

BYLAW NO. 99-04

A BYLAW OF THE VILLAGE OF ANDREW, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE POSITION AND DEFINE THE POWERS, DUTIES AND FUNCTIONS OF THE CHIEF ADMINISTRATIVE OFFICER

WHEREAS the Municipal Government Act, S.A. 1994, c. M-26.1, as amended, provides that a municipal council must establish by bylaw a position of chief administrative officer to carry out the powers, duties and functions enumerated therein;

WHEREAS the Municipal Government Act, S.A. 1994, c. M-26.1, as amended, further provides that a council must appoint one or more persons to carry out the powers, duties and functions of the position of chief administrative officer;

NOW THEREFORE the Council of the Village of Andrew, duly assembled, hereby enacts as follows:

SECTION 1- SHORT TITLE

1.1 This Bylaw may be referred to as the "Chief Administrative Officer's Bylaw".

SECTION 2- DEFINITIONS

2.1 In this Bylaw:

- (a) "Act" means the Municipal Government Act, S"A" 1994, c. M-26.1 as may be amended from time to time or any legislation which replaces the Act and includes any regulation to the Act or to any replacement legislation;
- (b) "Council" means the Council of the Village of Andrew; and
- (c) "Village" means the Village of Andrew

SECTION 3- THE POSITION OF CHIEF ADMINISTRATIVE OFFICER

3.1 Council hereby establishes the position of Chief Administrative Officer.

3.2 Council shall, by resolution, appoint one or more persons to carry out the powers, duties and functions of the Chief Administrative Officer.

SECTION 4- DELEGATION AND ACCOUNTABILITY

- 4.1 The Chief Administrative Officer may delegate, and authorize further delegations of, any powers, duties or functions delegated to the Chief Administrative Officer by this Bylaw or any other bylaw, any resolution of Council, the Act or any other enactment, to a designated officer or employee of the Village.
- 4.2 Notwithstanding any delegation by the Chief Administrative Officer pursuant to Section 4.1 of this Bylaw, the Chief Administrative Officer shall remain, in all events, responsible to the Council for the exercise of any powers, duties or functions conferred upon the Chief Administrative Officer.

SECTION 5- RESPONSIBILITIES, POWERS, DUTIES AND FUNCTIONS

- 5.1 The Chief Administrative Officer:
- (a) is the administrative head of the Village;
 - (b) shall ensure that the policies and programs of the Village are implemented;
 - (c) shall advise and inform Council on the operation and affairs of the Village: and
 - (d) shall perform the duties and exercises the powers and functions assigned to the Chief Administrative Officer by the Act and other enactments, this Bylaw and any other bylaws of the Village, or as otherwise assigned by Council.
- 5.2 The Chief Administrative Officer has all the powers, duties and functions given to a designated officer under the Act 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) the Act 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.
- 5.3 Without in any way limiting the generality of Sections 5.1 and 5.2 of this Bylaw, the Chief Administrative Officer shall:
- (a) Establish the structure of the administration of the Village and the administrative policies and procedures required for effective operation;

- (b) coordinate, direct, supervise and review the performance of the administration of the Village and any departments which may exist from time to time;
- (c) implement all policies, programs and procedures of the Village;
- (d) Subject to any applicable legislation and any contract binding on the Village:
 - (i) hire, appoint, transfer or promote any employee of the Village;
 - (ii) evaluate, discipline, suspend, demote, dismiss or remove any employee of the Village; and
 - (iii) determine salaries, benefits, hours of work and other working conditions for the employees of the Village subject to Council approval;
- (e) prepare and submit such reports and recommendations as may be required by Council or Council committees;
- (f) prepare and submit to Council, budgets or operating and capital programs annually or more often as required or as Council directs;
 - (g) monitor and control spending within the budgets established by Council;
- (h) advise Council and make recommendations about the financial condition of the Village and the policies and programs as may be necessary or desirable to carry out the powers, duties, and functions of the Village;
- (i) attend all meetings of Council and committees of Council unless excused therefrom and attend meetings of such boards, committees, authorities, commissions and other bodies as may be required by Council;
- (j) Prepare and submit to Council such reports and recommendations as may be required by Council or Council committees;
- (k) Delegate an acting chief administrative officer to act during the absence of the Chief Administrative Officer subject to Council approval;
- (l) Open and close accounts that hold the Village's money subject to Council approval;
- (m) Sign the minutes of all Council and all Council Committee meetings and ensure that they are signed by the person presiding at such meetings;

- (n) sign any bylaws of the Village, and ensure that they are signed by the Chief Elected Official of the Village;
- (o) sign all agreements, cheques and other negotiable instruments, and ensure that they are signed by the Chief Elected Official of the Village or by any other person authorized by Council to sign them;
- (p) in the event that the Village establishes an Assessment Review Board, provide administrative support to the Assessment Review Board, and is appointed as clerk of the Assessment Review Board;
- (q) carry out duties and the responsibilities of a returning officer and secretary under the Local Authorities Election Act, S.A. 1983, c. L-27-5, as amended, and is appointed as a returning officer and secretary;
- (r) prepare and issue distress warrants and seize goods pursuant to distress warrants on behalf of the Village;
- (s) carry out inspections, remedies, enforcement or actions pursuant to section 542 of the Act where the Act or any other enactment or a bylaw authorizes or requires anything to be inspected , remedied or enforced or done by the Village;
- (t) make determinations and issue orders pursuant to the Act or any other enactment which the Village is authorized to enforce, or a bylaw, in accordance with section 545 of the Act;
- (u) make determinations and issue orders pursuant to section 546 of the Act;
- (v) review all requests of any person to obtain information in possession of the Village and to provide such information where required by the Act or any other enactment;
- (w) conduct any census which may be required by Council and submit any affidavits pertaining to the results of that census in accordance with the requirements of the Act;
- (x) determine the sufficiency of any petitions filed with the Village and advise Council on the sufficiency of any such petition;
- (y) accept service of all notices and documents on behalf of the Village;
- (z) provide certification of notices, decisions, documents and any other certificates or statutory Declarations as provided for or required by the Act;

- (aa) ensure that the bylaws of the Village are consolidated as authorized by Council;
- (bb) authorize a temporary closure of the 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;
- (cc) 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 Village, and to provide for a record of all the locations to be kept, which shall be open to public inspection during normal business hours;
- (dd) exercise such powers, duties and functions as may be required by Council from time to time.

SECTION 6- REPEAL

6.1 Bylaw No.2/94 and Bylaw No.95-10 are repealed upon this Bylaw taking effect.

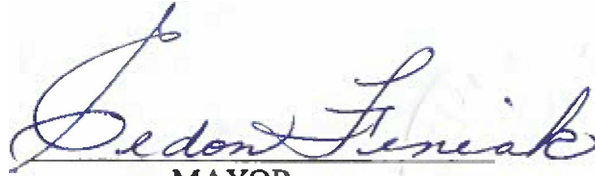
SECTION 7- EFFECTIVE DATE

7.1 This Bylaw shall take effect on the day of the final passing thereof.

READ a first time this 8th day of September, 1999

READ a second time this 22nd day of September, 1999

READ a third and final time this 22 day of September, 1999


MAYOR


CHIEF ADMINISTRATIVE OFFICER