

BEING A BYLAW OF THE TOWN OF DIAMOND VALLEY IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE POSITIONS OF DESIGNATED OFFICERS

WHEREAS pursuant to the *Municipal Government Act* (the 'Act'), RSA 2000, Chapter M-26 as amended, provides that Council may pass a Bylaw to establish one or more positions to carry out the powers, duties and functions of a Designated Officer;

WHEREAS the Council desires to exercise its authority pursuant to the *Municipal Government Act* by establishing Designated Officer positions;

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 "*Designated Officers Bylaw*".

2.0 INTERPRETATION AND DEFINITIONS

2.1 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) **Bylaw** means a Bylaw of the Town of Diamond Valley;
- c) **Chief Administrative Officer (CAO)** means the person appointed by the Council of the Town to carry out the powers, duties and functions of the Chief Administrative Officer;
- d) **Committee** means a Committee, board, commission, authority, task force or any other public body established by Council, except Council Committee of the Whole;
- e) **Council** means the elected officials for the Town of Diamond Valley;
- f) **Designated Officer** means a person appointed to a position established in accordance with the *Municipal Government Act*;
- g) **Financial Institution** means an establishment that conducts financial transactions such as investments, loans and bank accounts;
- h) **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. In this

3.0 SIGNING OR AUTHORIZING MUNICIPAL DOCUMENTS

3.1 Council hereby authorizes that all financial agreements, cheques and negotiable instruments must be signed by one (1) member of Council and one (1) Designated Officer as follows:

- a) three (3) Members of Council authorized to sign such agreements, cheques and negotiable instruments shall be appointed by resolution each year at the annual Organizational Meeting of Council, or any other Council meeting, as required; and
- b) the Financial Institution(s) used by the Town shall be authorized by resolution of Council; and



- c) the signors are authorized for and on behalf of the Town to draw, accept, sign, exchange, promissory notes, cheques and orders for the payment of money, to transact with authorized Financial Institutions any business that they may think fit; and to sign the Financial Institution's form of settlement and release; and
- d) the Designated Officers authorized to sign such agreements shall be the CAO or, in the absence of the CAO, the Manager of Financial Services or the Legislative Services Manager.

3.2 Council hereby authorizes that the CAO or the Manager of Financial Services, or the Legislative Services Manager shall, on behalf of the Town:

- a) negotiate, deposit with and transfer to any Financial Institution as authorized by resolution of Council (but for credit only) to the account of the Town all or any bills of exchange, promissory notes, cheques and orders for payment of money and other negotiable paper, and for the said purpose to endorse the same or any of them on behalf of the Town whether in writing or by rubber stamp or otherwise;
- b) from time to time arrange, settle, balance, and certify all books and accounts between the Town and any authorized Financial Institutions;
- c) receive all paid orders and vouchers;
- d) invest any operating surpluses of the Town or other money of the Town that is not required for immediate disbursement in accordance with the Act; and
- e) reinvest or redeem any money that has been invested, for deposit into an authorized Financial Institution in the name of the Town of Diamond Valley, at their discretion.

4.0 DESIGNATION

4.1 The following positions are established as Designated Officers for the Town:

- a) Municipal Assessor
- b) Manager of Financial Services
- c) Planning Manager
- d) Legislative Services Manager
- e) Community Peace Officer

5.0 MUNICIPAL ASSESSOR

5.1 The Municipal Assessor is the Designated Officer for the purposes of carrying out the duties and responsibilities of an 'assessor' under the Act, and any other relevant statute, regulation or Bylaw.

5.2 The Municipal Assessor is the Designated Officer for purposes of the following sections of the Act:

Section:	Description
293(1), (2) and (3)	Duties of assessors
482(1) and (2)	Admissible evidence at hearings
525(1), (2) and (3)	Admissible evidence at hearings

6.0 MANAGER OF FINANCIAL SERVICES

6.1 The Manager of Financial Services is the Designated Officer for purposes of the following sections of the Act:

Section:	Description
213(4)	Signing agreements, cheques and other negotiable instruments
270(1) and (2)	Opening and closing all the accounts of the Town that hold money
309(1)(d)	Contents of assessment notices
310(4)	Certifying date of sending Assessment Notices
334(1)(e)	Contents of tax notices
336(1)	Certifying date of sending tax notices
343(2)	Application of tax payments
350	Issuing tax certificates
420(2)	Obtaining possession of lands
439(2)	Preparing and issuing distress warrants and seizing goods

and any other relevant statute, regulation or Bylaw.

At the discretion of the Chief Administrative Officer, the Manager of Financial Services is hereby authorized to sign operational agreements and contracts without a co-signature of the Chief Elected Official or their designate.

7.0 PLANNING MANAGER

7.1 The Planning Manager is the Designated Officer for purposes of the following sections of the Act:

Section:	Description
25	Temporary road closure
62	Acquiring land for roads
69	Consolidating land use and planning Bylaws
213(4)(b)	Signing agreements and negotiable instruments related to land use and development planning
542	Municipal inspections and enforcement
545	Order to remedy contraventions
606(7)	Requirements for proof of advertising
630(1) and (2)	Signature evidence

8.0 LEGISLATIVE SERVICES MANAGER

8.1 The Legislative Services Manager is the Designated Officer for purposes of the following sections of the Act:

Section:	Description
69	Consolidating Bylaws
213(2)(b)	Signing minutes of Council Committee meetings
606(7)	Requirements for proof of advertising
612	Certifying copies of Bylaws and records




213(4)

Signing agreements, cheques and other negotiable instruments

9.0 COMMUNITY PEACE OFFICER

9.1 The Community Peace Officer is the Designated Officer for purposes of the following sections of the Act:

Section:	Description
542	Municipal inspections and enforcement
545	Order to remedy contraventions
546	Order to remedy dangers and unsightly property
549	Take actions to remedy a contravention or eliminate danger to the public

and any other relevant statute, regulation or Bylaw.

10.0 DELEGATION

10.1 Those persons appointed to the positions noted above have the authority to further delegate any powers, duties and functions assigned to them within this Bylaw, in accordance with the Act.

11.0 DESIGNATION OF POWERS

11.1 A Chief Administrative Officer may exercise all of the powers, duties and functions of a Designated Officer under this or any other enactment or Bylaw if:

- a) no position of Designated Officer has been established by Council,
- b) the position of Designated Officer is vacant, or
- c) this or any other enactment or Bylaw refers to a Designated Officer, and the power, duty, function or other thing relating to the Designated Officer has not been assigned to any Designated Officer by Council.

11.2 Council may revoke the appointment of a person to the position of Designated Officer, in accordance with the Act

12.0 SEVERABILITY, GENERAL PROVISIONS AND COMING INTO FORCE

12.1 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.

12.2 Town of Diamond Valley Bylaw 2023-33, Designated Officers Bylaw, and any amendments thereto, is hereby rescinded.


12.3 This Bylaw will take force and effect upon third and final reading and signing thereof.

READ A FIRST TIME on the 16th day of April, 2025

READ A SECOND TIME on the 16th day of April, 2025

READ A THIRD AND FINAL TIME on the 16th day of April, 2025



Mayor

Chief Administrative Officer

