

DISTRICT OF BARRIERE

BYLAW NO. 0025

A BYLAW TO ESTABLISH THE OFFICER POSITIONS OF THE DISTRICT OF BARRIERE AND TO ASSIGN THE POWERS, DUTIES AND FUNCTIONS OF THOSE OFFICER POSITIONS.

WHEREAS the Community Charter requires Council, by bylaw, under section 146 to establish officer positions in relation to the duties under Sections 148 and 149 with titles it considers appropriate and to assign the powers, duties and functions of those officer positions;

AND WHEREAS the Council may, by bylaw, establish other officer positions with titles it considers appropriate and to assign the powers, duties and functions of those officer positions;

NOW THEREFORE the Municipal Council of the District of Barriere in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “District of Barriere Officers Bylaw No. 0025, 2008.”

2. OFFICER POSITIONS

The following positions are hereby established as officer positions of the municipality:

- a) Chief Administrative Officer;
- b) Corporate Officer;
- c) Director of Finance;
- d) Director of Engineering and Operations.

3. POWERS, DUTIES AND RESPONSIBILITIES

- a) The powers, duties and responsibilities of the Chief Administrative Officer are as set out in Schedule “A”.
- b) The powers, duties and responsibilities of the Corporate Officer are as set out in Schedule “B”.
- c) The powers, duties and responsibilities of the Director of Finance are as set out in Schedule “C”.

- d) The powers, duties and responsibilities of the Director of Engineering and Operations are as set out in Schedule “D”.

4. METHOD OF APPOINTING OFFICERS

The appointment of any officer position identified in Sections 1(a) to 1(d) inclusive, must be by resolution of Council.

5. FINANCIAL DISCLOSURE

All person employed in the positions identified in Sections 1(a) to 1(d) inclusive, are designated to be “municipal employees” for the purpose of the *Financial Disclosure Act*.

6. ACTING/DEPUTY CAPACITY

Words in this bylaw referring to municipal officer, by name of office or otherwise, also apply to the officer’s deputy or the person designated to act in the officer’s place.

7. OATH OF OFFICE

The Oath of Office as set out in Schedule “E” to this bylaw is hereby adopted as the Oath of Office for officers of the municipality.

8. CITATION

This bylaw may be cited for all purposes as the “District of Barriere Officers Bylaw No. 0025, 2008”.

READ FOR A FIRST TIME this 6th day of October, 2008

READ FOR A SECOND TIME this 6th day of October, 2008

READ FOR A THIRD TIME this 6th day of October, 2008

ADOPTED this 20th day of October, 2008

Original Signed by Mayor Mike Fennell
Mayor

Original Signed by Wayne Vollrath
Chief Administrative Officer

SCHEDULE "A"

POWERS, DUTIES AND FUNCTIONS OF THE CHIEF ADMINISTRATIVE OFFICER

Human Resources

1. Appoint, promote, discipline and dismiss all employees of the municipality.
2. Recommend to Council the appointment, promotion, demotion, suspension or termination of Officers of the municipality being those employees who are designated Officers by bylaw.
3. Supervise all officers and employees of the municipality subject to the powers of the Mayor under Section 116(d) of the *Community Charter*.
4. Appoint acting department heads to administer departments in case of illness or absence.
5. Supervise contract negotiations with employee unions of the municipality and recommend contract settlements with the Unions to Council.
6. Act as arbitrator between an employee and that employee's director subject to the terms of any applicable collective agreement with an employee Union.

General Administration

7. Supervise the operation of the departments of the municipality.
8. Supervise implementation of Council directives.
9. Act as the principal intermediary between the municipality and the administration of other governments and all other entities dealing with the municipality.
10. From time to time reorganize the administrative structure to improve the efficient and effective operation of the municipality.

Legal Advice and Proceedings

11. Obtain legal advice.
12. Authorize lawyers to defend or conduct any action or proceeding in any court of law or before any tribunal, arbitrator, board or any person, for or on behalf of the municipality.
13. Authorize settlements of claims against the municipality in accordance with approved budgets.

Schedule "A" cont'd.

Council

14. Supervise preparation of Council agendas.
15. Have the right to participate in all meetings of Council, Committees of Council and other entities created by Council, except in those portions of meetings where employment matters relating to the Chief Administrative Officer position are under discussion.
16. Provide advice and recommendations to Council on any matter within Council's jurisdiction.
17. Report to Council on any matter of importance to the municipality.

Contracts

18. Authorize the use or budgeted purchase or sale of municipality facilities, equipment and services and authorize the awarding of contracts for budgeted items.
19. Supervise the calling and awarding of tenders for the supply of materials, equipment services or construction approved by Council.

Additional Powers, Duties and Responsibilities

20. Exercise whatever additional powers and discharge whatever additional duties and responsibilities Council from time to time may assign.

SCHEDULE “B”

POWERS, DUTIES AND FUNCTIONS OF THE CORPORATE OFFICER

The title of the Officer holding this position may be cited in any municipal documents as “Corporate Officer”.

Statutory

1. Ensuring that the accurate minutes of the meetings of the municipality and its committees are prepared and the minutes, bylaws and other records of the business of the municipality and its committees are maintained and kept safe.
2. Ensuring that access is provided to records of the municipality and its committees as required by law or authorized by Council.
3. Certifying copies of bylaws and other documents as required or requested.
4. Administering oaths and taking affidavits, declarations and affidavits required to be taken under the Municipal Act in relation to municipal matters.
5. Accepting on behalf of the municipality, notices and documents that are required or permitted to be given, served on, filed with or otherwise provided to the municipality.
6. Keeping the corporate seal and having it affixed to documents as required.

Human Resources

7. Recommend to the Chief Administrative Officer, appointment, promotion, discipline and dismissal of all employees within the Corporate Administrative Services Department.
8. Supervise all employees in the Corporate Administrative Services Department.

General Administration

9. Supervise the operation of the Corporate Administrative Services Department of the municipality.
10. Supervise implementation of Council directives and directives of the Chief Administrative Officer.
11. Act as contact between the Corporate Administrative Services Department and other departments under the supervision of the Chief Administrative Officer.

Schedule "B" cont'd.

Council

12. Attend or ensure a Staff Member attends all meetings of Council and its committees for purpose of minute taking.
13. Organize efficient and effective record keeping for all corporate documents.
14. Provide copies of any documents served on the municipality to the Chief Administrative Officer and to any insurers as appropriate.

SCHEDULE “C”

POWERS, DUTIES AND FUNCTIONS OF THE DIRECTOR OF FINANCE

Statutory

1. Receiving all money paid to the municipality.
2. Ensuring the keeping of all funds and securities of the municipality.
3. Expending and disbursing money in the manner authorized by Council.
4. Investing revenue funds, until required, in investments as permitted under the *Municipal Act*.
5. Ensuring that accurate records and full accounts of the financial affairs of the municipality are prepared, maintained and kept safe.
6. Compiling and supplying information on the financial affairs of the municipality required by the Inspector.

Human Resources

7. Recommend to the Chief Administrative Officer, appointment, promotion, discipline and dismissal of all employees within the Financial Services Department.
8. Supervise all employees in the Financial Services Department.

General Administration

9. Supervise the operation of the Financial Services Department of the municipality.
10. Supervise implementation of Council directives and directives of the Chief Administrative Officer.
11. Act as a contact between the Financial Services Department and other departments under the supervision of the Chief Administrative Officer.

Legal Advice and Proceedings

12. Supervise the obtaining of insurance as deemed necessary.
13. Supervise the provision of or management of insurance matters.
14. Prepare and arrange for filing of any documentation necessary under the Financial Disclosure Act or otherwise.

Schedule "C" cont'd.

Council

15. Attend meetings of Council and the Finance Committee as required by the Chief Administrative Officer or Council.
16. Provide advice to the Chief Administrative Officer and Council regarding any matter of a financial nature.
17. Prepare fiscal plans as required under the Community Charter and as requested by Council and the Chief Administrative Officer.
18. Liase with the municipal auditor in connection with the financial audit.

Additional Powers, Duties and Responsibilities

19. Shall act as Collector of taxes for the municipality.

SCHEDULE “D”

POWERS, DUTIES AND FUNCTIONS OF THE DIRECTOR OF ENGINEERING AND OPERATIONS

Human Resources

1. Recommend to the Chief Administrative Officer, appointment, promotion, discipline and dismissal of all employees within the Engineering and Operations Department.
2. Supervise all employees in the Engineering and Operations Department.

General Administration

3. Supervise the operation of the Engineering and Operations Department of the municipality.
4. Supervise implementation of Council directives and directives of the Chief Administrative Officer.
5. Act as a contact between the Engineering and Operations Department and other departments under the supervision of the Chief Administrative Officer.

Operations Matters

6. Develop and recommend to the Chief Administrative Officer, policies and procedures for all operational matters.
7. Supervise equipment and other operational matters, repair, renewal and replacement programs in accordance with Council budgets and policies.
8. Inspect all public service works in accordance with Council policies and procedures.

Development Application Matters

9. Liase with staff in connection with applications for development approvals and provide advice and recommendations in accordance with all servicing matters connected with development applications.

SCHEDULE “F”

OATH OF OFFICE

I, _____ having been appointed to the Office of _____

For the District of Barriere do hereby swear/solemnly affirm that:

1. I will truly, faithfully, honestly and impartially, to the best of my knowledge, skills and ability, execute the powers, duties and functions of my Office to which I have been appointed.
2. I will treat all matters and information that comes to my attention as a result of my Office in confidence.
3. I have not received, nor will I receive or accept any payment or reward, or promise of either, in return for the exercise of my powers, duties and functions, other than as permitted by the municipality.
4. I will not allow my personal interest to conflict with the duties of my Office.
5. I will comply with all policies and directives of the municipality and comply with all laws.

SWORN/ARRIRMED by me at

Barriere, BC, on _____

(Signature of person swearing/affirming oath)

(Signature of person administering oath)

