

**Town of Sundre  
Bylaw No. 16.17**

**A BYLAW OF THE TOWN OF SUNDRE IN THE PROVINCE OF ALBERTA TO ESTABLISH THE POSITION OF THE CHIEF ADMINISTRATIVE OFFICER AND TO DEFINE THE DUTIES POWERS AND FUNCTIONS OF THAT POSITION**

**WHEREAS** Section 205 of the *Municipal Government Act R.S.A. 2000, c. M-26* provides that Council must by bylaw establish the position of the Chief Administrative Officer, and

**WHEREAS** the Council may, in accordance with the *Municipal Government Act R.S.A. 2000, c. M-26*, delegate any of its executive and administrative functions;

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

**1. INTERPRETATION**

This Bylaw shall be referred to as the "Chief Administrative Officer Bylaw"

**2. DEFINITIONS**

- 2.1. **Act** means the *Municipal Government Act, S.A. 2000, c.M-26*,
- 2.2. **Chief Administrative Office** or **CAO** means the person appointed to the position of CAO by Council,
- 2.3. **Council** means the Council of the Town of Sundre acting as a duly assembled meeting thereof,
- 2.4. **Town** means the Municipal Corporation of the Town of Sundre.

**3. APPOINTMENTS**

- 3.1. There shall be created the position of CAO of the Town of Sundre who shall carry out any and all of the executive and administrative powers, duties, and functions assigned to the CAO under the *Act*, or any other enactment or and any and all powers, duties, and functions delegated by Council.
- 3.2. Council by resolution shall appoint the person who will serve as CAO and prescribe the conditions and terms of employment.
- 3.3. The CAO has all the powers, duties and functions given to a designated officer under the *Municipal Government Act* or any other statute, except for the powers duties and functions of an assessor under the *Act*.
- 3.3. The CAO shall, in accordance with Section 209 of the *Act*, delegate any of the powers, duties, or functions assigned to the CAO to any employee of the Town.



- 3.4 The Council may appoint an Acting CAO to act during the illness, absence or other incapacity of the CAO. The CAO may appoint an Acting CAO where such absences are for a period of less than one month.
- 3.5 The Council must ensure that the CAO appropriately performs the duties and functions and exercises the powers assigned to the CAO as prescribed under section 205(5) of the Act or any other enactment or by council.

**4. RESPONSIBILITY AND AUTHORITY**

- 4.1. The CAO is responsible to Council for the overall administration of municipal operations of the Town in accordance with objectives, policies, and plans approved by Council. In carrying out these responsibilities, the CAO shall work in close liaison with the Council and supervise the Town’s administrative personnel and service contracts in the performance of their duties and responsibilities.

In addition to the powers, duties, and functions generally assigned and delegated under this bylaw, the Act or by Council, the CAO shall:

- a) be the contact between the Administration of the municipality and the Council and communication from the Council to Administration shall flow through the CAO.
- b) Co-ordinate and direct presentations by administrative staff to Council on policy proposals and ongoing municipal operations making recommendations thereon where appropriate.
- c) Ensure the Council receives such information and reports, as it requires, to make effective policy decisions and to monitor the effectiveness of administrative operations.
- d) Attend, or be represented by a delegate, at all meetings of Council and Council Committees and assist in the decision making process by providing advice, guidance, and consultation as required.
- e) Report to Council on the effectiveness of its policies and programs and recommend changes thereto to achieve Council’s objectives.
- f) Co-ordinate, direct, and supervise the implementation of the policies and programs of the Council, reporting regularly of the progress thereon to Council.
- g) Communicate with the Mayor, Councillors, and the staff in preparation of agendas for Council meetings.
- h) Enforce or cause to be enforced all bylaws and resolutions of the Town.
- i) Catalogue the policies of the Council and ensure that information concerning these policies are distributed to and understood by affected administrative personnel.
- j) Cause the development of satisfactory procedures concerning budget preparation and financial reporting of the Town’s revenues and expenditures including:
  - i) Preparation and submission to Council of annual budgets with appropriate explanations and substantiating information with potential cost reductions and eliminations identified which would not change established programs.
  - ii) Quarterly reports to the Council of operating and capital revenues and expenditures with explanations of significant variations and account reallocations for ratification of council;

- iii) Reports to Council on any other matter either administrative or financial, that relates to the Town operations as may be requested by Council or which, in the opinion of the CAO, should be reported to Council.
- k) Perform liaison with other local governments and the provincial government, along with the Mayor when required.
- l) Ensure the prompt and proper handling by the administration of all requests, enquiries, and complaints by residents of the Town including development of policies and procedures for dealing with complaints.
- m) Keep informed about governmental and community affairs and ensure that the Council and the Town employees are made aware of significant trends.
- n) Exercise such natural person powers under the *Act* as may be consistent with or required to implement the powers, duties, and functions assigned.
- o) As prescribed under section 153.1 of the *Act*, where the CAO or a person designated by the CAO provides information referred to in section 153(d) of the *Act* to a Councillor, the information must be provided to all other councillors as soon as is practicable.
- p) Perform major administrative duties in accordance with section 208(1) of the *Act*.
- q) Extend the time period for subdivision plans and for the registration of the subdivision plans in accordance with the *Act*.
- r) Retain and instruct legal counsel on matters involving any actual or potential legal and administrative proceedings involving the municipality.
- 2) Perform other duties as may be required by Council or where a matter is not specifically referred to herein and where the CAO deems it proper and expedient to implement changes they may make such recommendations to Council as may be appropriate.

## 5. PERSONNEL ADMINISTRATION

- 5.1 It is the sole responsibility of the CAO to hire, discipline, and terminate staff. All information pertaining to staff employment matters is confidential in accordance with FOIPP sections 17(4)(d) and 17(4)(f).
- 5.2 All employees, and agents of the Town are subject to the supervision and direction of the CAO.
- 5.3. The CAO shall develop for approval of Council, comprehensive employee policies and programs of Town employees.
- 5.4 The CAO shall implement any internal reorganization of responsibilities and duties required for the effective and efficient operation of the municipality, including creating, eliminating, merging or dividing departments, provided that such reorganization does not result in a decreased level of services to the community. If a major reorganizational change is effected, the CAO shall report such a change to Council. If the reorganization results in an over expenditure to the budget, the CAO shall bring the variance to Council for ratification.
- 5.6. The CAO shall determine the rates of remuneration for any employee within approved budget appropriations.

**6. EXPENDITURE AUTHORITY**

- 6.1 The CAO shall have the authority to expend funds and arrange the purchase of goods and services within the appropriations and approvals of Council as may be required for operating and capital purposes.
- 6.2. When the value of any arrangement or purchase exceeds \$5,000.00 competitive quotations shall firstly be obtained except:
  - a) where the arrangement or purchase is an extension of any existing contract or arrangement.
  - b) where the goods or services are available only from a single supplier or vendor
  - c) in cases of emergency.
- 6.3. The CAO may select tenders up to \$50,000.00 provided Council has provided appropriation for the project.
  - a) Council has provided appropriation or project therefore.
- 6.4. All tender offers estimated to exceed the sum of \$50,000.00 shall be received by the CAO and referred to Council for award.
- 6.5. The CAO shall ensure that where possible, local businesses and individuals are invited to tender.
- 6.6. Where capital projects have been approved and budget appropriations made, the CAO may exercise the natural person power of the municipality to acquire such land as may be necessary for the undertaking and completion of the capital project.
- 6.7. Where capital projects have not been approved or where budget appropriations have not been made, the CAO may acquire an option to purchase any property which may be needed for any present or future municipal purpose.
- 6.8 Designate the financial institutions to be used by the municipality in accordance with the provisions of the Act.
- 6.9 Invest funds on behalf of the municipality in accordance with the provisions of the Act.
- 6.10 Pay any amounts the Municipality as legally required to pay pursuant to an Order or Judgement of a Court, board or other tribunal having jurisdiction over an action, claim or demand against or by the Municipality, provided that all rights to appeal the Order or Judgement have expired.
- 6.11 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.
- 6.12 Negotiate contracts, agreements, transactions, and any instrument or document made or executed on behalf of the municipality as required, for the effective operation of the municipality and to recommend the approval of such to Council.



6.13 Conclude contracts on behalf of the municipality to a financial limit established by policy or resolution.

6.14 Sign any order, agreement, or cheque, along with the Mayor.

**7. DELEGATION AND ORGANIZATION**

7.1. The administration of the operations of the Town shall be organized in accordance with the organization chart. The Council shall deal with the administrative service through the CAO and Council shall require that its directives be carried out through the offices of the CAO.

**8. EVALUATION, SUSPENSION, AND TERMINATION**

8.1. In each year, the Council thereof shall evaluate the performance of the Chief Administrative Officer, making such recommendations as deemed necessary. Such review shall evaluate the rates of remuneration of the CAO and the non-salary and fringe benefits received.

**9. CODE OF ETHICS**

9.1. The Code of Ethics of the Local Government Administration is hereby adopted as reference as "Schedule A" attached hereto, with the express intent that this shall be the code of professional behavior expected of the CAO.

9.2. Schedule A shall be attached hereto and deemed a part of this bylaw.

**10 FOIPP HEAD**

10.1 The CAO is the Head of the Municipality for the purposes of the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25.

**11. ROYAL CANADIAN MOUNTED POLICE**

11.1 The CAO shall provide a liaison between the Municipality and the Commanding Officer of the R.C.M.P. detachment of the Town of Sundre.

**12. REPEAL**

12.1 **Bylaw No 804 is hereby repealed.**

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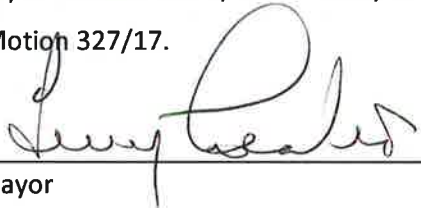
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Read for a first time on this 10<sup>th</sup> day of October 2017; Motion 324/17

Read for the second time on this 10<sup>th</sup> day of October 2017; Motion 325/17

Received Unanimous Consent for third Reading this 10<sup>th</sup> day of October 2017; Motion 326/17

Read for the third time on this 10<sup>th</sup> day of October 2017; Motion 327/17.

  
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Mayor

  
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Chief Administrative Officer