

**BY-LAW NUMBER 2019/05**

BY-LAW NO. 2019/05 is a by-law of the County of Wetaskiwin No. 10 in the Province of Alberta, to establish the position of Chief Administrative Officer of the municipality of the County of Wetaskiwin No. 10.

WHEREAS: Section 7 of Part 2, By-laws, Division 1, General Jurisdiction, General Jurisdiction to Pass By-laws states that a Council may pass by-laws for municipal purposes.

WHEREAS: Section 142 of the Municipal Government Act Statutes of Alberta 2000 Chapter M-26 states that elected officials of the County of Wetaskiwin No. 10 are the governing body for the County of Wetaskiwin No. 10.

WHEREAS: Section 205 of the Municipal Government Act Statutes of Alberta 2000 Chapter M-26 states that every Council must establish by by-law a position of Chief Administrative Officer to carry out the powers, duties and functions of the Chief Administrative Officer;

WHEREAS: Section 207 of the Municipal Government Act Statutes of Alberta 2000 Chapter M-26 states that the Chief Administrative Officer is the Administrative head of the municipality; ensures that the policies and programs for the County of Wetaskiwin are implemented; advises and informs Council on the operation and affairs of the County of Wetaskiwin; performs the duties and functions and exercises the powers assigned to a Chief Administrative Officer by this and other enactments or assigned by Council and to provide for the efficient conduct of the business of the County Council and its Committees;

WHEREAS: Section 208 of Municipal Government Act Statutes of Alberta 2000 Chapter M-26, states that the Chief Administrative Officer must ensure the powers, duties and functions delegated by Council of the County of Wetaskiwin are carried out under the direction of Council;

WHEREAS: The Council of the County of Wetaskiwin No. 10 is desirous of having certain executive and administrative duties of the County Council delegated to, and exercised by a Chief Administrative Officer.

WHEREAS: By-law 95/34, which provided for the appointment of a Chief Administrative Officer and amending By-laws 99/65 and By-law 2000/32, must be repealed.

NOW THEREFORE: The Council of the County of Wetaskiwin No. 10, duly assembled, enacts as follows:

**A. CITATION:**

- a. This By-law is cited as the "County of Wetaskiwin's Chief Administrative Officer" Bylaw.

**B. DEFINITIONS:**

- a. "Act" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended or replaced from time to time.
- b. "Chief Administrative Officer" means the Chief Administrative Officer for the municipality and whatever subsequent title may be conferred on that officer by Council or Statue.
- c. "Council" shall mean the Council of the County of Wetaskiwin No. 10.
- d. "Municipality" shall mean the County of Wetaskiwin No. 10.

**C. CHIEF ADMINISTRATIVE OFFICER:**

- a. Council hereby establishes the position of Chief Administrative Officer and the individual appointed to that position will have the title "CAO".
- b. Council will by resolution appoint an individual to the position of CAO and establish the terms and conditions of the CAO's employment.
- c. The CAO is authorized to further delegate, and to authorize further delegation of any matter delegated to the CAO by Council under this by-law, to any employee of the municipality.
  - i. the Assistant CAO will act during absences of the CAO who has all the powers, duties and functions of a Designated Officer as required under the *Municipal Government Act* or any other act;
  - ii. appoint an Acting CAO to the CAO to act during absences of the CAO and the Assistant CAO who has all the powers, duties and functions of a Designated Officer as required under the *Municipal Government Act* or any other act;
- d. In addition to the powers, duties and functions given to the CAO under the *Municipal Government Act* or any other act, the CAO will:
  - 1. establish the structure of the administration of the municipality, including establishing, merging, dividing and eliminating departments and establishing a managerial hierarchy and an administrative and reporting policies and procedures;
  - 2. establish policy and procedures for hiring all employees of the municipality to carry out the powers, duties and functions delegated to those employees;
  - 3. ensure that the policies and programs of the municipality are implemented;
  - 4. advise and inform Council in the operations and affairs of the municipality;
  - 5. supervise, direct, hire, fire, discipline, terminate, demote, transfer and direct all employees of the municipality;
  - 6. direct, supervise and review the proponents of all departments of the municipality;
  - 7. prepare and submit to Council estimates of revenue and expenditures and capital programs annually, or as required by Council;
  - 8. monitor and control municipal spending within the budgets established by Council;
  - 9. advise Council and make recommendations about the financial conditions of the municipality and the policies and programs as may be necessary or desirable to carry out the powers, duties and functions of the municipality;
  - 10. attend all meetings of Council and Committees of Council and meetings of such Boards, Authorities and other bodies as are required by Council;

11. prepare and submit to Council such reports and recommendations as may be required by Council or Council Committees;
12. ensure all minutes of Council meetings are recorded in the English language, without note or comment;
13. include the names of the councillors present at the council meeting;
14. strives to ensure minutes of each Council meeting are given to Council for adoption at a subsequent Council meeting;
15. ensure minutes are recorded in the manner and to the extent required under section 230(6) when a public hearing is held;
16. ensure the by-laws and minutes of Council meetings and all other records and documents of the municipality are kept safe;
17. ensure the Minister is sent a list of the Councillors and any other information the Minister requires within 5 days after the term of the Councillors begin;
18. ensure Council is advised in writing of its legislative responsibilities under the Municipal Government Act Statutes of Alberta, 2000 Chapter M-26;
19. ensure the corporate seal, if any, is kept in the custody of the CAO;
20. ensure the revenues of the municipality are collected and controlled and receipts are issued in the manner directed by Council;
21. 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;
22. ensure the accounts for authorized expenditures referred to in Section 248 of the *Municipal Government Act* are paid;
23. 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;
24. 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;
25. ensure money invested by the municipality is invested in accordance with Section 250 of the *Municipal Government Act*;
26. ensure assessments, assessment rolls and tax rolls for the purposes of Parts 9 and 10 of the *Municipal Government Act* are prepared;

27. ensure public auctions held to recover taxes are carried out in accordance with Part 10 of the *Municipal Government Act*;
28. to review all requests of any person to obtain information in possession of the municipality and to provide such information in accordance with the *Municipal Government Act*;
29. authorize for the entering into of contracts and/or the expenditure of funds where such contracts or expenditure has been approved by Council, either in the budget or otherwise;
30. ensure all contracts and agreements are signed with any other person authorized by Council to sign them;
31. conduct a census as when required by Council and submit population affidavits in accordance with requirements of the *Municipal Government Act*;
32. ensure that the sufficiency of all petitions to Council be determined as set out in the act;
33. accept service of all notices and documents on behalf of the municipality;
34. provide certification of notices, decisions, documents and any other certificates or statutory declarations as provided for or required by the *Municipal Government Act*;
35. ensure that all minutes of Council meetings are signed in conjunction with the person presiding at the meeting;
36. ensure that all by-laws are signed in conjunction with the Chief Elected Official;
37. ensure that by-laws of the municipality are consolidated as authorized by Council;
38. 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;
39. authorize the placement from time to time of traffic control devices, including traffic control devices restricting the speed of vehicles, at any locations considered necessary for controlling highways subject to the direction, management and control of the municipality and provide for a record of all locations to be kept, which shall be open to public inspection during normal business hours;
40. exercise such other powers, duties and functions as may be required by Council from time to time;
41. ensure that the costs incurred in an order are added to the tax roll under the authority outlined in Section 553 (1)(i) of the *Municipal Government Act 1994*, Chapter M-26.1 and Section 73 (5) of the *Public Health Act*;
42. the CAO may enter into an agreement, on behalf of the municipality, with the owner of a parcel of land shown on its tax arrears list, pursuant to Section 418 of the *Municipal Government Act*.

**C. ACCOUNTABILITY**

- a) The CAO is accountable to Council for the exercise of all powers, duties and functions.

**D. REPEAL OF BY-LAW**

- a. Upon third reading of Bylaw 2019/05 and amending By-laws 95/34, 99/65 and 2000/32 are hereby repealed.

The effective date of this by-law is the 29<sup>th</sup> day of January, 2019.

READ: A First time this 29<sup>th</sup> day of January, A.D., 2019.

READ: A Second time this 29<sup>th</sup> day of January, A.D., 2019.

READ: A Third time and finally passed this 29<sup>th</sup> day of January, A.D., 2019.