

**BYLAW 16-04  
TOWN OF BLACK DIAMOND**

**A BYLAW TO ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER AND TO DEFINE THE DUTIES, POWERS AND FUNCTIONS OF THAT POSITION WITHIN THE TOWN OF BLACK DIAMOND, IN THE PROVINCE OF ALBERTA.**

**WHEREAS**, the Municipal Government Act, R.S.A. 2000, c. M-26, and amendments thereto, authorizes Council to pass bylaws for the purpose of establishing the position of Chief Administrative Officer;

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

**NOW THEREFORE** the Council of the Town of Black Diamond, in the Province of Alberta, duly assembled, hereby enacts as follows:

**1. TITLE**

1.1. This Bylaw may be cited as the "Chief Administrative Officer Bylaw".

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**3. DEFINITIONS**

- 3.1. "Act" means the Municipal Government Act, R.S.A. 2000 M-26, as amended;
- 3.2. "Chief Administrative Officer" or "CAO" means the person appointed to the position of Chief Administrative Officer by Council;
- 3.3. "Council" means the Council of the Town of Black Diamond;
- 3.4. "Town" means the Corporation or the Town of Black Diamond.

**4. APPOINTMENT, TERMS AND CONDITIONS**

- 4.1. Council hereby establishes the position of Chief Administrative Officer.
- 4.2. Council shall, by resolution, appoint an individual to the position of Chief Administrative Officer.



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- 4.3. The CAO may appoint an acting CAO where such absences are for a period of more than one (1) week, but less than one (1) month.
- 4.4. Except for the purpose of an official inquiry, the Council shall deal with the administration and the control thereof solely through the CAO.

**5. RESPONSIBILITIES**

- 5.1. The CAO's responsibilities shall be in accordance with Section 207 of the Act.

**6. ADMINISTRATIVE DUTIES**

- 6.1. The CAO must ensure that all powers, duties and functions are performed in accordance with Section 208 of the Act and any other enactment.
- 6.2. In order to carry out the responsibilities of the position, the CAO has the authority, subject to any Bylaw or approved policy of Council, to:
  - a) hire, dismiss, promote, demote, reward or discipline any municipal employee;
  - b) implement any internal reorganization of responsibilities and duties required for the effective and efficient operation of the Town. If a major organizational change is effected, the CAO shall report such a change to Council;
  - c) be present at any meeting of Council or Committee of Council;
  - d) in accordance with section 248 of the Act, in the case of an emergency, incur any expenditure not previously approved by Council, provided a detailed report on such expenditure and its need is presented to the next meeting of Council;
  - e) negotiate contracts, agreements and transactions required for the effective operation of the Town and to recommend the approval of such to Council;
  - f) conclude contracts on behalf of the Town to a financial limit established by policy or resolution;
  - g) sign any order agreement, cheque, negotiable instrument or document made or executed on behalf of the municipality; and
  - h) take such other actions as necessary to carry out the responsibilities and duties assigned by Council; in accordance with any bylaw or approved policy of Council.
- 6.3. In accordance with Section 209 of the Act, delegate any of the CAO's power, duties or functions under the Act, or any other enactment or bylaw to a Designated Officer or an employee of the Town.

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**7. SEVERABILITY**

- 7.1. It is the intention of the Council of the Town of Black Diamond that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall be effective and enforceable.


Bylaw 95-12 and any amendments thereto are hereby rescinded.

This Bylaw will take force and effect upon third and final reading and signing thereof.

**READ A FIRST TIME** this 18<sup>th</sup> day of May A.D. 2016.

**READ A SECOND TIME** this 18 day of May A.D. 2016.

**READ A THIRD AND FINAL TIME** this 18 day of May A.D. 2016.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

May 18, 2016  
\_\_\_\_\_  
Date signed

