

BYLAW 2023-02

BEING A BYLAW OF THE TOWN OF DIAMOND VALLEY IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER AND TO DEFINE THE DUTIES, POWERS AND FUNCTIONS OF THIS POSITION

WHEREAS pursuant to the *Municipal Government Act* (the 'Act'), RSA 2000, Chapter M-26 as amended, authorizes Council to pass a bylaw for the purpose of establishing the position of Chief Administrative Officer;

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

NOW THEREFORE, BE IT RESOLVED THAT the Council of the Town of Diamond Valley, duly assembled, enacts as follows:

1.0 TITLE

1.1 This bylaw may be cited as the '**Chief Administrative Officer Bylaw**'.

2.0 INTERPRETATION AND DEFINITIONS

2.1 In this bylaw, the following terms, phrases, words and their derivations shall have the following meanings:

- a) **Act** means the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended;
- b) **Chief Administrative Officer** or **CAO** means the person appointed by the Council of the Town to carry out the powers, duties and functions of the Chief Administrative Officer;
- c) **Council** means the elected officials for the Town of Diamond Valley;
- d) **Town** means the municipality of the Town of Diamond Valley, incorporated in the Province of Alberta.

2.2 The headings in this bylaw do not form part of this bylaw and shall not affect its interpretation.

3.0 APPOINTMENT, TERMS AND CONDITIONS

3.1 Council hereby establishes the position of Chief Administrative Officer.

3.2 Council shall, by resolution, appoint an individual to the position of Chief Administrative Officer.

3.3 The CAO may appoint an Acting CAO where such absences are for a period of more than one (1) week, but less than one (1) month.

3.4 Except for the purpose of an official inquiry, the Council shall deal with the administration and the control thereof solely through the CAO.

4.0 RESPONSIBILITIES

4.1 The CAO's responsibilities shall be in accordance with section 207 of the Act.

Handwritten signature/initials

Handwritten signature/initials

5.0 ADMINISTRATIVE DUTIES

- 5.1 The CAO must ensure that all powers, duties and functions are performed in accordance with Section 208 of the Act and any other enactment.
- 5.2 In order to carry out the responsibilities of the position, the CAO has the authority to:
- a) hire, dismiss, promote, demote, reward or discipline any municipal employee;
 - b) implement any internal reorganization of responsibilities and duties required for the effective and efficient operation of the municipality. If a major organizational change is effected, the CAO shall report such a change to Council;
 - c) be present at any meeting of Council or Committee of Council;
 - d) 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 at the next meeting of Council;
 - e) negotiate contracts, agreements and transactions required for the effective operation of the municipality and to recommend the approval of such to Council;
 - f) conclude contracts of behalf of the municipality to a financial limit established by policy or resolution;
 - g) sign any order, agreement, cheque, negotiate instrument or document made or executed on behalf of the municipality;
 - h) take such other actions as necessary to carry out the responsibilities and duties assigned by Council in accordance with any bylaw or approved policy of Council.
- 5.3 In accordance with Section 209 of the Act, delegate any of the CAO's powers, duties or functions under the Act, or any other enactment or bylaw to a Designated Officer or an employee of the municipality.

6.0 SEVERABILITY

- 6.1 If at any time any provision of this bylaw is declared or held to be illegal, invalid or ultra vires, in whole or in part, then that provision shall not apply and the remainder of the bylaw shall continue in full force and effect and shall be constructed as if it had been enacted without the illegal, invalid or ultra vires provision.

7.0 GENERAL PROVISIONS AND COMING INTO FORCE

- 7.1 Town of Black Diamond Bylaw No. 16-04 and Town of Turner Valley Bylaw No. 15-1040 are hereby rescinded.
- 7.2 This Bylaw will take force and effect upon third and final reading and signing thereof.

READ A FIRST TIME on the 11 day of JAN, 2023

READ A SECOND TIME on the 11 day of JAN, 2023

READ A THIRD AND FINAL TIME on the 11 day of JAN, 2023


Mayor


Chief Administrative Officer