

BYLAW 738-GE-01-18
TOWN OF COALDALE
IN THE PROVINCE OF ALBERTA

*Being a Bylaw of the Town of Coaldale in the Province of Alberta,
to establish the positions of chief administrative officer and designated officers.*

WHEREAS the Municipal Government Act provides that a council must establish by bylaw a position of chief administrative officer;

AND WHEREAS the Municipal Government Act provides that a council may by bylaw establish one or more positions to carry out the powers, duties or functions of a designated officer;

AND WHEREAS Council wishes to exercise its authority pursuant to the Municipal Government Act by establishing the positions of chief administrative officer and designated officers;

NOW THEREFORE the Municipality Council of the Town of Coaldale, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

1.1 This Bylaw may be cited as the "Designated Officer Bylaw".

2. INTERPRETATION

2.1 In this Bylaw, the following terms shall have the following meanings:

- a) "Bylaw" means this Designated Officer Bylaw;
- b) "CAO" means the chief administrative officer for the Town appointed pursuant to this Bylaw and as defined in the Municipal Government Act;
- c) "Council" means the municipal council of the Town;
- d) "FOIP" means the *Freedom of Information and Protection of Privacy Act*, RSA 2000 c F-25 and the regulations thereunder;
- e) "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, c M-26 and the regulations thereunder; and
- f) "Town" means the municipal corporation of the Town of Coaldale.

2.2 Any references in this Bylaw to any statutes, regulations, bylaws or other enactments is to those statutes, regulations, bylaws or other enactments as amended or replaced from time to time and any amendments thereto.

3. CHIEF ADMINISTRATIVE OFFICER

3.1 The position of the CAO is hereby established.

3.2 The CAO shall be given the title "Chief Administrative Officer".

3.3 The CAO shall have the all of the powers, duties and functions of a chief administrative officer as set out in the *Municipal Government Act*.

3.4 Without limiting the generality of section 3.3 of this Bylaw, the CAO is the head of the Town within the meaning of FOIP.

3.5 Unless a designated officer is expressly appointed in this Bylaw or another bylaw of the Town, the CAO has all the powers, duties and functions given to a designated officer under the *Municipal Government Act* or any other statute or enactment.

4. DELEGATION BY CAO

4.1 The CAO is authorized to delegate and to authorize further delegations of any powers, duties and functions assigned to the CAO by Council under the *Municipal Government Act* and under this or any other bylaw to a designated officer or an employee of the Town.

4.2 Without limiting the generality of section 4.1 of this Bylaw, the CAO is authorized to appoint a deputy CAO and delegate the CAO's powers, duties and functions to that deputy CAO and to authorize that deputy CAO to act as the CAO during absences of the CAO.

5. MUNICIPAL ASSESSOR

5.1 The position of assessor is hereby established as a designated

officer of the Town.

- 5.2 The assessor shall be given the title "Municipal Assessor".
- 5.3 The Municipal Assessor is the designated officer for purposes of carrying out the duties and responsibility of an "assessor" under the *Municipal Government Act*.
- 5.4 The Municipal Assessor is the designated officer for the following sections of the *Municipal Government Act*:
 - a) Section 482: Admissible evidence at hearing; and
 - b) Section 525(2): Admissible evidence at hearing.

6. **GENERAL**

- 6.1 Each provision of this Bylaw is independent of all other provisions. If any provision of the Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 6.2 This bylaw rescinds any previous bylaw in reference to designation of the Chief Administrative Officer or appointment of Designated Officers in their entirety, including any amendments thereto, and shall come into full force when it receives THIRD and FINAL reading and is duly signed.

READ a FIRST time this 22nd day of January, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 016.18

READ a SECOND time this 22nd day of January, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 017.18

UNANIMOUS CONSENT TO hold THIRD and FINAL reading this 22nd day of January, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 018.18

READ a THIRD and final time this 22nd day of January, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 019.18