

DISTRICT OF TAYLOR BYLAW NO. 852, 2022

A Bylaw to Provide the Appointment and Prescribe the Powers, Duties and Responsibilities of Officers

WHEREAS, the District of Taylor must, by bylaw, under Section 146(a) of the *Community Charter*, establish officers' positions having responsibilities under Sections 148 and 149 of the *Community Charter*,

AND WHEREAS, the District of Taylor may, by bylaw, establish other officer positions under Section 146(b) of the *Community Charter*,

AND WHEREAS, the District of Taylor may, by bylaw, confer on an officer position, of Chief administrative responsibility for the District under Section 147 of the *Community Charter*,

AND WHEREAS, pursuant to *Community Charter* Section 154, Council may, by bylaw, delegate its powers, duties and functions, including those specifically established by enactment, to its officers and employees,

AND WHEREAS, Council wishes to delegate to its officers and employees certain powers, duties and functions,

NOW THEREFORE, the Council of the District of Taylor in open meeting assembled, enacts as follows:

1. TITLE

This bylaw may be cited as "Appointment of Officers Bylaw No. 852, 2022".

2. DEFINITIONS

2.1 In this bylaw:

"Approving Officer" means the Officer responsible for the evaluation of subdivision applications as identified in Section 77 of the *Land Title Act*.

"Authorized Designate" means an employee or Officer provided with the authority in this Bylaw to act on another person's behalf in that person's absence.

"Bylaw Enforcement Officer" means the Officer position of the Bylaw Enforcement Officer.

"Chief Administrative Officer" means the Officer position of the District's Chief Administrative Officer.

"Council" means the Council of the District of Taylor.



2. **DEFINITIONS** (continued)

2.1 In this bylaw:

“Director of Community Services” means the Officer position of the Director of Community Services.

“Director of Corporate Services” means the Officer position of the Corporate Officer.

“Director of Operations” means the Officer position of the Director of Operations.

“Director of Protective Services” means the Officer position of the Director of Protective Services.

“District” means the District of Taylor.

“Employee” means an exempt employee of the District other than an Officer.

“Manager of Financial Services” means the Officer position of the Financial Officer.

“Municipality” means the District of Taylor.

“Officer” means a person holding a position set out in Sections 3 and 7.

3. **ESTABLISHMENT OF STATUTORY OFFICER POSITIONS**

3.1 The persons holding the following positions within the District are established as Statutory Officers of the District under Section 146 and the following provisions of the *Community Charter*:

- a) Chief Administrative Officer pursuant to Section 147,
- b) Director of Corporate Services as the Corporate Officer pursuant to Section 148,
- c) Manager of Financial Services as the Financial Officer pursuant to Section 149.

3.2 The selection of the Chief Administrative Officer shall be made by Council.

3.3 The selection of the Director of Corporate Services and Manager of Financial Services shall be made by the Chief Administrative Officer, subject to Council approval.



4. CHIEF ADMINISTRATIVE OFFICER

- 4.1 The Chief Administrative Officer (CAO) is assigned all of the powers, duties and functions specified in Section 147 of the *Community Charter*, including, without limitation:
- a) Overall management of the operations of the municipality,
 - b) Ensuring that the policies, programs and other directions of Council are implemented,
 - c) Advising and informing Council on the operation and affairs of the municipality.
- 4.2 In addition to the responsibilities set out in the *Community Charter* that are identified above, the Chief Administrative Officer is assigned specific powers, duties and functions that are stipulated within his/her employment contract.

5. DIRECTOR OF CORPORATE SERVICES (CORPORATE OFFICER)

- 5.1 The Director of Corporate Services is assigned the responsibility of corporate administration, including the following powers, duties and functions, pursuant to Section 148 of the *Community Charter*:
- a) Ensuring that accurate minutes of the meetings of Council and Council committees are prepared and that the minutes, bylaws and other records of the business of Council and its committees are maintained and kept safe,
 - b) Ensuring that access is provided to records of Council and its Committees, as required by law or authorized by Council,
 - c) Administering oaths and taking affirmations, affidavits and declarations required to be taken under this Act, or any other Act relating to municipalities,
 - d) Certifying copies of bylaws and other documents, as required or requested,
 - e) Accepting, on behalf of Council or the municipality, notices and documents that are required or permitted to be given to, served on, filed with or otherwise provided to Council or the municipality,
 - f) Keeping the corporate seal, if any, and having it affixed to documents as required.
- 5.2 In addition to the responsibilities set out in the *Community Charter* that are identified above, the Director of Corporate Services is assigned specific powers, duties and functions that are stipulated within his/her employment contract.
- 5.3 In the temporary absence of the Director of Corporate Services, the Deputy Corporate Officer is the authorized designate who will assume the role and responsibility of the Director.



6. MANAGER OF FINANCIAL SERVICES (FINANCIAL OFFICER)

- 6.1 The Manager of Financial Services is assigned the responsibility as collector of taxes and the responsibility of financial administration, including the following specific powers, duties and functions, pursuant to Section 149 of the *Community Charter*:
- a) Receiving all money paid to the municipality,
 - b) Ensuring the keeping of all funds and security of the municipality,
 - c) Investing municipal funds, until required, in authorized investments,
 - d) Expending municipal money in the manner authorized by Council,
 - e) Ensuring that accurate records and full accounts of the financial affairs of the municipality are prepared, maintained and kept safe,
 - f) Exercising control and supervision over all other financial affairs of the municipality.
- 6.2 In addition to the responsibilities set out in the *Community Charter* that are identified above, the Manager of Financial Services is assigned specific powers, duties and functions that are stipulated within his/her employment contract.
- 6.3 In the temporary absence of the Manager of Financial Services, the Director of Corporate Services is the authorized designate who will assume the role and responsibility of the Manager.

7. ESTABLISHMENT OF OFFICER POSITIONS

- 7.1 The persons holding the following positions within the District are established as Officers under *Community Charter* Section 146(b):
- a) Bylaw Enforcement Officer
 - b) Director of Community Services
 - c) Director of Operations
 - d) Director of Protective Services
- 7.2 The selection of officer positions indicated in Section 7.1 shall be made by the Chief Administrative Officer, subject to Council approval.
- 7.3 The specific powers, duties and functions assigned to those positions identified in Section 7.1 are stipulated within each employment contract.

8. APPROVING OFFICER

In accordance with the *Land Title Act* Section 77, the District must appoint an Approving Officer who is the primary person responsible for the evaluation of subdivision applications within its jurisdiction. The person holding the position of Director of Operations is hereby appointed as the District's Approving Officer.



9. OATH OF OFFICE

The Oath of Office, which is attached to and forms part of this Bylaw as Schedule A, shall be completed by each officer of the District upon confirmation of employment.

10. RESPONSIBILITIES OF MAYOR

10.1 In accordance with Section 116(2)(d) of the *Community Charter*, the mayor has the responsibility to provide, on behalf of council, general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council.

11. SUSPENSION AND TERMINATION OF OFFICERS

11.1 In accordance with Section 151(1) of the *Community Charter*, the mayor must suspend a municipal officer or employee if the mayor considers this necessary.

11.2 In accordance with Section 154(3) of the *Community Charter*, a council may only delegate a power or duty to appoint or suspend an officer to its chief administrative officer.

11.3 Termination of employment of any Officer shall be in accordance with Section 152 of the *Community Charter* and his/her employment contract with the District.

12. VALIDITY

If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

13. REPEAL

Officers and Employees Bylaw No. 600, 1999 is hereby repealed.

READ FOR THE FIRST THREE TIMES THIS 16th DAY OF May, 2022

ADOPTED THIS 6th DAY OF June, 2022



Rob Fraser
Mayor



Tyla Pennell
Director of Corporate Services





SCHEDULE A
OATH OF OFFICE

I, _____ (*insert officer's name*), do swear/solemnly affirm that:

1. I will truly, faithfully and impartially, to the best of my knowledge, skills and ability, execute the office of _____ (*insert name of office*) to which I have been appointed to by the District of Taylor.
2. I have not received and will not receive any payment or reward, or any promise of payment or reward, for the exercise of any partiality or other improper execution of my office.

Sworn/Affirmed by me, at the District of Taylor on _____ (*insert date*)

(*Signature of person swearing/affirming oath*)

(*Signature of person administering oath*)