

Village of Donalda
In the Province of Alberta
Bylaw #704
"Chief Administrative Officer Bylaw"

A Bylaw of the Village of Donalda, in the Province of Alberta, to establish the position of Chief Administrative Officer;

WHEREAS pursuant to the Municipal Government Act, Chapter M.26 Revised Statutes of Alberta, 2000, and regulation as amended time to time, Council may establish by Bylaw the position of Chief Administrative Officer, and delegate powers, duties and functions to that position.

NOW THEREFORE, the Council of Village of Donalda, in the Province of Alberta, hereby enacts as follows:

1. Title

1.1 This Bylaw may be cited as the "Chief Administrative Officer" Bylaw;

2. Interpretation

2.1 "Act" means the Municipal Government Act RSA 2000, c-M.26 and regulations as amended from time to time;

2.2 "Administration" means the general operations of the Village of Donalda, including personnel, financial and other related resources as permitted by the Act;

2.3 "Bylaw" means the Village of Donalda Bylaw #704;

2.4 "Chief Administrative Officer (CAO)" means the person appointed to the position of Chief Administrative Officer by the Council of the Village of Donalda and includes any person that the Chief Administrative Officer may appoint as his/her designate for the purposes of carrying out his/her responsibilities under this Bylaw and further, includes any person that may be appointed to act in the absence of the Chief Administrative Officer;

2.5 "Council" is the members of Council of Donalda elected pursuant to the Local Authorities Election Act;

2.6 "Council Committee" means a committee within the meaning of the Act that is carrying out the powers, duties, and functions delegated to it by Council and is comprised of all members of Council;

2.7 "Mayor" is the member of Council duly appointed to office pursuant to the Municipal Government Act;

2.8 " Village " is the Village of Donalda;

3. Appointment and Delegation

3.1 The appointment, suspension, and revocation of the CAO shall be in accordance with the Act;

- 3.2 Council, shall by resolution, appoint an individual to the position of CAO and establish the terms and conditions of such appointment by written contract;
- 3.3 The Village shall indemnify the CAO provided that the CAO acts in the course and scope of his/her employment and acts in good faith to comply with any applicable bylaw, statute, or enactment;
- 3.4 The CAO is authorized to further delegate and to authorize further delegations of any powers, duties and functions delegated to the CAO by Council under this or any other bylaw to any employee of the Village unless otherwise specified by Council;

4. General Powers

- 4.1 The CAO has all the powers and functions given to a CAO under the Act or any other statute or enactment;
- 4.2 The CAO shall carry out all the duties and functions of a CAO as required by the Act or any other statute or enactment;
- 4.3 The CAO has all the powers, duties, and functions given to a designated officer under the Act or any other statute or enactment;
- 4.4 The CAO has all the powers, duties and functions as delegated to the CAO by Council by this or any other bylaw or contract;
- 4.5 The CAO may exercise the powers, duties and functions as may be required by Council or Council committee or any other Committee established by Council from time to time;
- 4.6 The CAO may exercise the powers, duties, and functions as delegated to the CAO by this bylaw, subject to any restrictions or limitations contained in the Act, the Freedom of Information and Protection of Privacy Act or without limitation, any other statute or enactment;
- 4.7 The CAO shall keep the Mayor informed on significant issues, events, and of when political intervention may be required;

5. Accountability

- 5.1 The CAO is accountable to Council for the exercise of all powers, duties and functions delegated to the CAO;

6. Authority

- 6.1 The CAO is authorized to appoint an Acting CAO to act during his/her absence;
- 6.2 The CAO is authorized to coordinate, direct, supervise and review the performance of the Administration;
- 6.3 The CAO is authorized to establish the structure of the Administration, including establishing, merging, dividing, and eliminating job positions and establishing a managerial hierarchy;
- 6.4 The CAO is authorized to advise, inform and make recommendations to Council about:
 - 6.4.1 The operations of the Village;
 - 6.4.2 The overall financial position of the Village;

6.4.3 Council policies, procedures, and programs as may be necessary or desirable to carry out powers, duties and functions of the Village;

6.5 The CAO is authorized to enforce or cause to be enforced all bylaws and resolutions of Council on behalf of the Village;

7. Budget and Financial Considerations

7.1 The CAO is authorized to cause the development of satisfactory procedures concerning budget preparation and financial reporting of the Villages' revenues and expenditures including:

7.1.2 Coordinating and assisting, when necessary, in the preparation and submission to Council of the yearly operating and capital budget;

7.1.3 Coordinating and assisting, when necessary, the preparation and submission to Council of a multi-year Operating and/or Capital Budget;

7.1.4 Ensuring the efficient procurement of goods and services for which funding is provided within the budget;

7.1.5 Reviewing and approving any budget adjustment submitted by Administration, subject to Village policy;

8. Agreements and Contracts

8.1 The CAO is authorized to review and enter into any agreements and contracts as directed by Council;

8.2 The CAO is authorized to retain the services of an individual, corporation, or legal counsel for purposes relating to the operations of the Village and complete all necessary documents required for the provision of such services, as directed by Council;

8.3 The CAO is authorized to provide for insurance coverage for the Village.

9. Council

9.1 Council shall communicate administration issues through the CAO and/or his/her designate only;

10. Employees

10.1 The CAO is authorized to, subject to any applicable legislation and any contract or agreement binding on the Village:

10.1.1 Hire, appoint, transfer or promote any Village employee;

10.1.2 Evaluate, discipline, suspend, demote, or dismiss any Village employee;

10.1.3 Determine salaries, benefits, hours of work, and other working conditions of those employees' subject to the CAO's supervision, within the limitation of any salary plan or salary contract agreement, after which plan or agreement has first been adopted by Council;

10.1.4 Ensure the development of comprehensive personnel policies and programs covering selection, development, retention, appraisal, and placement of Village employees as approved by Council;

11. Fees and Charges

11.1 The CAO is authorized to establish fees, charges, rates and tariffs as directed by Council.

12. Investments

12.1 The CAO is authorized to invest funds on behalf of the Village

in such amounts and on such terms as permitted under the Act;

13. Policy Delivery

13.1 The CAO is authorized to provide corporate leadership in ensuring that all Village policies and programs are efficiently coordinated, and delivered in a responsible manner and, where applicable, reflect the priorities of the Village as defined by Council;

14. Reporting

14.1 The CAO will prepare and submit to Council, reports and recommendations as may be required by Council, Committee of Council or any other committee;

14.2 The CAO will prepare and submit to Council a CAO report at Regular Council meetings on work plan activities by administration;

14.3 The CAO will ensure that Council received information and reports as it requires to make effective policy decisions;

14.4 The CAO will coordinate and direct presentations by Administration to the Council on policy proposals and ongoing municipal operations, making recommendations where appropriate;

15. Respond to Inquiries

15.1 The CAO will respond to inquiries and requests for information on behalf of the Village including stating the Villages' position, subject to any Council approved policy, procedure, standard, or guideline, or as otherwise directed by Council;

16. Tenders

16.1 The CAO will review tenders where the expenditures or revenue is included in an approved budget and that the completion of such tenders is in accordance with approved policies, procedures, standards, or guidelines;

17. Severability

17.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable;

18. Effective Date

18.1 This Bylaw shall come into effect on the date of third and final reading.

READ a first time in open Council this 15th day of May, 2018.

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Chief Elected Official

Chief Administrative Officer