2. The Chief Administrative Officer is authorized and required to regularly report to Council on:

- (a) the operations of the County;
- (b) the financial condition of the County; and
- (c) any other matter related to the County, at the discretion of the Chief Administrative Officer.

8. Delegation by the Chief Administrative Officer

8.1. The Chief Administrative Officer is authorized to further delegate any power, duty, or function delegated by Council to the Chief Administrative Officer and is authorized to permit or prohibit

further delegations of any power, duty, or function delegated by Council to the Chief Administrative Officer.

8.2. Notwithstanding any delegation of power by the Chief Administrative Officer pursuant to this section, the Chief Administrative Officer shall remain responsible to Council for the exercising of any powers and responsibilities conferred by this Bylaw.

8.3. The matters delegated to the Chief Administrative Officer by this Bylaw are in addition to any other delegations made by Council to the Chief Administrative Officer or a designated officer in another County bylaw.

9. Repeal and Replacement

9.1. Bylaw 1100/06 is repealed and replaced with this bylaw.

10. Severability

10.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

11. Effective Date

11.1. This bylaw shall come into force and take effect upon being passed.

Read a first time this ____ day of ____, 20__.

Read a second time this ____ day of ____, 20__.

Read a third time this ____ day of ____, 20__.

MAYOR

CHIEF ADMINISTRATIVE OFFICER (CAO)

DATE SIGNED