

**TOWN OF BEAUMONT
BYLAW 928-18**

CHIEF ADMINISTRATIVE OFFICER BYLAW

A BYLAW OF THE TOWN OF BEAUMONT IN THE PROVINCE OF ALBERTA TO ESTABLISH THE POSITION OF THE CHIEF ADMINISTRATIVE OFFICER FOR THE TOWN OF BEAUMONT.

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

AND WHEREAS, the Council may in accordance with the *Municipal Government Act*, delegate any or all of its executive and administrative duties and powers;

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

I. BYLAW TITLE

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

II. DEFINITIONS

For the purpose of this Bylaw:

- a) "Act" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto;
- b) "Municipal Administration" means the staff of Beaumont;
- c) "Chief Elected Official" means the Mayor of Beaumont;
- d) "Committee" means a Council committee;
- e) "Committee Member" means a person appointed by Council to a Committee;
- f) "Council" means the municipal council of Beaumont elected pursuant to the provisions of the Act, including the Mayor;
- g) "Elected Official" means a member of Council for Beaumont;
- h) "Mayor" means the Chief Elected Official of Beaumont; and
- i) "Municipality" means the municipal corporation of Beaumont;

III. PURPOSE

The purpose of this bylaw is to establish the position of Chief Administrative Officer and to outline the duties, powers and functions of said position.

IV. APPOINTMENT

This Bylaw hereby establishes the position of Chief Administrative Officer and the individual appointed to that position will have the title "Chief Administrative Officer".

V. ROLES, TERMS AND CONDITIONS OF THE CHIEF ADMINISTRATIVE OFFICER

1. The Chief Administrative Officer of the Municipality shall be the Principle Advisor to Council.

2. Council may appoint an Acting Chief Administrative Officer to act during the illness, absence or incapacity of the Chief Administrative Officer. The Chief Administrative Officer may appoint an Acting Chief Administrative Officer where such absences are for a period less than one month.
3. In accordance with Section 201(2) of the Act, Council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the Chief Administrative Officer or a designated officer.
4. Except for the purpose of an official inquiry, the Council shall deal with the Municipal Administration and the control thereof solely through the Chief Administrative Officer, and shall not give direction to any of the subordinates of the Chief Administrative Officer.
5. The Chief Administrative Officer is accountable to Council for the exercise of all powers, duties and functions delegated to the Chief Administrative Officer.
6. In accordance with Section 205(1), 207, and 208 of the Act, Council must provide the Chief Administrative Officer with an annual written performance evaluation relating to the Chief Administrative Officer's results in respect to legislated and delegated responsibilities.
7. In accordance with Section 206(1-6) of the Act, Council must provide the Chief Administrative Officer with reasonable opportunity to be heard before Council prior to suspension or revocation of the Chief Administrative Officer.

VI. RESPONSIBILITY OF THE CHIEF ADMINISTRATIVE OFFICER

1. The Chief Administrative Officer shall be responsible to Council for:
 - a) The development and maintenance of a Municipal Administration capable of effectively and efficiently implementing Municipal Policies approved by Council;
 - b) The provision of information, advice and staff recommendations required by Council for the consideration of policy alternatives;
 - c) Developing and sustaining an effective and professional working relationship with the Chief Elected Official and all members of Council;
 - d) Being a communicator between Council and the Municipal Administration, between the Municipal Administration and Council, and between the public and Council and/or the administration;
 - e) The carrying out of research and the presentation to the Council alternatives in any area requiring policy formulation or reconsideration;
 - f) The preparation and presentation to Council of the annual operating and capital budgets for the municipality and for controlling approved budgetary expenditures on an ongoing basis;
 - g) Giving advice and informing the Council on the operation and affairs of the municipality;
 - h) Endorsing the proposed agenda for Council and Committee of the Whole meetings;

- i) Acting as the Director of Emergency Management; and
- j) Performing the duties and functions and exercising the powers assigned to a Chief Administrative Officer by this and other enactments assigned by Council.

VII. AUTHORITY OF THE CHIEF ADMINTRATIVE OFFICER

1. In order to carry out the responsibilities of the position, the Chief Administrative Officer has the authority to:
 - a) Co-ordinate, direct, supervise and review the performance of the Municipal Administration;
 - b) Establish the structure of the Municipal Administration, including establishing, merging, dividing and eliminating departments, and establishing a managerial hierarchy;
 - c) Establish and implement all policies, procedures, standards and guidelines for all matters within the power of the Chief Administrative Officer;
 - d) Advise, inform and make recommendations to Council regarding:
 - i. The operations of the Municipality;
 - ii. The financial condition of the Municipality; and
 - iii. Council policies, procedures and programs that may be desirable to carry out the powers duties and functions of the Municipality.
 - e) Subject to any legal limitations:
 - i. Hire, appoint, transfer or promote any Municipal Administration;
 - ii. Evaluate, discipline, suspend, demote, or remove any Municipal Administration; and
 - iii. Determine salaries, benefits, hours of work and other working conditions.
 - f) Implement any internal re-organization of responsibilities and duties required for the effective and efficient operation of the Municipality. If a major organizational change is effected, the Chief Administrative Officer shall report such change to the Council;
 - g) Ensure the prompt and proper handling of all requests, inquiries and complaints by residents of Beaumont, including the establishment of policies and procedures for addressing complaints;
 - h) Be present at any meetings of Council or Committee of Council and be recognized to speak on any subject brought before Council;
 - i) Take such other actions necessary to carry out the responsibilities assigned by Council;
 - j) In accordance with Section 209 of the Act, delegate any of the Chief Administrative Officer's powers, duties or functions under the Act or any other enactment bylaw to be designated officer or an employee of the municipality;

VIII. FINANCIAL POWERS, DUTIES AND FUNCTIONS OF THE CHIEF

ADMINISTRATIVE OFFICER

1. The Chief Administrative Officer is authorized to:
 - a) Prepare and submit annually, or as otherwise directed by Council, an annual operating and capital budget;
 - b) In the case of an emergency, incur any expenditure not previously approved by Council provided a detailed report on such expenditure and its need is presented to the next meeting of Council;
 - c) Negotiate contracts, agreements and transactions required for the effective operation of the Municipality and to recommend the approval of such contracts, agreements and transactions by Council;
 - d) Sign any order, agreement, cheque, negotiable instrument, or document made or executed on behalf of the Municipality;
 - e) Approve the settlement of all:
 - i. Uninsured actions, claims or demands against the Municipality;
 - ii. Uninsured actions, claims or demands by the Municipality; and
 - iii. Insured actions claims or demands by or against the Municipality.
 - f) Monitor and control expenditures within the capital and operating budget approved by Council. The Chief Administrative Officer shall be at liberty to approve a budget adjustment or adjustments for programs and/or services within a department as long as the amount budgeted for that department does not change.

IX. CONTRACTS AND AGREEMENTS

1. The Chief Administrative Officer is authorized to:
 - a) Approve and enter into all documents, consents, approvals, acknowledgements and certificates required for or incidental to any agreement, contract, settlement, tender, or investment;
 - b) Approve and enter into any agreements and contracts in relation to the acquisition of goods and services;
 - c) Prepare and award all tenders, where the expenditure or revenue is included in an approved budget and enter into all agreements and contracts required for the completion of such tenders in accordance with approved policies, procedures, standards or guidelines;
 - d) Approve and enter into all contracts and agreements involving lease of land to non-profit organizations at or below market value, subject to any approved policies, procedures, standards or guidelines;
 - e) Approve and enter into all agreements and contracts that are related to the provision of police services and programs for the Municipality;

- f) Approve and enter into all agreements and contracts involving:
 - i. The sale of a fee simple interest in land at fair market value, or the acquisition of the fee simple interest in land at or below fair market value, subject to any approved policies, procedures, standards or guidelines;
 - ii. Leases of land at fair market value where the Municipality is lessor and as well at or below fair market value where the Municipality is lessee, subject to any approved policies, procedures, standards or guidelines; and
 - iii. The disposition of any other interest in land at fair market value, or the acquisition of any interest in land at or below market value, subject to any approved policies, procedures, standards or guidelines.
- g) Approve and enter into all documents, consents, approvals, acknowledgements and certificates required for an incidental to any agreement, contract, settlement, tender or investment.

X. OTHER RESPONSIBILITIES AND POWERS

- 1. The Chief Administrative Officer is authorized to:
 - a) Prepare and issue distress warrants, seize and sell goods pursuant to distress warrants on behalf of the Municipality for the recovery of Tax arrears pursuant to the Act;
 - b) Carry out inspections, remedies, enforcement or actions pursuant to the Act where that Act or any other Enactment or a Bylaw authorizes or requires anything to be inspected, remedied, enforced or done by the Municipality;
 - c) Make determinations and issue orders pursuant to the Act or any other Enactment or Bylaw which the Municipality is authorized to enforce, in accordance with the Act;
 - d) Register on behalf of the Municipality and pursuant to any enactment, all forms of intellectual property, including without limitation, trademarks, official marks, copyright, industrial designs and patents;
 - e) Keeping Council informed of all events and data relevant to, and necessary for, the exercise of all powers, duties and responsibilities of Council;
 - f) Consolidate one or more of the bylaws of the Municipality, as provided for in the Act.

XI. GENERAL

- 1. Should any provision of this Bylaw be deemed invalid in a court of law to be illegal or beyond the powers of Council to enact, such Section or parts shall be severed and the remaining Bylaw shall be maintained.
- 2. Nothing in this Bylaw shall operate to relieve any person from complying with and Federal, Provincial, Regulation or Bylaw.
- 3. Bylaw 424-95 and amendments thereto are hereby repealed.
- 4. This Bylaw shall come into force and effect after third reading and upon being signed.

Read a first time in Council this 9th day of October, 2018

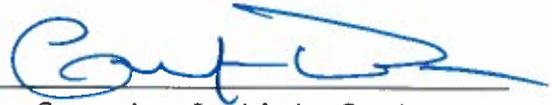
Read a Second time in Council this 9th day of October, 2018

Unanimous consent for third reading given this 9th day of October, 2018

Read a third time in Council this 9th day of October, 2018



Mayor



Supervisor, Legislative Services