

BYLAW NO. 1433-19

A bylaw of the Town of Three Hills, in the Province of Alberta, to establish the position of Chief Administrative Officer; to define the powers and duties of the Chief Administrative Officer; to provide for the appointment of the Chief Administrative Officer as a Designated Officer; and to delegate powers, duties and functions to the Chief Administrative Officer.

WHEREAS Section 205(1) of the *Municipal Government Act* R.S.A. 2000, c.M-26 provides that Council must by bylaw establish the position of Chief Administrative Officer;

AND WHEREAS Sections 207 and 208 of the *Municipal Government Act* prescribe the 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*;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF THREE HILLS, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

1 This Bylaw shall be referred to as the "Chief Administrative Officer Bylaw".

DEFINITIONS

2 In this Bylaw:

- a) "Act" shall mean the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended from time to time.
- b) "Council" shall mean the Council of the Town of Three Hills acting as a duly assembled meeting thereof.
- c) "Town" shall mean the Municipal Corporation of the Town of Three Hills.
- d) "CAO" shall mean the Chief Administrative Officer of the Town of Three Hills who may also be referred to as the "Town Manager".

APPOINTMENTS

3 There shall be created the position of Chief Administrative Officer of the Town of Three Hills who shall carry out any and all of the executive and administrative powers, duties and functions assigned to the CAO under the Act, or any other enactment or any and all powers, duties and functions delegated by Council.

4 Council by resolution shall appoint the person who will serve as CAO and prescribe the conditions and terms of employment.

5 The CAO may in accordance with section 209 of the Act delegate any of the powers,

duties and functions assigned to the CAO to any employee of the Town.

- 6 The Council may, by resolution, appoint and prescribe the duties of an acting manager where absence may prevent the CAO from performing his/her duties, or where there exists a vacancy in the position.

RESPONSIBILITY AND AUTHORITY

- 7 The CAO is responsible to Council for the overall administration of municipal operations of the Town in accordance with objectives, policies and plans approved by Council. In carrying out these responsibilities the CAO shall work in close liaison with the Council and supervise the Town's administrative personnel and service contracts in the performance of their duties and responsibilities.

In addition to the powers, duties and functions generally assigned and delegated under this bylaw, the Act or by Council, the CAO shall:

- a) Coordinate and direct presentations by administrative staff to Council on policy proposals and ongoing municipal operations making recommendations thereon where appropriate.
- b) Ensure the Council receives such information and reports as it requires to make effective policy decisions and monitor the effectiveness of administrative operations.
- c) Attend, or be represented by a delegate, all meetings of Council and Council Committees and assist in the decision making process by providing advice, guidance and consultation as required.
- d) Report to the Council on the effectiveness of its policies and programs and recommend changes thereto to achieve council's objectives.
- e) Coordinate, direct and supervise the implementation of the policies and programs of the Council, reporting regularly of the progress thereon to Council.
- f) Communicate with the Mayor and Councillors in preparation of agendas for Council meetings.
- g) Enforce or cause to be enforced all bylaws and resolutions of the Town.
- h) Catalogue the policies of the Council and ensure that information concerning these policies is distributed to and understood by affected administrative personnel.
- i) Review the Town's organization and departmental structure regularly and advise Council of changes made to improve operation effectiveness or efficiency.

- j) Cause the development of satisfactory procedures concerning budget preparation and financial reporting of the Town's revenues and expenditures including:
 - i) Preparation and submission to Council of annual budgets with appropriate explanations and substantiating information with potential cost reductions and eliminations identified which would not change established programs.
 - ii) Quarterly reports to the Council of operating and capital revenues and expenditures with explanations of significant variations and account reallocations.
 - iii) Reports to Council on any other matter either administrative or financial, that relates to the Town operations as may be requested by Council or which, in the opinion of the CAO, should be reported to Council.
- k) Perform liaison with other local governments and the provincial government when required.
- l) Ensure the prompt and proper handling by the administration of all requests, inquiries, and complaints by residents of the Town including development of policies and procedures for dealing with complaints.
- m) Keep fully informed of the transactions of all committees, boards and commissions authorized by Council and to further provide coordination with committees outside of the scope of Council legislative power pertinent to the daily operations of the Town's business.
- n) Keep informed about governmental and community affairs and ensure that the Council and the Town employees are made aware of significant trends.
- o) Perform other duties as may be required by Council or where a matter is not specifically referred to herein and where the CAO deems it proper and expedient to implement changes, he may take such recommendations to Council as may be appropriate.
- p) Exercise such natural person powers under the Act as may be consistent with or required to implement the powers, duties and functions assigned.

PERSONNEL ADMINISTRATION

- 8 All department heads, employees and agents of the Town are subject to the supervision and control of the CAO.
- 9 The CAO shall develop for approval of Council, comprehensive employee policies and programs covering the selection, compensation, development, retention, appraisal and placement of Town employees.

- 10 The CAO shall have the authority to appoint, promote, discipline and dismiss any employee *as per the town's "Selection, Supervision, Discipline and Termination Policy"*.
- 11 The CAO shall determine the rates of remuneration for any employee within adopted salary and wage ranges and with consideration given to approved budget appropriations.

EXPENDITURE AUTHORITY

- 12 The CAO shall be the Town's Chief Purchasing Agent and shall have the authority to expend funds and arrange the purchase of goods and services as required as per the approved budget.
- 13 The CAO shall ensure that any and all goods and services are purchased as per the Town Purchase and Procurement Policy.


DELEGATION AND ORGANIZATION

- 14 The administration of the operations of the Town shall be organized and illustrated on an organization chart. Except for the purpose of official inquiry or emergency, the Council shall deal with and control the administrative service through the CAO and Council shall require that its directives be carried out through the offices of the CAO.

EVALUATION

- 15 In conjunction with the finalization of the annual budget, the Council or a committee thereof shall establish with the CAO, the goals and objectives for the coming appraisal year. At the end of each year the Council or a committee thereof, may evaluate the performance of the CAO, making such recommendations as may be deemed necessary. Such review will be documented and will also consider the rate of remuneration for the CAO and the non-salary and fringe benefits received.

CODE OF ETHICS

- 16 The Code of Ethics of the International City/County Management Association is hereby adopted as reference as Appendix "A" attached hereto, revised from time to time by ICMA, with the express intent that this shall be the code of professional behaviour expected of the CAO.
 - 17 Bylaw 1232-03 is hereby repealed in its entirety.
 - 18 This Bylaw shall come into effect upon final passing thereof.
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Presented for and given first reading on the 23rd day of September, A.D. 2019.

Given second reading on the 23rd day of September, A.D. 2019.

Unanimous consent of third reading given on the 23rd day of September, A.D. 2019.

Given third and final reading on the 23rd day of September, A.D. 2019.



Mayor

Chief Administrative Officer

Appendix A

ICMA Code of Ethics

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ICMA CODE OF ETHICS

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
4. Serve the best interests of the people.
5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.
7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.
8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.
9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.
11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions pertaining to appointments, pay adjustments, promotions, and discipline.
12. Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

Adopted by the ICMA Executive Board in 1924, and most recently revised by the membership in June 2018.