

**Summer Village of Bondiss  
Bylaw No.03-22**

**BEING A BYLAW OF THE SUMMER VILLAGE OF BONDISS TO ESTABLISH THE POSITION AND RESPONSIBILITIES OF THE CHIEF ADMINISTRATIVE OFFICER**

WHEREAS, pursuant to section 205(1) of the Municipal Government Act, Council must establish by bylaw a position of Chief Administrative Officer;

AND WHEREAS, Council may, in accordance with section 203 of the Municipal Government Act, delegate executive and administrative duties and powers and functions;

NOW THEREFORE; the Council of the Summer Village of Bondiss, in the province of Alberta, duly assembled, hereby enact as follows:

**TITLE**

1. This bylaw may be referred to as "The Chief Administrative Officer (CAO) Bylaw"

**APPOINTMENT, TERMS & CONDITIONS**

1. Council hereby establishes the position of Chief Administrative Officer (CAO).
2. Council must, by resolution, appoint an individual to the position of CAO.
3. The person appointed by Council to the position of CAO will hold this position under the terms and conditions established by an employment agreement as determined by Council.
4. Council may, by resolution, appoint a Deputy CAO. The Deputy CAO must act like the CAO if the CAO becomes ill or is otherwise prevented from fulfilling the role of CAO. The CAO may appoint an Acting CAO where such absences are for a period of less than a month.
5. Except for the purpose of an official inquiry, Council must deal with Administration and the control thereof solely through the CAO.

**MGA RESPONSIBILITIES**

1. In order to carry out the responsibilities of the position, in accordance with any bylaw or policy of Council, section 207 and 208 of the Municipal Government Act, and any other enactment, the CAO has the authorities and responsibilities set out in these sections.
2. In accordance with section 209 of the Municipal Government Act, the CAO, may delegate any of his/her powers, duties, or functions under the Act, or any other enactment or bylaw to a designated officer or an employee or the Summer Village of Bondiss.
3. The CAO is accountable to Council for the exercise of all powers, duties, and functions delegated to the CAO.
4. The CAO is the Head of the municipality for the purposes of the Freedom of Information and Protection of Privacy (FOIPP) Act, R.S.A 2000 c. F-25.

#### CAO ADMINISTRATIVE MANAGEMENT DUTIES

1. Hire, dismiss, promote, reward, or discipline any municipal employee; direct, supervise, and review the performance of all divisions and employees of the Summer Village of Bondiss.
2. Implement any internal reorganization of responsibilities and duties required for the effective and efficient operations of the Summer Village of Bondiss. If a major organizational change is affected, the CAO must report such a change to Council.
3. Implement all programs and policies of the Summer Village of Bondiss.
4. Subject to the approval of Council, create or eliminate any Summer Village of Bondiss divisions or positions.

#### CAO COUNCIL RELATED DUTIES

1. Meeting Attendance
  - a. Be present at any meeting of Council unless excused therefrom.
  - b. Attend meetings of such boards, committees, commissions, or other bodies as may be required.
2. Budgeting
  - a. Prepare budgets for operating and capital programs annually or more often as required or directed by Council.
  - b. Monitor and report on the operating and capital budgets approved by Council.
3. Communication
  - a. Advise and inform Council or Council committees on the operation and affairs of the Summer Village of Bondiss.
  - b. Provide verbal reports to Council regarding activities and sense of community issues.
  - c. Seek to ensure that Council is aware of any key issues as they arise.
  - d. Ensure that Council is made aware of all the available information for each issue, at least to the extent that Administration is aware of such information.
  - e. Keep Council informed on the progress, recommended changes, and new matters that relate to the strategic plan and work programs on a regular basis.
4. Reports
  - a. Prepare and submit reports and recommendations as required by Council and Council committees.
  - b. Ensure that Council has access to reasonable decision-making options as well as the recommendation of the CAO.
  - c. Utilize a consistent format and be proactive in providing a full range of information, background, issues defined, available options, and implications in the requests for decision reports for decision making.

#### CAO BYLAW & POLICY DEVELOPMENT DUTIES

1. Develop and recommend, for Council approval, bylaws and policies dealing with non-administrative matters as directed by Council, or at the initiation of Administration.
2. Develop, approve, and implement policies, procedures and practices dealing strictly with administrative duties.

### CAO THIRD PARTY RELATIONS DUTIES

1. Negotiate contracts, agreements, and transactions required for the effective operation of the Summer Village of Bondiss and recommend the approval of such to Council.
2. Conclude contracts on behalf of the Summer Village of Bondiss to a financial limit established by policy or resolution of Council.
3. Sign an order, agreement, cheque, negotiation instrument, or document made or executed on behalf of the Summer Village of Bondiss.

### CAO OTHER DUTIES

1. Hire or retain legal counsel on behalf of the Summer Village of Bondiss.
2. In the case of an emergency, authorize any expenditures not previously approved by Council provided a detailed report on such expenditures and its need is presented at the next meeting of Council.
3. Maintain a current understanding of applicable Municipal legislation and leadership, as well as relevant programs, policies, and initiatives of the provincial and federal governments.
4. Take such other actions as necessary to carry out the responsibilities and duties assigned by Council.

### CONDUCT OF THE CAO

In his/her relationship with Council, the CAO must:

1. Conduct him/herself as the Summer Villages' chief policy advisor in an honest and ethical manner.
2. Provide advice on all issues that is professionally sound, ethical, legal, and in accordance to all the policies and objectives of Council.
3. Share information to all members of Council when deemed appropriate in responding to a request from one Councillor.
4. Ensure that members of Council are accorded respect in all personal and public comments.
5. Treat members of Council with respect and integrity.
6. Lead, establish and maintain a positive and constructive environment for members of Council, residents, stakeholders, businesses, and Summer Village employees.
7. Listen carefully to the concerns of Council via the CAO's yearly performance review and see to improve any deficiencies on an ongoing basis, and;
8. Admit to mistakes of substance made by the CAO or administration and take corrective action.
9. Through the process of carrying out his/her administrative duties, the CAO must; act on the will of Council as a whole only, not on the will of an individual Councillor, as established by resolutions, policies and bylaws of Council.
10. Implement Councils directions and strategic plan, provide decision-making advice, and communicate residents needs.
11. Direct the actions of Administration so that they are in accordance with the policies and objectives of Council.
12. Forward any complaints or concerns to the appropriate area or individual and prompt follow up is assured, and;

13. Address Administration activities that harm relationships with members of Council, residents, or stakeholders.

#### SEVERABILITY

If at any time any provisions of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then that provision(s) will not apply and the remainder of the bylaw will continue in full force and effect and must be constructed as if it had been enacted without the illegal, invalid, or ultra vires provision(s).

#### REPEAL

This bylaw repeals bylaws:

4/83 Appoint municipal administrator – Doris L. Milke

5/83 Appoint assistant municipal administrator – Darren K Milke

9/83 Repeal bylaw 4/83 and 5/83 appointments of assistant and municipal administrators

11/83 Appoint municipal administrator – Kenneth Armstrong

12/83 Appoint assistant municipal administrator – John H. Crowston

04/98 Appoint chief administrative officer

03/07 Appointment of Chief Administrative Officer – Ed Tomaszuk effective Jan 31/08

#### ENACTMENT

This bylaw will come into force and effect when it receives third reading and had been duly signed by the Mayor and Chief Administrative Officer.


READ A FIRST TIME this 7<sup>th</sup> day of May 2022.


READ A SECOND TIME this 7<sup>th</sup> day of May 2022.

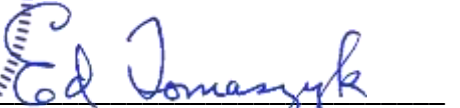
READ A THIRD TIME and finally passed this 21<sup>st</sup> day of May 2022.

SIGNED AND PASSED this 25<sup>th</sup> day of August 2022.

The Summer Village of Bondiss



  
Matthew Tomuschat, Mayor

  
Ed Tomaszuk, CAO