

Municipality of Boissevain-Morton

BY-LAW 2020-09

Title: Municipality of Boissevain-Morton Chief Administrative Officer By-law

Preamble: To establish the position and administrative authority of Chief Administrative Officer

OBJECTIVES

The objectives of this By-law are

- To establish the chief administrative officer position
- To set out the administrative authority delegated to the Chief Administrative Officer to accomplish the goals of the Council of the Municipality of Boissevain-Morton as set out in the Strategic Plan or as directed by Council
- To manage the operation and affairs of the Municipality in an efficient and effective manner

INDEX

1. By-law Title
2. Definitions
3. Establishing the Chief Administrative Officer Position
4. Contract Position
5. Reporting to Council
6. Authorized to Administer the Business Affairs of the Municipality of Boissevain-Morton
7. Senior Bureaucrat for the Municipality
8. Other Duties as Assigned
9. Executive Limitations
10. Chief Administrative Officer is a Designated Officer
11. Authority to Spend Fund of the Corporation
12. Council and Chief Administrative Officer Relationship
13. By-law Review
14. Severability
15. Sunset
16. Effective Date
17. Authority

The Council of the Municipality of Boissevain-Morton enacts as follows:

1. TITLE

This By-law shall be known as the Chief Administrative Officer By-Law.

2. DEFINITIONS

“Designated Officer” means any employee appointed as a Designated Officer within the Municipality of Boissevain-Morton.

3. ESTABLISHING THE CHIEF ADMINISTRATIVE OFFICER POSITION

The position of Chief Administrative Officer is hereby established in the Municipality of Boissevain-Morton and that the title of the position be Chief Administrative Officer (CAO).

4. CONTRACT POSITION

- 4.1 The position of Chief Administrative Officer shall be a contract position
- 4.2 The appointment of the person to the position and the terms of the contract shall be determined by resolution of Council of the Municipality of Boissevain-Morton.
- 4.3 The Chief Administrative Officer shall receive an annual performance evaluation no later than February 28 in each year of the contract.
- 4.4 The Chief Administrative Officer annual performance evaluation shall be based on objectives mutually agreed upon between the Council and the Chief Administrative Officer in each of the years of the contract.
- 4.5 Each member of Council shall provide input into the Chief Administrative Officer annual performance evaluation. Council as a whole shall provide the Chief Administrative Officer with his/her annual performance evaluation.
- 4.6 The annual remuneration shall be determined within the terms of the contract.

5. REPORTING TO COUNCIL

The Chief Administrative Officer shall establish reporting methods and procedures for advising and informing Council on the operation and affairs of the Municipality.

6. AUTHORIZED TO ADMINISTER THE BUSINESS AFFAIRS OF THE MUNICIPALITY

- 6.1 Unless otherwise set out in this By-law or any other By-law. The Chief Administrative Officer is authorized to administer the business affairs of the Municipality in accordance with *The Municipal Act* and other statutes of the Province of Manitoba.
- 6.2 The Chief Administrative Officer is authorized to make regulations, implement policies, establish fees and charges, rules or practice and procedures, and enter into agreements that he/she considers necessary to carry out the purpose and responsibilities of this By-law or any other By-law of the Municipality of Boissevain-Morton.
- 6.3 In Addition the Chief Administrative Officer shall be responsible for
 - 6.3.1 the overall operation of the Municipality in a prudent manner, and ensuring the long-term financial strength of the Corporation.
 - 6.3.2 The enforcement of Municipality of Boissevain-Morton By-laws.
 - 6.3.3 A work environment which is reflective of the Council's Vision, Mission and Values Statements, current legislation and the Collective Agreement.
 - 6.3.4 The infrastructure, utilities and capital projects; economic development initiative; programs, activities and projects; protective services and human resources of the Corporation.

7. SENIOR BUREAUCRAT FOR THE MUNICIPALITY

As the Senior bureaucrat for the Municipality the Chief Administrative Officer shall

- 7.1 have control over and responsibility for all other employees of the Municipality, and shall direct the personnel of all departments of the Municipality through supervision of Designated Officers.
- 7.2 Have the authority to hire, promote, demote, suspend or terminate the employment of employees of the Municipality within the limits of any appropriate legislation and/or the Collective Agreement.

8. OTHER DUTIES AS ASSIGNED

The Chief Administrative Officer shall carry out such additional duties responsibilities as Council may, be resolution, determine.

9. EXECUTIVE LIMITATIONS

The Chief Administrative Officer shall not knowingly cause or allow any practice, activity, decision or organizational circumstance that is unlawful, unsafe, imprudent, or in violation of commonly accepted professional ethics and practices.

10. CHIEF ADMINISTRATIVE OFFICER IS A DESIGNATED OFFICER

The position of Chief Administrative Officer is appointed as a Designated Officer and is authorized to act as a Designated Officer for the purposes of this By-law and *The Municipal Act*.

11. AUTHORITY TO SPEND FUNDS OF THE CORPORATION

- 11.1 The Chief Administrative Officer has the authority to spend the funds of the Corporation for all expenditures within the approved annual operating, utility and capital budgets and to an amount not to exceed \$100,000.00 per expenditure for a re-allocation of financial resources within the approved operating, utility or capital budgets.
- 11.2 For spending amounts not within the operating, utility and capital budgets the Chief Administrative Officer shall comply with the limits on spending as set out in Part 6, Financial Administration, Division 1, Financial Plans of *The Municipal Act*.
- 11.3 The Chief Administrative Officer may delegate the approval to spend funds to Designated Officers and any other employee of the Municipality in amounts he/she deems appropriate for the effective and efficient operation of the Corporation.

12. COUNCIL AND CHIEF ADMINISTRATIVE OFFICER RELATIONSHIP

Council or individual members of Council shall work through the Chief Administrative Officer to liaise with the Municipal departments and employees.

13. BY-LAW REVIEW

This By-law shall be reviewed no less than every five years from the date it is passed or prior to the hiring process to fill the position of Chief Administrative Officer.

14. SEVERABILITY

The invalidity of any provisions of this By-law with an Act or Regulation in force in the Province of Manitoba or a decision of Court, shall not affect the validity or enforceability of any other provisions of this By-law, which shall remain in full force and effect.

15. SUNSET

This By-law shall continue in force and effect until repealed.

16. EFFECTIVE DATE

The effective date of this By-law shall be the day after it is passed.

17. AUTHORITY

Section 125 (1), Section 125(3), Section 127(1), Section 127(2), Section 127(3), Section 85(1), Section 129, Section 130, Section 131, Section 134(1), Section 134(2), Section 145, Section 231, Section 232(2), Section 236(1) in *the Municipal Act*.

DONE AND PASSED by the Council of the Municipality of Boissevain-Morton in regular session assembled this 17th day of December - A.D., 2020.

Head of Council

Chief Administrative Officer

Read a first time this 26th day of November A.D., 2020.

Read a second time this 17th day of December A.D., 2020.

Read a third time this 17th day of December A.D., 2020.