



**VULCAN COUNTY
BYLAW 2022-036**

Being a bylaw of Vulcan County in the Province of Alberta to establish the position of Chief Administrative Officer and to define the duties, powers and functions of that position.

WHEREAS Section 205 of the *Municipal Government Act* R.S.A. 2000, Chapter M-26, and amendments thereto, requires Council establish a position of Chief Administrative Officer by bylaw;

AND WHEREAS Sections 207 and 208 of the *Municipal Government Act* R.S.A. 2000, Chapter M-26, and amendments thereto, set forth the mandatory statutory responsibilities and major administrative duties of the Chief Administrative Officer;

AND WHEREAS Council wishes to delegate certain powers to the Chief Administrative Officer in accordance with Section 203 of the *Municipal Government Act* R.S.A. 2000, Chapter M-26, and amendments thereto.

NOW THEREFORE the Council of Vulcan County, in the Province of Alberta, duly assembled enacts as follows:

1. TITLE

This bylaw may be called the "Chief Administrative Officer Bylaw".

2. DEFINITIONS

- a. "Act" means the *Municipal Government Act* R.S.A. 2000, Chapter M-26, and amendments thereto.
- b. "Administrative Policy" means policies that are approved by the Chief Administrative Officer (CAO), focus on the internal workings of the Municipality and primary impact and address employees and contractors of the Municipality.
- c. "CAO" means the person appointed to the position of Chief Administrative Officer by Council.

- d. "Council" means the municipal council of Vulcan County.
- e. "Council Policy" means policies that are approved by Council, that provide strategic direction on programs and services delivered by the Municipality, that primarily impact and address residents and landowners of the Municipality or provide an official position on governance plans.
- f. "County" means Vulcan County.
- g. "Department Head" means the Director or Manager in charge of a County Department.
- h. "Municipality" means the municipal corporation of Vulcan County.

3. OFFICE, APPOINTMENT AND CONTINUATION

- a. Council hereby establishes the position of Chief Administrative Officer and the individual appointed to that position shall have the title of CAO.
- b. Council shall, by resolution, appoint an individual to the position of CAO.
- c. Council shall establish the terms and conditions of the appointment of the CAO including:
 - i. the term of the appointment; and
 - ii. the salary to be paid or provided to the CAO which may be varied from time to time by Council.
- d. Pursuant to the Act, Council must provide the CAO with an annual written performance evaluation.
- e. The CAO is a designated officer for the County for all purposes unless Council establishes another designated officer position by bylaw.
- f. In the event of a vacancy in the position of CAO for any reason, Council may, by resolution, appoint an individual or individuals as CAO or as Interim CAO under this bylaw.
- g. The CAO may appoint an Acting CAO where such absences are for a period of less than one month.

4. GENERAL POWERS, AUTHORITY AND DUTIES

- a. The CAO shall be accountable to Council for ensuring that all powers, duties and functions are carried out in accordance with Section 208 of the Act as well as any other pertinent legislation.
- b. The CAO shall carry out his or her powers, duties and functions in compliance with:
 - i. The Act;
 - ii. This Bylaw;
 - iii. Any other applicable enactment;
 - iv. Any other bylaw, resolution, policy or procedure passed or adopted by Council;
 - v. Any contract binding on the County.
- c. The CAO shall attend all Council meetings and the meetings of such other Council committees, boards, authorities, or other bodies as may be required by Council.
- d. The CAO has the authority to delegate any of his or her powers, duties and functions to a County employee.

5. ADMINISTRATION AND OPERATIONAL MATTERS

- a. The CAO has the authority to:
 - i. Hire, dismiss, promote, reward or discipline any employee of the County, except a Designated Officer;
 - ii. Implement any internal reorganization of responsibilities and duties required for the effective and efficient operation of the Municipality. The CAO shall report to Council on any changes to the structure.
 - iii. Establish Administrative Policies.
- b. In the case of an emergency, the CAO may incur any expenditure up to \$250,000 not previously approved by Council provided a detailed report on such expenditure and its need is presented at the next meeting of Council;

- c. The CAO may negotiate and conclude contracts on behalf of the municipality to a financial limit established by policy or resolution.
- d. The CAO is the Head of the Municipality for the purposes of the *Freedom of Information and Protection of Privacy Act*.

6. INDEMNIFICATION

- a. The County shall indemnify the CAO provided that the CAO was acting in good faith to carry out the powers, duties, and functions given to the CAO by this Bylaw, the Act, another other applicable enactment or any other applicable bylaw, resolution, policy or procedure.

7. SEVERABILITY

- a. If a portion of this Bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the Bylaw will remain valid and effective.

8. REPEAL

- a. Bylaw 2009-015 is hereby repealed.

9. EFFECTIVE DATE

- a. This Bylaw comes into effect upon third reading and final reading thereof.

READ a first time on this 2nd day of November, 2022.

READ a second time on this 2nd day of November, 2022.

READ a third time and passed on this 2nd day of November, 2022.

[original signed]

Jason Schneider, Reeve

[original signed]

Nels Petersen, CAO