

**BYLAW 05-2011**

**CHIEF ADMINISTRATIVE OFFICER BYLAW**

**TOWN OF LEGAL, LEGAL, ALBERTA**

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**A BYLAW OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING THE POSITION, POWERS AND DUTIES FO THE CHIEF ADMINISTRATIVE OFFICER:**

**WHEREAS**, Section 203 of the *Municipal Government Act*, R.S.A 2000, c. M-26 provides that Council may by bylaw delegate any of its powers, duties or functions;

**AND WHEREAS**, Section, 205 of the *Municipal Government Act*, R.S.A 2000, c. M-26 provides that Council must establish by bylaw the position of Chief Administrative Officer and may give that position any title Council considers appropriate;

**AND WHEREAS** all references to legislation are Alberta statutes unless otherwise stated;

**NOW THEREFORE** the Council of the Town of Legal, duly assembled, HEREBY ENACTS AS FOLLOWS:

1. This Bylaw shall be cited as the "Chief Administrative Officer Bylaw".
  2. In this Bylaw, including this section:
    - a. "Bylaw" means a bylaw of the Town of Legal
    - b. "Town" means Town of Legal
    - c. "Chief Administrative Officer" means the chief administrative officer of the Town and the person who is appointed as such by the Town Council, or anyone who is the acting chief administrative officer of the Town.
    - d. "Council" means Council of the Town of Legal.
  3. The position of Chief Administrative Officer is established and shall be described by that title in all bylaws and resolutions of Council.
  4. Council shall be at liberty from time to time, by way of resolution, to appoint a person as the Chief Administrative Officer.
  5. The Chief Administrative Officer shall have the following powers, duties, functions and responsibilities:
    - a. The Chief Administrative Officer has those powers, duties, functions and responsibilities given to a Chief Administrative Officer under the Municipal Government Act or any other Act or Regulation;
    - b. The Chief Administrative Officer has those powers, duties, functions and responsibilities delegated to the Chief Administrative Officer by any bylaw of the Town under s. 203 of the , R.S.A 2000, c. M-26.
    - c. The Chief Administrative Officer reports to the Mayor and to Council, and directs the overall planning, coordination and control of all municipal operations in accordance with the objectives, policies and plans of the Town.
    - d. The Chief Administrative Officer monitors compliance with all applicable statutory enactments.
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- e. The Chief Administrative Officer recommends objectives, programs and policies to Council, and directs implementation of them, monitors those approved by Council, and recommends improvements as required.
- f. The Chief Administrative Officer shall be responsible for directing and managing all of the personnel and employees of the Town and has authority and responsibility for the following:
  - i. The Chief Administrative Officer shall have the authority to establish and change personnel, employment and administrative policies, procedures, programs, rules and guidelines as deemed necessary for the safe, efficient, economic and effective operation of the Town.
  - ii. The Chief Administrative Officer has the authority to hire, appoint, suspend, remove, layoff or terminate any employee of the Town with or without just cause.
  - iii. The Chief Administrative Officer has the authority to set the terms of employment for employees of the Town.
  - iv. The Chief Administrative Officer has the authority to direct, supervise, oversee, manage and review the performance of the employees and personnel of the Town.
  - v. The Chief Administrative Officer has the authority to establish the structure and organization of the management, personnel and administration of the Town necessary for the safe, efficient, economic and effective operation of the Town.
6. The Chief Administrative Officer monitors and ensures adherence to Town policies, rules, procedures, programs and guidelines through effective communication.
7. The Chief Administrative Officer directs the development of policies and procedures related to budget expenditures and financial controls. The Chief Administrative Officer directs the preparation of capital and operating budgets and submits them to Council for approval with supporting documentation.
8. The Chief Administrative Officer directs the execution of all documents, agreements and contracts.
9. The Chief Administrative Officer authorizes the payment of accounts within established guidelines of the Town.
10. The Chief Administrative Officer coordinates the prompt and proper handling of all requests, inquiries and complaints by the public.
11. The Chief Administrative Officer attends all regular and special meetings of Council as required and other meetings as requested.
12. The Chief Administrative Officer advises Council on relevant matters
13. The Chief Administrative Officer acts as the liaison with representatives externally, such as boards, commissions, agents consultants and others, and advises Council and committees as requested.
14. The Chief Administrative Officer keeps informed about governmental and community affairs and advises Council and personnel of significant trends.
15. The Chief Administrative Officer may take whatever actions or measures which are necessary to respond to an emergency or disaster.
16. The Chief Administrative Officer or Council may appoint an acting Chief Administrative Officer in the absence of the Chief Administrative Officer. Such acting Chief Administrative Officer has the same powers, duties and functions as the Chief Administrative Officer.
17. The Chief Administrative Officer shall perform all other duties and functions for the safe, efficient, economic and effective operation of the Town as may be required from time to time including, but not limited to, retaining and instructing legal counsel, settling claims, actions and demands, paying any amounts the Town is legally required to pay pursuant to an order,

directive or judgment of a court, tribunal or board of competent jurisdiction, enter into contracts, agreements and transactions, provided that no such action requires an expenditure of money which has not been approved by Council or which has not been included in an operating budget, interim operating budget or capital budget except in the case of immediate action required to respond to an emergency or disaster.

- 18. The Chief Administrative Officer performs other duties as required by Council.
- 19. The Chief Administrative Officer may delegate his responsibilities under this Bylaw to other officers or employees of the Town.
- 20. If any provision of this Bylaw or part thereof is adjudged by a court of competent jurisdiction to be invalid for any reason, then such provision or part thereof shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.
- 21. Any reference in any bylaw, resolution, policy, agreement or regulation to the Chief Administrative Officer, Chief Administrator, Municipal Administrator, or other like title which has been passed, adopted or entered into prior to the passage of this Bylaw shall be deemed for all purposes to refer to the position of Chief Administrative Officer established and continued under this Bylaw.
- 22. The Council of the Town of Legal requires that the Chief Administrative Officer live in the Town of Legal.
- 23. This Bylaw shall take effect immediately upon the date of final reading, Bylaw 78-93 is repealed when this Bylaw comes into effect.

READ a first time this 20 day June, 2011.

READ a second time this 20 day June, 2011.

READ a third and final time this 20 day of June, 2011.

AS

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Mayor

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Chief Administrative Officer

Bylaw 05-2011 was signed this 20 day of June, 2011.