BYLAW NO. 378

OF THE VILLAGE OF SPRING LAKE

BEING A BYLAW OF THE VILLAGE OF SPRING LAKE IN THE PROVINCE OF ALBERTA

FOR THE PURPOSE OF ESTABLISHING THE POSITION OF CHIEF ADMINISTRATIVE OFFICER.

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

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

1. Title

a) This Bylaw may be cited as the Chief Administrative Officer Bylaw.

2. Definitions:

a) "Act" means the Municipal Government Act RSA 2000 Chapter M-26 and regulations made under the Municipal Government Act, as amended.
b) "Administration" means the general operations of the Village, including all personnel, financial and other related resources, as permitted by the Act.
c) "Chief Administrative Officer (CAO)" means the person appointed to the position of Chief Administrative Officer by the Council of the Village of Spring Lake 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.
d) "Council" means the Municipal Council of the Village of Spring Lake.
e) "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.
f) "Mayor" means the Chief Elected Official elected in accordance with the Municipal Government Act.
g) "Village" means the Village of Spring Lake.

3. References

a) References to any policies, procedures, standards, guidelines, bylaws, statutes or other enactments shall be deemed to include all amendments thereto, all regulations and orders thereunder and any successor thereto.

4. Appointments and Delegation

a) The appointment, suspension and revocation of the CAO shall be in accordance with the Act.
b) Council shall, by resolution, appoint an individual to the position of CAO and establish the terms and conditions of such appointment by written contract.
c) 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.
d) 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.

5. General Powers

Powers of CAO

a) The CAO has all the powers and functions given to a CAO under the Act or any other statute or enactment.
b) The CAO shall carry out all of the duties and functions of a CAO as required by the Act or any other statute or enactment.
c) The CAO has all the powers, duties and functions given to a designated officer under the Act or any other statute or enactment.
d) The CAO has all the powers, duties and functions as delegated to the CAO by Mayor and Council by this or any other bylaw or contract.
e) The CAO may exercise such other powers, duties and functions as may be required by Council or Council Committee or any other Committee established by Council from time to time.
f) 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.

g) The CAO shall keep the Mayor and Council informed on significant issues, events, and of when political intervention may be required.

Other Delegations

h) The matters delegated to the CAO by this Bylaw are in addition to any other delegations made by Council to the CAO or to any other Village employee.

Accountability

i) The CAO is accountable to Council for the exercise of all powers, duties and functions delegated to the CAO.

Authority

j) The CAO is authorized to appoint an Acting CAO to act during his/her absence.

k) The CAO is authorized to co-ordinate, direct, supervise and review the performance of the Administration.

l) The CAO is authorized to establish the structure of the Administration, including establishing, merging, dividing and eliminating departments and establishing a managerial hierarchy.

m) The CAO is authorized to establish and implement all policies, procedures, standards and guidelines for all matters within the powers of the CAO.

n) The CAO is authorized to advise, inform and make recommendations to Council about:

   i. The operations of the Village.

   ii. The financial condition of the Village.

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

o) The CAO is authorized to attend or be represented by the Acting CAO at all meetings of Council, Council Committee and any other Committee or meeting as directed by Council.

p) The CAO is authorized to enforce or cause to be enforced all bylaws and resolutions of the Village.

Budget

q) The CAO is authorized to cause the development of satisfactory procedures concerning budget preparation and financial reporting of the Village's revenues and expenditures, including:

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

   ii. Coordinating and assisting when necessary the preparation and submission to Council of an annual multi-year Capital Plan and Operating Plan.

   iii. Coordinating the preparation and submission to Council Committee or any other appointed Committee annual reporting on the operating and capital budget.

   iv. Ensuring the efficient procurement and safekeeping of goods and services for which funds are provided within the budget.

   v. Reviewing and approving any budget adjustment submitted by Administration, subject to policy and internal adjustments

Agreements & Contracts

r) The CAO is authorized to review and enter into any and all agreements and contracts as directed by Council.

s) 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.

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

Council

u) Council shall deal with Administration through the CAO and Council shall as normal practice require that its' directives be carried out through the office of the CAO.

Employees

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

   i. Hire, appoint, transfer or promote any Village employee.

   ii. Evaluate, discipline, suspend, demote or dismiss any Village employee.

   iii. Determine salaries, benefits, hours of work and other working conditions of those employee's 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.

Fees & Charges

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

Invest Funds

x) The CAO is authorized to invest funds on behalf of the Village in such amounts and on such terms as permitted under the Act.

Program Delivery

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

Reporting

z) The CAO will prepare and submit to Council reports and recommendations as may be required by Council, Council Committee or any other Committee.

aa) The CAO will ensure that Council receives information and reports as it requires to make effective policy decisions.

bb) The CAO will co-ordinate and direct presentations by Administration to the Council on policy proposals and ongoing municipal operations, making recommendations where appropriate.

Respond to Inquiries

cc) 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.

Tenders

dd) The CAO will review tenders where the expenditure or revenue is included in an approved budget and that completion of such tenders is in accordance with approved policies, procedures, standards or guidelines.

6. Severability

a) 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.

7. Repeal of Bylaw

a) Bylaw No. 297 is hereby rescinded.

8. Effective Date

a) This Bylaw shall come into full force and effect, on the date of third and final reading.

Read a first time this 8th day of October 2019.

Read a second time this 12th day of ~~October~~ November 2019.

Read a third and final time this 12th day of ~~October~~ November 2019.

Mayor (Deputy)

Chief Administrative Officer