



**BYLAW NO. 1573-06**  
**of the**  
**TOWN OF PINCHER CREEK, IN THE PROVINCE**  
**OF ALBERTA, FOR THE PURPOSE OF DEFINING**  
**THE DUTIES AND POWERS OF THE CHIEF ADMINISTRATIVE**  
**OFFICER OF THE TOWN OF PINCHER CREEK**

WHEREAS, the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000, and Amendments thereto, a Council may, by Bylaw, delegate any or all of its executive and administrative duties to a Chief Administrative Officer:

NOW, THEREFORE, the Council of the Town of Pincher Creek, duly assembled, hereby enacts as follows:

1. This Bylaw shall be cited as "The Council Chief Administrative Officer Bylaw".
2. In this Bylaw, including this section, unless the context otherwise requires:
  - a. "Act" means The Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000, as amended and any acts substituted therefore.
  - b. "Town" means the corporation of the Town of Pincher Creek, and where the context so requires, means the land included in the boundaries of the Town.
  - c. "Council" means the Mayor and Councillors of the Town of Pincher Creek.
  - d. "CAO" means the Chief Administrative Officer as described in the Act, and further a person selected by Council on the basis of education, training and experience in the field of public administration.
  - e. "Directors" means the principal subordinates as appointed by Council or the Chief Administrative Officer.

**QUALIFICATIONS AND POWERS:**

3. There shall be in and for the Town, a CAO who shall be appointed by reasons of his/her qualifications and training preferably in the field of Public Administration, by the Town Council and who shall carry out any and all of the executive and administrative duties of Council, or others as Council has power to delegate, as set out in the Act and such other executive and administrative duties as may have prior to this Bylaw or hereafter from time to time be vested, conferred or delegated in, upon and to the CAO by Bylaw or Resolution of Council.

ACTING CAO:

4. The Council may appoint an Acting CAO, in the absence of the CAO due to illness, absence, or other incapacities. The Acting CAO shall perform all the duties of the CAO as prescribed by this Bylaw and the Act during his/her tenor.

INVESTIGATION OF ANY TOWN AFFAIRS:

5. The Town Council and the CAO have the responsibility to make all necessary investigations into the affairs of the Town for the purpose of safeguarding the individual responsibilities of either of them and to further safeguard the electorates' trust by ensuring integrity in all operations of the Town.

SEPARABILITY:

6. Except for the purpose of official inquiry, the Town Council and its members shall deal with and control the administrative service solely through the Chief Administrative Officer, and neither the Council nor any members thereof shall give orders to any of the subordinates of the CAO, either publicly or privately.

DUTIES OF THE CAO:

7. In addition to the powers and duties prescribed by the Act and the powers and duties as may from time to time be delegated to him/her by Bylaw or Resolution of Council, the CAO shall:
  - a. Enforce all Bylaws and Resolutions of the Town.
  - b. Attend all regular and special meetings of Council, and when required, attend or be represented by his/her designate at all meetings of Boards, Committees or Commissions appointed by Council.
  - c. Keep the Council advised on all operations of the Town and consider and make recommendations to Council on all matters affecting the security, welfare, and financial condition of the Town and such other measures as he/she may deem necessary and pertinent; keep the Council advised of the financial condition and needs of the Town; cause the Annual, Current and Capital Budgets to be prepared including estimates of revenues and expenditures for the following year and in such detail as Council may prescribe.
  - d. Provide for the supervision of all departments of the Town.
  - e. Provide supervision, care, control and maintenance of all public thoroughfares, sidewalks, public buildings and/or places, owned or controlled by the Town.

- f. Provide for the prosecution of all claims for damage property owned or controlled by the Town and the judgment of all claims against the Town.
8. Such directorates as may be in effect at the time of the adoption of this Bylaw, and subsequent hereto, shall act in an advisory capacity to the CAO and shall be subject to the direction of the CAO as prescribed in this Bylaw or the Act.
9. The Annual, Current and Capital Budget documents and all funds of the Town as approved by Council, shall be managed within the restrictions laid down by this Bylaw or the Act.
10. No officer, employee or agent of the Town shall place any order to purchase, or make any purchase except for a purpose and in the sum authorized in the Budget Bylaw or any supplementary appropriation or fund unless there are sufficient funds to cover the proposed expenditure.

PERSONNEL ADMINISTRATION:

11. Subject to the provisions of the Act and as hereafter provided, the CAO shall be solely responsible for the supervision, hiring, suspension and discharging of all employees of the Town.
12. The CAO shall be the Chief Administrative Officer of the Town and all Directors, Officers, employees and Agents of the Town are subject to his/her supervision to the extent allowed by this Bylaw and the Act.
13. All Directors, Department Heads, employees and Agents of the Town shall be appointed or engaged for employment with the Town on the basis of qualification and merit.
14. The CAO shall fix all salaries of those non-union employees subject to his/her supervision.
15. The CAO shall coordinate the preparation of the Council Agenda within the terms of reference of Bylaw No. 1540 Procedural Bylaw.
16. The CAO may designate a Town employee, to serve as the Secretary of such other Boards, Commissions, or Special Study Committees that he/she deems proper and consistent with the keeping of accurate public records.
17. The Director of Finance shall keep the CAO fully advised as to the financial condition of the Town on a monthly basis and more often as deemed necessary. Such reports shall include Current and Capital Budget Statements, periodic analysis of revenue and expenditure accounts, including debt service, invested funds, and all other funds of the Town. The CAO may assign such other administrative duties to the Director of Finance as is deemed necessary and proper.

ADMINISTRATIVE ORGANIZATIONS:

18. The Town Council may, acting on the advise of the CAO, create and reorganize such administrative departments of the Town as are deemed necessary and proper to fulfill the functional obligations of the government. The CAO will retain the appointing authority over all Directors, Department Heads and Supervisors which may be added to or subtracted from the present organization as prescribed by Council Resolution.
19. It shall be the duty and responsibility of the CAO to submit periodic recommendations to Council concerning the administrative organizations/ and such recommendations to be submitted at not less than two year intervals from the date of passage of this Bylaw.

PURCHASING POLICY:

20. Refer to Town of Pincher Creek Policy #110-94 and Amendments thereto (Proposal, Tendering and Purchase Policy).

GENERAL PROVISIONS:

21. It is expressly implied that Council authorizes the CAO to delegate such responsibility as is herein assigned to his/her office, for the purpose of establishing an efficient and workable administrative structure. The delegation of authority shall be to Directors, Department Heads and Officials of the Town provided that it is in keeping with provisions of this Bylaw, and is not inconsistent with the Act, or any other Act of the Province of Alberta.
22. To the extent that it is necessary to bring to bear on a given subject several disciplines, the CAO is hereby authorized to establish such limited administrative committees as is deemed necessary to the proper and efficient administration of the Town's business. Such committee or committees may be used for coordination of daily operations as well as for the furnishing of full information of Council upon inquiry.
23. It is the responsibility of the CAO to be kept fully informed of the transactions of all Committees, Boards and Commissions authorized by Council and to further provide coordination with Committees outside the scope of Council legislative power but pertinent to the daily operations of the Town's business.
24. THAT Bylaw #1573 and all amendments are hereby repealed.
25. THIS Bylaw shall come into force and take effect upon the final reading thereof.



READ A FIRST TIME THIS 10 DAY OF October 2006, A.D.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS 10 DAY OF October 2006, A.D.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME THIS 23 DAY OF October 2006, A.D.

MAYOR

CHIEF ADMINISTRATIVE OFFICER