

BYLAW NO. 2000-792

OF THE
TOWN OF TWO HILLS

**A BYLAW OF THE TOWN OF TWO HILLS, IN THE PROVINCE OF ALBERTA,
RESPECTING THE DELEGATION OF CERTAIN ADMINISTRATION POWERS AND
AUTHORITIES TO THE CHIEF ADMINISTRATIVE OFFICER AND DESIGNATED
OFFICERS OF THE MUNICIPALITY.**

WHEREAS the Municipal Government Act, S.A. 1994. C.M-26.1, as amended, (hereinafter referred to as "the Act"), provides that a municipal Council must establish by ByLaw a position of Chief Administrative Officer to carry out the responsibilities enumerated under the Act; and

WHEREAS the Act further provides that a Council must appoint one or more persons to carry out the powers, duties and functions of the position of Chief Administrative Officer and where more than one person is appointed, Council must by ByLaw determine how the powers, duties and functions of the position of Chief Administrative Officer are to be carried out; and

WHEREAS Council may by ByLaw establish one or more positions to carry out the powers, duties and functions of a Designated Officer under the Act or any other enactment or ByLaw;

WHEREAS the Municipal Council of the Town of Two Hills deems it expedient and advisable to establish the positions of Chief Administrative Officer and Designated Officers to carry out the powers, duties and functions of the position of Chief Administrative Officer;

NOW THEREFORE the Council of the Town of Two Hills duly assembled enacts as follows:

1. SHORT TITLE

1.1. This ByLaw may be referred to as the "Municipal Administrator and Designated Officer's ByLaw".

2. DEFINITIONS

2.1. Officer for the Municipality and whatever subsequent title may be conferred on that officer by Council or Statute;

2.2. "COUNCIL" shall mean the Council of the Town of Two Hills;

2.3. "MUNICIPALITY" shall mean the Town of Two Hills;

2.4. "ASSESSOR" means the Assessor for the Town of Two Hills and whatever subsequent title may be conferred on that officer by Council or Statute;

- 2.5. "DESIGNATED OFFICER" means position so designated by Council by ByLaw;
- 2.6. "MINISTER" means that the Minister of Municipal Affairs;
- 2.7. "CHIEF ELECTED OFFICIAL" means the Chief Elected Officer of the Municipality.

3. MUNICIPAL ADMINISTRATOR

- 3.1. Council hereby establishes the position of Municipal Administrator who:
 - 3.1.1. is the administrative head of the Municipality;
 - 3.1.2. will perform the duties and exercise the powers and functions delegated to the Municipal Administrator by this or any other ByLaw or otherwise assigned by Council.
- 3.2. The Municipal Administrator shall exercise authority and responsibility in respect to the organization, supervision and operation of all Municipal departments including:
 - 3.2.1. the supervision and direction of all Designated Officers and employees of the Municipality; and
 - 3.2.2. the right to hire, fire, discipline, terminate, demote, transfer and direct all Designated Officers and employees in the service of the Municipality.
- 3.3. The Municipal Administrator shall have the responsibility to review all requests of any person to obtain information in the possession of the Municipality and to provide such information in accordance with the Act.
- 3.4. The Municipal Administrator shall, in respect of Council committees that are carrying out powers, duties or functions delegated to it by Council,
 - 3.4.1. ensure that all minutes of Council committee meetings are recorded in the English language without note or comment;
 - 3.4.2. ensure that the names of the members present at Council committee meetings are recorded;
 - 3.4.3. ensure that the minutes of each Council committee meeting are adopted at a subsequent Council committee meeting; and

3.4.4. ensure that the minutes of the Council committee meetings are kept safe.

3.5. "In addition to the powers, duties and functions given to the Municipal Administrator under the Municipal Government Act or any other Act, the Municipal Administrator will:"

- 3.5.1. ensure all contracts and agreements are signed in conjunction with the Chief Elected Official or any other person authorized by Council to sign them;
- 3.5.2. ensure that the policies and programs of the Municipality are implemented;
- 3.5.3. advise and inform Council on the operation and affairs of the Municipality;
- 3.5.4. ensure that the sufficiency of all petitions to the Council be determined as set out in the Act;
- 3.5.5. accept service of notices and documents on behalf of the Municipality;
- 3.5.6. provide certification of notices, decisions, documents and any other such certificates or statutory declarations as provided for or required by the Act;
- 3.5.7. ensure that all Council meetings are recorded in the English language, without note or comment;
- 3.5.8. ensure that the names of the Councillors present at Council meetings are recorded;
- 3.5.9. ensure that the minutes of each Council meeting are given to Council for adoption at a subsequent Council meeting;
- 3.5.10. ensure that the ByLaws and Minutes of Council meetings and all other records and documents of the Municipality are kept safe;
- 3.5.11. ensure that all minutes of Council meetings are signed in conjunction with the person presiding at the meeting;
- 3.5.12. ensure that the Minister is sent a list of the Councillors and any other information the Minister requires within five (5) days after the term of the Councillor begins;

- 3.5.13. retain custody of the Corporate Seal;
- 3.5.14. ensure that all ByLaws are signed in conjunction with the Chief Elected Official;
- 3.5.15. ensure that all Bylaws of the Municipality are consolidated as authorized by Council;
- 3.5.16. establish the structure of the Administration of the Municipality, including establishing, merging, dividing and eliminating departments and establishing a managerial hierarchy and an administrative and reporting policies and procedures;
- 3.5.17. establish policy and procedures for hiring all employees of the Municipality to carry out the powers, duties and functions delegated to those employees;
- 3.5.18. direct, supervise and review the proponents of all departments of the Municipality;
- 3.5.19. prepare and submit to Council estimates of revenue and expenditures and capital programs annually or as required by Council;
- 3.5.20. monitor and control municipal spending within the budgets established by Council;
- 3.5.21. advise Council and make recommendations about the financial condition of the Municipality and the policies and programs as may be necessary or desirable to carry out the powers, duties and functions of the Municipality;
- 3.5.22. attend all meetings of Council and committees of Council and meetings of such boards, authorities and other bodies as are required by Council;
- 3.5.23. prepare and submit to Council such reports and recommendations as may be required by Council or Council committees;
- 3.5.24. appoint an Acting Municipal Administrator to act during absences of the Municipal Administrator which has all the powers, duties and functions of a Designated Officer as required under ByLaw No. 2000-792, the Municipal Government Act or any other Act;
- 3.5.25. act as the Clerk of the Assessment Review Board having jurisdiction in the Municipality;

- 3.5.26. authorize for the entering into of contracts and/or expenditure of funds where such contracts or expenditures have been approved by Council, either in the budget or otherwise;
- 3.5.27. conduct a census as when required by Council and submit population affidavits in accordance with requirements of the Municipal Government Act;
- 3.5.28. authorize a temporary closure of whole or part of any road at any time that a construction of maintenance project on or adjacent to the road may create a hazard; and
- 3.5.29. exercise such as other powers, duties and functions as may be required by Council from time to time.

3.6 The Municipal Administrator may exercise all of the powers, duties and functions of a Designated Officer under this ByLaw if:

- 3.6.1. no position of Designated Officer has been established by Council;
- 3.6.2. the position of Designated Officer is vacant; or
- 3.6.3. this ByLaw refers to a Designated Officer and the power, duty, function or other thing relating to the Designated Officer has not been assigned to any Designated Officer by Council.

4. DELEGATION

- 4.1. Council hereby authorizes the Municipal Administrator and any Designated Officer to further delegate any power, duty or function delegated by Council to that position under this ByLaw.
- 4.2. The Municipal Administrator may, as he/she deems appropriate for the efficient operations of the Municipality, delegate to other Municipal officials or employees the responsibilities for carrying out or exercising any or all of the powers and responsibilities herein conferred upon the Municipal Administrator.

Notwithstanding any delegation by the Municipal Administrator pursuant to Section 2 of the ByLaw, the Municipal Administrator shall still, in all events, remain responsible for.

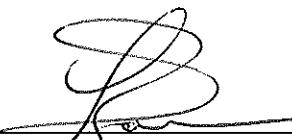
5. REPEAL OF BYLAWS

5.1. ByLaw No. 95-730 is hereby repealed.

Read a first time this 31st day of August, 2000.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

Read a second time this 11th day of September, 2000.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

Read a third time and finally passed this 25th day of September, 2000.



MAYOR



CHIEF ADMINISTRATIVE OFFICER