



Consolidated Version
of
the Chief Administrative Officer Bylaw

(being Bylaw No. 13/2002 of the City of St. Albert, as amended by Bylaw No. 27/2016 and 5/2019, consolidated and printed under the authority of the Chief Administrative Officer of the City of St. Albert)

This is certified to be a true copy of consolidated
Bylaw No. 13/2002 of the City of St. Albert.

David S. Leflar
Director of Legal and Legislative Services
Chief Legislative Officer

The text shown in parentheses in various locations throughout this document identifies the corresponding amending bylaw which authorized the change. For example (BL 5/2019) refers to Bylaw No. 5/2019.

CITY OF ST. ALBERT

Bylaw 13/2002

Being a Bylaw to Establish and Define the Powers and Duties of the Chief Administrative Officer **(BL 5/2019)**

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

AND WHEREAS Council wishes to delegate certain powers to the chief administrative officer.

The Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

Title

1. This Bylaw may be referred to as the “Chief Administrative Officer Bylaw”. **(BL 5/2019)**

Definitions

2. In this Bylaw:
 - (a) “Act” means the *Municipal Government Act*, R.S.A. 2000, c. M-26;
 - (b) “Administration” means the general operation of the City, including personnel, financial and other related matters as permitted by the Act;
 - (c) “City” means the municipal corporation of the City of St. Albert;
 - (d) “City Assessor” means the designated officer position created under The City Assessor Bylaw and the individual appointed to that position;
 - (d.1) “Chief Administrative Officer” or “CAO” means the individual appointed by Council to the position of Chief Administrative Officer under section 205 of the *Municipal Government Act* and pursuant to this Bylaw; **(BL 5/2019)**
 - (e) DELETED **(BL 5/2019)**

- (f) "Council" means the municipal council of the City of St. Albert; and
- (f.1) "Leadership Team" means the group of employees holding the title of Director. **(BL 5/2019)**
- (g) DELETED **(BL 5/2019)**

Office

- 3. The position of Chief Administrative Officer is hereby created. **(BL 5/2019)**

Appointment

- 4. (1) Council will, by resolution, appoint an individual to the position of CAO. **(BL 5/2019)**
- (2) Council will establish the terms and conditions of the appointment of the CAO including: **(BL 5/2019)**
 - (a) the term of the appointment; and
 - (b) the salary and benefits to be paid or provided to the CAO, which may be varied from time to time by Council. **(BL 5/2019)**

Accountability

- 5. (1) The CAO shall be accountable to Council for the exercise of all the powers, duties and functions delegated to the CAO by the Act, this Bylaw, any other enactment, any other bylaw, and any resolutions, policies or procedures adopted by Council from time to time whether such powers, duties and functions are exercised by the CAO personally, or by someone to whom the CAO has delegated that power, duty or function. **(BL 5/2019)**
- (2) The CAO shall carry out his or her powers, duties and functions in compliance with: **(BL 5/2019)**
 - (a) the Act;
 - (b) this Bylaw;
 - (c) any other enactment;
 - (d) any other bylaw, resolution, policy or procedure passed or adopted by Council; or
 - (e) any contract binding on the City.

General Powers and Duties

6. (1) The CAO has: **(BL 5/2019)**
 - (a) all of the powers, duties, and functions that are given to a CAO under the Act or any other enactment; **(BL 5/2019)**
 - (b) all of the powers, duties and functions that are given to a designated officer under the Act, or any other enactment, except for the designated officer powers, duties and functions expressly given to the City Assessor; and
 - (c) all the powers, duties and functions delegated to the CAO by Council in this or any other bylaw, resolution, policy or procedure. **(BL 5/2019)**
- (2) The CAO shall: **(BL 5/2019)**
 - (a) be the contact between the Administration of the City and Council and communication from the Administration to Council shall flow through the CAO; **(BL 5/2019)**
 - (b) be responsible for advising on and communicating with Council with respect to:
 - (i) the operations of the City,
 - (ii) the financial state of the City,
 - (iii) Council policies and procedures, and
 - (iv) Administrative policies and procedures;
 - (c) prepare and submit to Council such reports, including recommendations where appropriate, and answer such inquiries, as required by Council; and
 - (d) attend all Council meetings and the meetings of such other boards, authorities or other bodies as might be required by Council.
- (3) The CAO must either personally carry out all of the powers, duties and functions that are given to the CAO or delegate such powers, duties and functions to a designated officer of the City or to a City employee. **(BL 5/2019)**

- (4) The CAO has the authority to delegate any of the powers, duties and functions given to the CAO and can authorize the recipients of such delegations to further delegate their powers, duties and functions to other City employees. **(BL 5/2019)**

FOIP Head

7. The CAO is the Head of the City for the purposes of the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000 c. F-25. **(BL 5/2019)**

Royal Canadian Mounted Police

8. The CAO shall provide a liaison between the City and the Commanding Officer of the R.C.M.P. Detachment for St. Albert. **(BL 5/2019)**

Administration

9. (1) The CAO shall be responsible for directing the Administration. **(BL 5/2019)**
- (2) The CAO has the authority to: **(BL 5/2019)**
- (a) establish Administrative policies and procedures and in particular employment policies and procedures including policies and procedures to govern the actions of employees;
 - (b) hire, appoint, suspend, remove or terminate any employee from any position in the City;
 - (c) direct, supervise and review the performance of the Administration; and
 - (d) establish the structure of the Administration including creating, eliminating, merging or dividing departments provided that any such reorganization does not result in a decreased level of services to the community.
- (3) The CAO shall advise Council in advance of implementing major changes to corporate structure, including changes that involve creating new departments. **(BL 27/2016) (BL 5/2019)**
- (4) The CAO shall, subject to the directions and approval of Council, negotiate all collective agreements with City employees. **(BL 5/2019)**
- (5) The CAO shall be responsible for ensuring that members of the Leadership Team are familiar with the duties and responsibilities of

the CAO, Council processes and procedures, issues being addressed by Council and issues of concern to the City.
(BL 5/2019)

Financial Powers and Functions

10. (1) The CAO shall: **(BL 5/2019)**
 - (a) annually, or as required or directed by Council, prepare and submit budgets to Council for operating and capital programs in accordance with the Act; and
 - (b) monitor and report to Council as required or directed by Council, on the operating and capital budgets approved by Council and in particular report on variances between budgeted and actual expenditures.
- (2) The CAO may authorize over-expenditures within the operating or capital budgets. **(BL 5/2019)**
- (3) Notwithstanding Section 10(2), at no time may the CAO authorize cumulative operating and capital expenditures in excess of the approved total operating and capital budgets. **(BL 5/2019)**
- (4) The CAO shall designate the financial institution(s) to be used by the City and shall open and close accounts that hold the City's money. **(BL 5/2019)**
- (5) The CAO is authorized to invest funds on behalf of the City in accordance with the provisions of the Act. **(BL 5/2019)**
- (6) The CAO may pay any amounts the City is legally required to pay pursuant to an Order or Judgement of a Court, board or other tribunal having jurisdiction over an action, claim or demand against or by the City, provided that all rights to appeal the Order or Judgement have expired. **(BL 5/2019)**

Miscellaneous Powers

11. The CAO is authorized to: **(BL 5/2019)**
 - (a) retain and instruct legal counsel on matters involving any actual or potential legal and administrative proceedings involving the City including, without limiting the foregoing:
 - (i) providing legal services to Council and the Administration;
and

- (ii) appearing in all legal and administrative proceedings including commencing, defending, and intervening in such proceedings to define, enforce and defend the City's (and such other boards, authorities, agencies and other entities as may be required by Council) legal and equitable rights;
- (b) compromise all actions, claims or demands against or by the City and complete all related documentation;
- (c) accept service of all notices and other documents on behalf of the City;
- (d) provide any and all certificates or statutory declarations on behalf of the City;
- (e) temporarily close, in whole or in part, any road at any time where construction or maintenance activity adjacent to the road may cause a hazard;
- (f) prepare and issue distress warrants and seize and sell goods pursuant to distress warrants on behalf of the City for the recovery of tax arrears;
- (g) carry out inspections, remedies, enforcement or other actions pursuant to the Act, any other enactment, or any bylaw where the Act or any other enactment or bylaw authorizes or requires anything to be inspected, remedied, enforced or done by the City;
- (h) make determinations and issue orders pursuant to the Act or any other statute, enactment or bylaw which the City is authorized to enforce including without limitation, matters related to dangerous or unsightly property;
- (i) provide administrative support to the Subdivision and Development Appeal Board and Municipal Planning Commission of the City;
- (j) extend the time for endorsement of subdivision plans and for the registration of the subdivision plans in accordance with the Act;
- (k) sign:
 - (i) along with the person presiding at the meeting, all minutes of Council meetings,
 - (ii) along with the Mayor, all bylaws, and

- (iii) along with the Mayor or any other person authorized by Council, agreements and cheques and other negotiable instruments;
- (l) revise bylaws in accordance with the Act;
- (m) consolidate bylaws, including the preparation of administrative consolidations; and
- (n) ensure the sufficiency of any petitions that may be submitted to the City in accordance with the requirements of the Act.

Indemnification

- 12. The City 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, any other enactment, any other bylaw, resolution, policy or procedure. **(BL 5/2019)**

Interpretation

- 13. Any reference in this Bylaw to the Act, any other enactment, any other bylaw, resolution, policy or procedure shall include all amendments thereto, all regulations and orders thereunder and any successor thereto.

Conflict

- 14. In the event that the provisions of this Bylaw conflict with the provisions of any other bylaw, this Bylaw shall prevail.