BYLAW

Bylaw Number: **953-26**
Bylaw Name: **Chief Administrative Officer Bylaw**

A BYLAW OF THE TOWN OF BASSANO IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER

WHEREAS Section 205 of the *Municipal Government Act,* R.S.A. 2000, c. M-26, as amended, requires a council to establish by bylaw a position of chief administrative officer;

AND WHEREAS Sections 207 and 208 of the *Municipal Government Act* set forth the mandatory statutory responsibilities and major administrative duties of the chief administrative officer;

AND WHEREAS section 203 of the *Municipal Government Act* authorizes a council to delegate by bylaw, its powers, duties and functions to the chief administrative officer subject to prescribed limits;

NOW THEREFORE the Council of the Town of Bassano, duly assembled, enacts as follows:

PART I: TITLE AND DEFINITIONS

Bylaw Title

1. This Bylaw may be cited as the "Chief Administrative Officer Bylaw" or "CAO Bylaw".

Definitions

2. In this Bylaw, words shall have the same meaning as in the *Municipal Government Act* except as otherwise defined below:

    (a) "Act" means the *Municipal Government Act,* RS.A. 2000, c. M-26, as amended;

    (b) "Administration" means the general operation of the Municipality, including all personnel, financial and other related resources as permitted by the Act;

    (c) "Chief Administrative Officer" or "CAO" means the person appointed as chief administrative officer of the Town of Bassano;

    (d) "Council" means the municipal council of the Town of Bassano; and

    (e) "Municipality" means the municipal corporation of the Town of Bassano.

PART II: APPOINTMENT AND DELEGATION

Chief Administrative Officer

3. The position of Chief Administrative Officer is established, and the individual appointed to that position will have the title "Chief Administrative Officer".

Appointment of CAO

4. Council will, by resolution, appoint an individual to the position of Chief Administrative Officer and establish the terms and conditions of the CAO's employment.

Subdelegation

5. The Chief Administrative Officer 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 a designated officer or an employee of the Municipality.

PART III: GENERAL POWERS

Powers of the Chief Administrative Officer

6. The Chief Administrative Officer:

    (a) has all the powers and functions given to a chief administrative officer under the Act or any other enactment;

    (b) must carry out all of the duties and functions of a chief administrative officer as required by the Act or any other enactment;

    (c) has all the powers, duties and functions given to a designated officer under the Act or any other enactment;

    (d) has all the powers, duties and functions as delegated to the CAO by Council by this or any other bylaw; and

    (e) may exercise such other powers, duties and functions as may be required by Council or a Council committee from time to time.

PART IV: COUNCIL/ADMINISTRATION RELATIONSHIP

Accountability

7. The Chief Administrative Officer is accountable to Council for the exercise of all of the CAO's powers, duties and functions.

Powers, Duties, Functions

8. In addition to the statutory powers, duties and functions prescribed in the Act, the Chief Administrative Officer shall:

    (a) co-ordinate, direct, supervise, and review the performance of employees of the Municipality;

    (b) provide corporate leadership in ensuring that all the Municipality's policies and programs are efficiently coordinated, are delivered in a responsive and effective manner, and reflect the overall strategic priorities of the Municipality as defined by Council;

    (c) advise, inform, and make recommendations to Council regarding:

        (i) the operations of the Municipality,

        (ii) the financial condition of the Municipality, and

        (iii) Council policies, procedures and programs as may be necessary or desirable to carry out the powers, duties and functions of the Municipality;

    (d) prepare and submit, annually or as otherwise directed by Council, annual operating and capital budgets;

    (e) prepare and submit to Council such reports and recommendations as may be required by Council;

    (f) attend all meetings of Council and meetings of such Council committees, boards, authorities and other bodies as are required by Council; and

    (g) appoint an acting Chief Administrative Officer during absences of the CAO.

Authority

9. The Chief Administrative Officer is authorized to:

    (a) establish the structure of the Administration, including establishing, merging, dividing and eliminating departments, and establishing a managerial hierarchy, provided that the Chief Administrative Officer has informed Council of any proposed changes to the structure of the Administration and that Council approves the said changes to the organizational structure within the operational budget;

    (b) subject to any applicable legislation and any contract or agreement binding on the Municipality:

        (i) hire, appoint, transfer or promote any employee of the Municipality,

(ii) evaluate, discipline, suspend, demote, or remove any employee of the Municipality, and

(iii) determine salaries, benefits, hours of work and other working conditions;

(c) establish and implement all policies, procedures, standards and guidelines for all matters within the powers of the CAO;

(d) conduct audits, investigations, and studies of Administration, as the CAO deems necessary, subject to the right of Council to direct audits, investigations, and studies;

(e) prepare administrative consolidations of bylaws;

(f) revise bylaws by:

(i) consolidating a bylaw by incorporating all amendments to it into one bylaw,

(ii) omitting and providing for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective,

(iii) omitting, without providing for its repeal, a bylaw or provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the Municipality,

(iv) combining two or more bylaws into one, dividing a bylaw into two or more bylaws, moving provisions from one bylaw to another and creating a bylaw from provisions of another or two or more others,

(v) altering the citation and title of a bylaw and the numbering and arrangement of its provisions, and adding, changing or omitting a note, heading, title, marginal note, diagram or example to a bylaw,

(vi) omitting the preamble and long title of a bylaw,

(vii) omitting forms or other material contained in a bylaw that can more conveniently be contained in a resolution, and adding authority for the forms or other materials to be prescribed by resolution,

(viii) correcting clerical, grammatical and typographical errors, or

(ix) making changes, without changing the substance of the bylaw, to bring out more clearly what is considered to be the meaning of a bylaw or to improve the expression of the law;

and in all cases, shall prepare for Council's consideration, a bylaw adopting the revision and specifying the date that the revised bylaw is effective and that any repeal provisions are effective.

PART V: FINANCIAL POWERS AND FUNCTIONS

10. The Chief Administrative Officer is authorized to:

(a) in cases of an emergency, as determined by the CAO, expend monies for the emergency that are not in an approved budget, up to a maximum of $150,000 for each expenditure, and subsequently report to Council on the implications of those expenditures;

(b) invest funds on behalf of the Municipality in such amounts and on such terms as are permitted under the Act;

(c) pay any amounts which the Municipality is legally required to pay pursuant to an Order of Judgment of a Court, Board, or other tribunal of competent jurisdiction, relating to an action, claim or demand against the Municipality; and

(d) monitor and control expenditures within the budgets approved by Council and authorize budget adjustments of up to $500,000 from one budgeted program to another.

PART VI: CONTRACTS AND AGREEMENTS

11. Chief Administrative Officer is authorized to:

(a) except as otherwise instructed by Council, and without limitation, retain and instruct legal counsel to provide legal services to the Municipality, Council and committees of Council;

(b) retain the services of any individual or corporation for purposes related to the operations of the Municipality and complete all necessary documents required for the provision of such services, provided the expenditure under the agreement does not exceed $499,999 and is included in an approved budget;

(c) award all tenders and enter into all agreements required for the completion of such tenders in accordance with approved policies, administrative directives or guidelines, and subject to:

(i) the expenditure being included in an approved budget;

(ii) the tender being subject to a competitive bid process; and

(iii) the contract being awarded to the qualifying bidder that meets the criteria and evaluation matrix.

(d) exercise all of the powers, duties and functions of a council or a municipality as prescribed under Part 10 of the Act, except as are to be done by bylaw, specifically reserved for Council pursuant to section 347 of the Act or

delegated to the Municipality's Assessor and enter into all agreements and contracts and issue all documents incidental to the authority granted to a municipality under Part 10 of the Act;

(e) enter into all agreements and contracts incidental to the development and subdivision of land within the Municipality's boundaries pursuant to Part 17 of the Act and complete any and all documents required for or incidental to such development or subdivision;

(f) grant and revoke all powers of attorney allowing the Municipality's staff to execute all required documents, including without limitation, discharges, postponements, and affidavits, pertaining to land, or an interest therein including those granted prior to the date of this Bylaw;

(g) approve and enter into all documents, consents, approvals, acknowledgements and certificates required for or incidental to any agreement, contract, settlement, tender or investment;

(h) sign:

(i) along with the person presiding at the meeting, all minutes of Council and Council committee meetings,

(ii) along with the Mayor, all bylaws,

(iii) along with the Mayor or any other person authorized by Council, cheques and other negotiable instruments, and

(iv) acting alone, all orders, contracts, agreements, documents and certificates that may be required pursuant to any agreement, contract, bylaw, statute or enactment;

(j) approve and enter into all agreements and contracts involving the disposition or conveyance of burial plots at fair market value;

(k) enter into funding agreements with the Alberta Government and non-profit organizations for the provision of the family and community support services program in accordance with approved budget amounts and the Family and Community Support Services Act, R.S.A. 2000, c. F-3 and the Family and Community Support Services Regulations, AR 218/94;

(l) enter into any agreements necessary to provide insurance coverage and performance bonds for the Municipality; and

(m) enter into provincial and federal grant funding agreements.

12. The Chief Administrative Officer's signature, and the signatures of any other employees of the Municipality to whom the CAO delegates signing authority, may be printed, lithographed or otherwise reproduced.

PART VII: OTHER RESPONSIBILITIES

13. The Chief Administrative Officer is authorized to:

    (a) prepare and issue distress warrants, and seize and sell goods pursuant to distress warrants on behalf of the Municipality for the recovery of tax arrears pursuant to the Act;

    (b) 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, enforced or done by the Municipality;

    (c) make determinations and issue orders pursuant to the Act or any other statute, enactment or bylaw which the Municipality is authorized to enforce, in accordance with sections 545 and 546 of the Act;

    (d) designate any Highway as one which is closed temporarily in whole or in part to traffic, as authorized by the Act or any other enactment and cause such Highway to be marked;

    (e) grant an application for a leave of absence without pay to an employee seeking to be nominated as a candidate in a municipal election, pursuant to the Local Authorities Election Act, R.S.A. 2000, c. L-21;

    (f) conduct a census when required by Council and submit population affidavits in accordance with the requirements of the Act.

14. The Chief Administrative Officer is the head of the Municipality, including any board, committee, commission, panel, agency, or corporation that is created or owned by the Municipality, for the purposes of the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25.

PART VIII: CAO CONTRACT AND PERFORMANCE EVALUATION

15. There shall be a separate contract of employment approved by Council and executed by the Mayor on behalf of the Municipality and the Chief Administrative Officer on his or her behalf which shall contain the terms and provisions negotiated and agreed upon between Council and the CAO which shall govern the employment of the CAO with the Municipality unless and until amended by mutual agreement in writing signed by both parties.

16. By no later than December 15th of each year during the currency of the Chief Administrative Officer's employment with the Municipality, Council shall provide the CAO with an annual written performance evaluation of the results the CAO has achieved with respect to fulfilling the CAO's responsibilities under the Act and this Bylaw.

PART IX: OTHER BYLAWS/RESOLUTIONS

17. The provisions of this Bylaw shall prevail in any case where there is a conflict between this Bylaw and any previous resolution or bylaw of Council.

PART X: GENERAL

Severability

18. Should any provision of this Bylaw be found invalid, the invalid provision shall be severed, and the remaining Bylaw shall be maintained.

Repeal

19. Bylaw 891/19 is hereby repealed.

Enactment

20. This Bylaw shall come into full force and effect upon third and final reading.

EFFECTIVE DATE AND READINGS

READ a first time in council this 26th day of January 2026.

READ a second time in council this 26th day of January 2026.

READ a third and final time in council this 26th day of January 2026.

TOWN OF BASSANO

MAYOR

CHIEF ADMINISTRATIVE OFFICER