
A BYLAW OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA TO ESTABLISH THE POSITIONS OF CHIEF ADMINISTRATIVE OFFICER AND 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 Municipal Council of the Summer Village of Nakamun Park, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

- 1.1. This Bylaw may be cited as the "Establishment of CAO and Designated Officers Bylaw".

2. INTERPRETATION

- 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 Summer Village appointed pursuant to this Bylaw and as defined in the *Municipal Government Act*;
 - c) "Council" means the municipal council of the Summer Village;
 - d) "Designated Officer" has the same meaning as defined in the *Municipal Government Act*;
 - e) "FOIP" means the *Freedom of Information and Protection of Privacy Act*, RSA 2000 c F-25 and the regulations thereunder;
 - f) "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, c M-26 and the regulations thereunder; and
 - g) "Summer Village" means the municipal corporation of the Summer Village of Nakamun Park.
- 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.
- 2.3. Whenever a singular or masculine form of a word is used in this Bylaw, it shall include the plural, feminine or neutral form of the word as the context requires.

- 2.4. The headings in this Bylaw do not form part of this Bylaw and shall not affect its interpretation.

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 be appointed by resolution of Council and may be engaged by an employment or other contract. If applicable, all aspects of employment not addressed in the employment contract shall be addressed by the Summer Village personnel policies.
- 3.4. The CAO shall have all of the powers, duties and functions of a chief administrative officer as set out in the *Municipal Government Act*.
- 3.5. Without limiting the generality of section 3.4 of this Bylaw, the CAO is the head of the Summer Village within the meaning of *FOIP*.
- 3.6. Unless a Designated Officer is expressly appointed in this Bylaw or another bylaw of the Summer Village, 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.
- 3.7. The powers, duties and functions assigned to the CAO by this Bylaw are in addition to any other powers, duties or functions assigned or delegated by Council to the CAO or to any other Summer Village employee.

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 or agent of, or contractor for, the Summer Village.
- 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.
- 4.3. Without limiting the generality of section 4.1 of this bylaw, the following positions are authorized Designated Officers of the Summer Village:
- a) Finance Officer
 - b) Peace Officer(s)
 - c) Planning and Development Officer(s)
 - d) Assessment Review Board Clerk
 - e) Municipal Assessor(s)
 - f) Subdivision and Development Appeal Board Clerk

- 4.4. Without limiting the generality of section 4.1 of this bylaw, the CAO is authorized to appoint an acting designated officer during an illness, scheduled absence or other incapacity of a designated officer.

5. APPLICATION

- 5.1. The delegation of Finance Officer as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 213-MGA	Signing or authorizing of agreements, cheques and other negotiable instruments
Section 270-MGA	Opening and closing of accounts that hold municipal funds
Section 309(1.d)-MGA	Contents of assessment notices
Section 334(1.e)-MGA	Contents of tax notices
Section 336(1)-MGA	Certifying date of sending tax notices
Section 343(2)-MGA	Application of the tax payments
Section 350-MGA	Issuing Tax Certificates
Section 612-MGA	Certified Copies

- 5.2. The delegation of Peace Officers as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 420(2)-MGA	Obtaining possessions of lands
Section 436.11-MGA	Obtaining possession of manufactured homes
Section 439(2)-MGA	Preparing and issuing distress warrants and seizing goods
Section 542-MGA	Entering on lands to inspect, remedy and enforce bylaws thereunder
Section 544-MGA	Applying to court for an order re:inspections
Section 545-MGA	Issuing orders to cease contravention of any bylaw
Section 350-MGA	Orders to remedy dangerous and unsightly properties

- 5.3. The delegation of Planning Officers and Development Officer as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 623-MGA	Subdivision Authority, in the case of Planning Officers
Section 624-MGA	Development Authority, in the case of Development Officers

- 5.4. The delegation of Assessment Review Board Clerk as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 456(1)-MGA	Duties of the clerk of Assessment Review Board
Section 461 & 462-MGA	Assessment Complaints

Section 469(1)-MGA Notice of decision of Assessment Review Board
Section 483-MGA Decision admissible on appeal

- 5.5. The delegation of Municipal Assessor(s) as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 284.2-MGA Carry out duties and responsibilities of an assessor

- 5.6. The delegation of Subdivision and Development Appeal Board Clerk as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 627.1(3)-MGA Duties of the clerk of the Subdivision and Development Appeal Board

6. GENERAL

- 6.1. 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.
- 6.2. This Bylaw rescinds bylaw 2018-5, Establishment of CAO and Designated Officer Bylaw, and any previous bylaw in reference to designation of the Chief Administrative Officer 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.

7. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

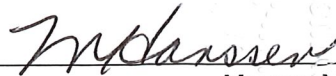
READ a first time this 28th day of August, 2019.

READ a second time this 28th day of August, 2019.

UNANIMOUS CONSENT to proceed to third reading this 28th of August, 2019.

READ a third and final time this 28th day of August, 2019.

SIGNED this 28th day of August, 2019



Mayor, Marge Hanssen



Chief Administrative Officer, Dwight Moskalyk