

**TOWN OF PEACE RIVER  
BYLAW NO. 1971  
POWERS DUTIES AND FUNCTION OF THE CHIEF ADMINISTRATIVE OFFICER**

**A BYLAW OF THE TOWN OF PEACE RIVER TO ESTABLISH AND DEFINE THE  
POSITION OF THE CHIEF ADMINISTRATIVE OFFICER AND TO DELEGATE  
POWERS, DUTIES AND FUNCTIONS TO THAT POSITION.**

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**WHEREAS** the *Municipal Government Act*, RSA 2000, Chapter M-26, Section 205 requires that every Council must establish, by Bylaw, the position of Chief Administrative Officer and appoint a person to carry out the powers, duties, and functions of such position; and

**WHEREAS** Sections 207 and 208 of the *Municipal Government Act* provides that the Chief Administrative Officer shall exercise the powers and duties set out in the *Municipal Government Act*; and

**WHEREAS**, the Council may, in accordance with Section 203 of the *Municipal Government Act*, delegate any or all of its executive and administrative duties and powers;

**NOW THEREFORE** the Council of the Town of Peace River, duly assembled, hereby enacts as follows:

**1. DEFINITIONS**

- a. "**Act**" means the *Municipal Government Act* being Chapter M26, RSA 2000, and any amendments thereto;
- b. "**Town**" means the Corporation of the Town of Peace River, 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 acting as a town council at a duly assembled meeting thereof;
- d. "**Chief Administrative Officer**" means the Chief Administrative Officer ("CAO") for the Town of Peace River within the meaning of the *Municipal Government Act*;
- e. "**Mayor**" means the chief elected representative of the Town as described in the *Municipal Government Act*;
- f. "**Minister**" means the Minister of Municipal Affairs.

**2. TITLE**

This Bylaw may be referred to as the "CAO Bylaw".

**3. ESTABLISHMENT OF THE POSITION OF CAO**

Council hereby establishes the position of Chief Administrative Officer of the Town of Peace River and the individual appointed to that position will have the title "Chief Administrative Officer" ("CAO").

**4. APPOINTMENT**

Council will, by resolution, appoint an individual to the position of Chief Administrative Officer and will by agreement establish the terms and conditions of his/her employment.

## 5. RESPONSIBILITY/AUTHORITY

In order to carry out the responsibilities of the position, the CAO is hereby authorized to:

- a. Accept service of all notices and documents on behalf of the Municipality.
- b. Approve a temporary closure, in whole or in part, of any road at any time that a construction or maintenance project on or adjacent to the road may create a hazard.
- c. As directed by Council, negotiate, on behalf of the Municipality, the terms and conditions of Development Agreements with third parties desirous of developing lands within the Municipality, and execute such Development Agreements for and on behalf of the Municipality.
- d. As directed by Council, extend the time for endorsement of subdivision plans and for registration of subdivision plans in accordance with the *Municipal Government Act*.
- e. As directed by Council, negotiate and execute, on behalf of the Municipality, all encroachment, easement and right-of-way agreements whereby the Municipality grants to third parties an interest in Municipal lands by way of a right-of-way, easement or encroachment right.
- f. Sign:
  - i. along with the Mayor or any other person authorized by Council, cheques and other negotiable instruments;
  - ii. acting alone, all orders, contracts, agreements, documents and certificates that may be required pursuant to any agreement, contract, bylaw, statute or enactment;
  - iii. retain the services of any individual or corporation for purposes related to the operations of the Municipality and enter into all agreements and contracts and complete all necessary documents required for the provision of such services, provided the expenditure does not exceed the amount approved by Council in its annual budget.
- g. Approve and enter into all agreements and contracts necessary to provide insurance coverage for the Municipality.
- h. Approve and enter into all agreements and contracts involving:
  - i. Lease of land and/or buildings at fair market value where the Municipality is lessor, provided that the term shall not exceed five (5) years, exclusive of renewals;
  - ii. Notwithstanding h. (i), the CAO may approve leases to Non-Profit Organization pursuant to the *Lease Policy No. P-12-12-A*.

- iii. Leases of land and/or buildings at or below current fair market value where the Municipality is lessee, provided that the term shall not exceed five (5) years, exclusive of renewals, and the expenditure shall not exceed \$100,000 per year;
- i. Designate an Acting CAO in planned absences from the office for any period deemed appropriate by the CAO; however, an acting CAO shall be designated for any absences in excess of five (5) working days.
- j. Prepare and issue distress warrants, seize, and sell goods pursuant to distress warrants on behalf of the Municipality for the recovery of tax arrears pursuant to the *Municipal Government Act*.
- k. Carry out inspections, remedies, enforcement or actions pursuant to the *Municipal Government Act*, as amended from time to time, where that Act or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by the Municipality.
- l. Make determinations and issue orders pursuant to the *Municipal Government Act* or any other statute, enactment or bylaw which the Municipality is authorized to enforce, including, without limitation, matters related to dangerous or unsightly property.
- m. Award all tenders and enter into all agreements and contracts 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 expenditure being subject to a competitive bid process;
- n. Further delegate any power delegated to the Chief Administrative Officer by Council under this Bylaw, to any employee of the municipality.
- o. Consolidate one or more bylaws of the municipality pursuant to section 69(1) of the *Municipal Government Act*.
- p. Approve deaccessioning of museum objects on recommendation of the Museum Board as per the "Deaccessioning Policy".

The duties of the CAO of the Town of Peace River are further defined in Schedule "A", Chief Administrative Officer Position Description, attached to and forming part of this Bylaw.

For purposes of administering the provisions of this Bylaw, the CAO shall be granted full signing authority.

## **6. SEVERABILITY**

If any Section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

**7. REPEAL**

Bylaw No. 1934 is hereby repealed.

**8. EFFECTIVE DATE**

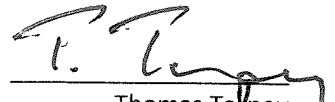
This Bylaw shall take effect on the date of final passage.

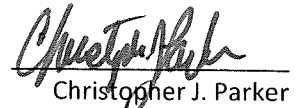
READ a first time this 14 day of December, 2015.

READ a second time this 14 day of December, 2015.

READ a third and final time this 14 day of December, 2015.

SIGNED by the Mayor and Chief Administrative Officer this 5 day of January, 2016.

  
Thomas Tarpey  
Mayor

  
Christopher J. Parker  
Chief Administrative Officer

**SCHEDULE "A"**  
**POSITION DESCRIPTION**

**POSITION TITLE:** CHIEF ADMINISTRATIVE OFFICER (CAO)

**REPORTS TO:** MAYOR AND COUNCIL

**REVISION DATE:** MARCH 2008

**POSITION SUMMARY**

Provides professional leadership and direction to the management team of the Town of Peace River. Responsibilities include general supervision of various departments, as well as the development of policies and programs for the approval of Council. As the administrative head of the Town, the CAO is responsible for the overall operation of the Town in accordance with the objectives, plans, programs and policies approved by Council and in accordance with the various Provincial or Federal statutes and the municipal bylaws.

**PRIMARY ACCOUNTABILITIES**

1. Leads the development of a long-range plan for the operation and continued success of the Town. Plans, directs and coordinates the day-to-day activities required to implement the plan and achieve the goals and objectives approved by Council. Provides Council with a quarterly "report card" communicating progress toward annual and long-term goals, as well as emerging issues or opportunities. Recommends new initiatives, programs, policies and plans for Council discussion and approval.

Key Performance Measures:

- ✓ Planning Process, measured by timeliness and completeness of the plan.
- ✓ Communications, measured by the timeliness and completeness of reports of information to Council.
- ✓ Operational Effectiveness, measured by service standards for each municipal department.

2. Develops and implements a process for preparation of annual capital and operating budgets. Monitors, controls and authorizes spending within the limits of the approved budget. Presents any expenditure in excess of budget or any new budget items, along with supporting documentation, for Council approval.

Key Performance Measures:

- ✓ Budget Process, measured by timeliness and completeness of budget presentation to Council.
- ✓ Budget Variance, measured in dollars and percentage over or under.

**GENERAL ACCOUNTABILITIES**

3. Chairs regularly scheduled meetings with all department heads to review operations; communicate expectations; advise on policy or procedure changes; and to share information of general interest to the team.
4. Directs the preparation of, and approves, all Council meeting agenda packages, ensuring issues requiring the attention of Council are brought forward in a timely manner and that all background information or documentation is available to facilitate informed decision-making. Makes recommendation to Council on all agenda items and reviews agenda with the Mayor, or designate prior to agenda distribution to Council.
5. Prepares and present a monthly report to Council regarding Town operations. Recommends appropriate action or requests ratification for action taken to deal with matters requiring Council approval.
6. Attends all meetings of Council and Governance and Priorities Committee, as well as other Committee meetings as appropriate, to provide information, advice and administrative support.
7. Establishes and maintains an effective working relationship with all agencies, boards and commissions that inter-relate with the Town.
8. Recruits, develops and evaluates all management staff. Approves the appointment, demotion, transfer or dismissal of Town employees, as well as all compensation administration, within established personnel policy and budget guidelines. Ensures the Town has a comprehensive human resource management plan to attract, develop and retain qualified staff.
9. Instructs the Town Solicitor to commence, defend or otherwise conduct any legal proceeding in the interest of the Town. Coordinates activities in support of such proceedings and advises Council on progress and costs.
10. Establishes and maintains an open and public system for contracting goods and services by the Town. Ensures the system complies with all legislative requirements, bylaws and policies of Council. Reviews and recommends acceptance or rejection of properly submitted wording, quotations and proposals.
11. Responds to public enquiries, media requests for information or complaints with regard to department activities, following approved policy and procedure.
12. Establishes and maintains positive relationships with Federal or Provincial government departments and neighbouring municipalities with respect to matters of interest to the Town.

13. Fulfills all obligations of the Municipal Government Act and other relevant legislation. Performs other related duties as may be requested by Council.

#### **TECHNICAL COMPETENCIES**

- ✓ University or Community College graduation in business administration, commerce, engineering, planning or a related field.
- ✓ Post-secondary education in disciplines such as administrative management, leadership, or human resource management is desirable.
- ✓ Eight to ten years of progressively more responsible experience in a municipal environment.
- ✓ Demonstrated knowledge of the Municipal Government Act and related statutes.
- ✓ Practical knowledge and experience in computer systems for business applications.

**At the discretion of Council, a combination of related course work and experience may be deemed suitable.**

#### **BEHAVIOURAL COMPETENCIES**

- ✓ Integrity & Trust ..... Seen as a direct, truthful individual; widely trusted and adheres to a strong set of core values.
- ✓ Command Skills ..... Demonstrated leadership and team building skills; doesn't hold back anything that needs to be said; lets people know where they stand; willing to hold others accountable for their actions and commitments.
- ✓ Interpersonal Skills ..... Relates well to all kinds of people inside and outside the organization; uses diplomacy and tact to diffuse tense situations; makes people feel important and valued.
- ✓ Action Oriented ..... Can be counted on to get things done; energetic, with a bias for action; makes good decisions in a timely manner.
- ✓ Composure ..... Cool under pressure; can handle stress; is a settling influence in a crisis.
- ✓ Planning & Organizing ... Can marshal resources to get things done; uses resources effectively and efficiently; sets clear expectations; designs practical processes and procedures.

- ✓ Communications ..... Able to speak and write clearly; able to get the desired message across to a variety of audiences.
- ✓ Problem Solving ..... Uses rigorous logic and methods to investigate and solve problems; excellent at analysis; looks beyond the obvious; able to develop practical and innovative solutions.
- ✓ Managing Diversity ..... Deals effectively with all races, cultures, nationalities, disabilities and genders equitably. Supports equal and fair treatment/opportunity for all people.
- ✓ Political Savvy ..... Can maneuver through complex political situations effectively and quietly; anticipates sensitive issues and plans an appropriate strategy.