

## BYLAW NO. 01/10

BEING A BYLAW OF FLAGSTAFF COUNTY, PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING THE POSITION OF CHIEF ADMINISTRATIVE OFFICER, TO ESTABLISH CERTAIN DESIGNATED OFFICER POSITIONS, TO ASSIGN POWERS, DUTIES AND FUNCTIONS TO THOSE POSITIONS, AND TO ESTABLISH A FRAMEWORK FOR DELEGATION OF ADMINISTRATIVE FUNCTIONS.

**The Council of Flagstaff County, in the Province of Alberta, enacts as follows:**

### **1. Definitions**

- 1.1 County - the municipal corporation of Flagstaff County;
- 1.2 Chief Administrative Officer - the Chief Administrative Officer for the County within the meaning of the Municipal Government Act;
- 1.3 Council - the Municipal Council of Flagstaff County;
- 1.4 Designated Officer - a Designated Officer within the meaning of the Municipal Government Act;
- 1.5 Municipal Government Act - the Municipal Government Act, S.A. 1994, c.M-26.1;

### **2. Chief Administrative Officer**

- 2.1 The position of Chief Administrative Officer is established, and the individual appointed to that position will have the title "Chief Administrative Officer".
- 2.2 Council will by resolution appoint an individual to the position of Chief Administrative Officer, and establish the terms and conditions of the CAO's employment.
- 2.3 The Chief Administrative Officer will appoint an Assistant Chief Administrative Officer to act during absences of the Chief Administrative Officer.

### **3. Designated Officers**

- 3.1 The following Designated Officer positions are established, and the persons 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 6,
  - (ii) Assessor to carry out the powers, duties and functions set out in Section 8.
- 3.2 A Designated Officer may appoint an Acting Designated Officer to act during absences of the Designated Officer.

### **4. Sub-delegation**

- 4.1 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, to any Designated Officer or employee of the County.
- 4.2 Designated Officers are authorized to further delegate, and to authorize further delegation of, any matter delegated to them by Council under this bylaw, to any employee of the County.

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

- 5.1 In addition to the powers, duties and functions given to a Chief Administrative Officer under the Municipal Government Act or any other Act, the Chief Administrative Officer will:
  - 5.1.1 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;
  - 5.1.2 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;
  - 5.1.3 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;
  - 5.1.4 provide for the prosecution of all claims by the municipality of whatever nature and the defense or compromise of all claims against the municipality;
  - 5.1.5 ensure that the policies and programs of the municipality are implemented;
  - 5.1.6 supervise, direct, hire, fire, discipline, terminate, demote, transfer and direct all employees of the municipality;
  - 5.1.7 administer employees, salaries and benefits of employees in accordance with the Human Resources policy to carry out the powers, duties and functions of the municipality;
  - 5.1.8 direct, supervise, and review the proponents of all departments of the municipality;
  - 5.1.9 monitor and control municipal spending within the budgets established by Council;
  - 5.1.10 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;
  - 5.1.11 ensure all minutes of Council are recorded in the English language, without note or comment;
  - 5.1.12 ensure the names of the councillors present at Council meetings are recorded;
  - 5.1.13 ensure the minutes of each Council meeting are given to Councillor for adoption at a subsequent Council meeting;
  - 5.1.14 ensure the bylaws and minutes of Council meetings and all other records and documents of the municipality are kept safe;

- 5.1.15 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 begins;
- 5.1.16 ensure the corporate seal, if any is kept in the custody of the Chief Administrative Officer;
- 5.1.17 ensure the revenues of the municipality are collected and controlled and receipts are issued in the manner directed by Council;
- 5.1.18 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;
- 5.1.19 ensure the accounts for authorized expenditures referred to in section 248 of the Municipal Government Act are paid;
- 5.1.20 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
- 5.1.21 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;
- 5.1.22 ensure money invested by the municipality is invested in accordance with Section 250 of the Municipal Government Act;
- 5.1.23 ensure assessments, assessment rolls and tax rolls for the purposes of Parts 9 and 10 of the Municipal Government Act are prepared;
- 5.1.24 ensure public auctions held to recover taxes are carried out in accordance with Part 10 of the Municipal Government act;
- 5.1.25 to act as the clerk of the Assessment Review Board having jurisdiction in the municipality.
- 5.1.26 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;
- 5.1.27 authorize for 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;
- 5.1.28 ensure all contracts and agreements are signed with any other person authorized by Council to sign them;
- 5.1.29 conduct a census as when required by Council and submit population affidavits in accordance with requirements of the Municipal Government Act;
- 5.1.30 ensure that the sufficiency of all petitions to Council be determined as set out in the act;
- 5.1.31 accept service of all notices and documents on behalf of the municipality;
- 5.1.32 provide certification of notices, decisions, documents and any other certificates or statutory declarations as provide for or required by the Municipal Government Act;
- 5.1.33 ensure that all minutes of council meetings are signed in conjunction with the person presiding at the meeting;
- 5.1.34 ensure that all bylaws are signed in conjunction with the Chief Elected Official;
- 5.1.35 ensure that bylaws of the municipality are consolidated as authorized by Council;
- 5.1.36 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;
- 5.1.37 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;
- 5.1.38 exercise such other powers, duties and functions as may be required by council from time to time

**6. Assistant Chief Administrative Officer**

6.1 The Assistant Chief Administrative Officer may be referred to as the Assistant Chief Administrative Officer and will be the designated officer for purposes of the following sections of the Municipal Government Act:

- Section 213 (1)(b) - Signing Minutes of Council Meetings
- Section 213 (2)(b) - Signing Minutes of Council Committee Meetings
- Section 213 (3)(b) - Signing Bylaws
- Section 213 (4)(b) - Signing Agreements, cheques and other negotiable instruments
- Section 439 (2) - Preparing and issuing distress warrants and seize goods;
- Section 612 - Certifying copies of By-law and records
- Section 612 (1) - Certifying copies of Bylaw, resolutions and records
- Section 606 (1) - Signing Certificates of advertising

6.2 The Assistant Chief Administrative Officer will otherwise carry out the functions as specified in other Bylaws of the municipality.

**7. Assessor**

7.1 The Assessor will be the designated officer for purposes of carrying out the powers, duties and functions of an "assessor" as defined in Section 284 of the Municipal Government Act and as set out in the following Parts of the Municipal Government Act.

- Part 9 - Assessment.
- Part 10 - Taxation
- Part 11 - Assessment Review Boards.

7.2 The Assessor will otherwise carry out the functions as specified in other Bylaws of the municipality.

**8. ACCOUNTABILITY**

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

8.2 The Assistant Chief Administrative Officer, Clerk of the Assessment Review Board, and Assessor are subject to the supervision of and accountable to the Chief Administrative Officer.

**9. GENERAL**

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

**10. Repeal**

Bylaws 8/95, and 9/95 are hereby repealed.

**11. Effective Date**

This Bylaw comes into force on the day it is finally passed.

READ a first time this 24 day of February, 2010

  
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Reeve

  
.....  
Chief Administrative Officer

READ a second time this 24 day of February, 2010.

READ a third time and finally passed this 24 day of February, 2010

  
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Reeve

  
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Chief Administrative Officer