

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1294-18**

A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE POSITIONS OF DESIGNATED OFFICERS

WHEREAS the Municipal Government Act provides that a council must establish by bylaw a position of chief administrative officer;

AND WHEREAS the Municipal Government Act provides that a council may by bylaw establish one or more positions to carry out the powers, duties or functions of a designated officer;

AND WHEREAS Council wishes to exercise its authority pursuant to the Municipal Government Act by establishing the positions of chief administrative officer and designated officers;

NOW THEREFORE the Municipality Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

1.1 This Bylaw may be cited as the “Designated Officer Bylaw”.

2. DEFINITIONS

2.1 In this Bylaw, the following terms shall have the following meanings:

- a) “Bylaw” means this Designated Officer Bylaw;
- b) “CAO” means the chief administrative officer for the Municipal District of Pincher Creek No. 9 appointed pursuant to this Bylaw and as defined in the Municipal Government Act;
- c) “Council” means the municipal council of the MD;
- d) “FOIP” means the *Freedom of Information and Protection of Privacy Act*, RSA 2000 c F-25 and the regulations thereunder;
- e) “*Municipal Government Act*” means the *Municipal Government Act*, RSA 2000, c M-26 and the regulations thereunder; and
- f) “MD” means the municipal corporation of the Municipal District of Pincher Creek No. 9.

2.2 Any references in this Bylaw to any statutes, regulations, bylaws or other enactments is to those statutes, regulations, bylaws or other enactments as amended or replaced from time to time and any amendments thereto.

3. CHIEF ADMINISTRATIVE OFFICER

3.1 The position of the CAO is hereby established.

3.2 The CAO shall be given the title “Chief Administrative Officer”.

3.3 The CAO shall have the all of the powers, duties and functions of a chief administrative officer as set out in the Municipal Government Act and the MD’s CAO bylaw.

- 3.4 Without limiting the generality of section 3.3 of this Bylaw, the CAO is the head of the MD within the meaning of FOIP.
- 3.5 Unless a designated officer is expressly appointed in this Bylaw or another bylaw of the MD, the CAO has all the powers, duties and functions given to a designated officer under the Municipal Government Act or any other statute or enactment.

4. DELEGATION BY CAO

- 4.1 The CAO is authorized to delegate and to authorize further delegations of any powers, duties and functions assigned to the CAO by Council under the *Municipal Government Act* and under this or any other bylaw to a designated officer or an employee of the MD.
- 4.2 Without limiting the generality of section 4.1 of this Bylaw, the CAO is authorized to appoint a deputy CAO and delegate the CAO's powers, duties and functions to that deputy CAO and to authorize that deputy CAO to act as the CAO during absences of the CAO.

5. MUNICIPAL ASSESSOR

- 5.1 The position of assessor is hereby established as a designated officer of the MD.
- 5.2 The assessor shall be given the title "Municipal Assessor".
- 5.3 The Municipal Assessor is the designated officer for purposes of carrying out the duties and responsibility of an "assessor" under the Municipal Government Act.
- 5.4 The Municipal Assessor is the designated officer for the following sections of the *Municipal Government Act*:
- a) Section 482: Admissible evidence at hearing; and
 - b) Section 525(2): Admissible evidence at hearing.

6. CLERK FOR THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 6.1 The position of Clerk for the subdivision and development appeal board is hereby established as a designated officer of the MD.
- 6.2 The subdivision and development appeal board clerk is the designated officer for purposes of carrying out the duties and responsibilities of a "Subdivision and Development Appeal Board Clerk" under the *Municipal Government Act*, and any other relevant statute, regulation or bylaw.
- 6.3 No designated officer is eligible for appointment under this section unless that designated officer has successfully completed a training program in accordance with the regulations made under Section 627.3 of the *Municipal Government Act*.

7. GENERAL

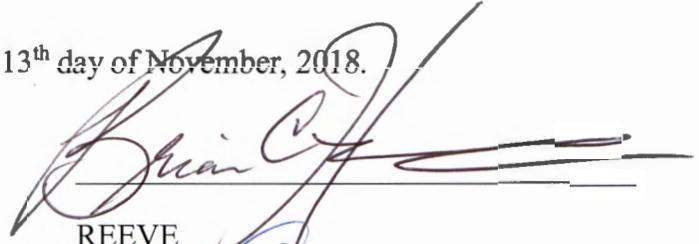
- 7.1 Each provision of this Bylaw is independent of all other provisions. If any provision of the Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

7.2 This bylaw rescinds any previous bylaw in reference to designation or appointment of Designated Officers in their entirety, including any amendments thereto, and shall come into full force when it receives THIRD and FINAL reading and is duly signed.

Read a first time in Council this 13th day of November, 2018.

Read a second time in Council this 13th day of November, 2018.

Read a third and final time in Council this 13th day of November, 2018.



REEVE



CHIEF ADMINISTRATIVE OFFICER