

# BYLAW 64-2017

## DESIGNATED OFFICERS BYLAW

### WHEREAS:

Sections 284, 289, 455, and 284.1, 284.2, 627.1 (to be proclaimed) of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, require municipalities to establish certain designated officer positions to which individuals who meet legislated credentials are appointed;

Section 210 of the Municipal Government Act requires designated officer positions to be established by bylaw, and the bylaw must identify the powers, duties and functions of each designated officer so established;

The municipal council of Strathcona County enacts this bylaw as follows:

### PART 1 – PURPOSE AND INTERPRETATION

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|-------------|---|---|
| Citation    | 1 | This Bylaw may be cited as the “Designated Officers Bylaw”.   |
| Purpose     | 2 | <p>The purposes of this bylaw are to:</p> <ul style="list-style-type: none"><li>(1) establish designated officer positions as permitted or required by the Municipal Government Act, and the terms and conditions of appointment;</li><li>(2) identify the powers, duties and functions of each designated officer position;</li><li>(3) provide for the delegation of designated officer’s powers, duties and functions.</li></ul>   |
| Definitions | 3 | <p>In this bylaw:</p> <ul style="list-style-type: none"><li>(1) “Municipal Government Act” means the <i>Municipal Government Act</i>, RSA 2000, c. M-26, as amended or replaced from time to time, and includes all Regulations and Ministerial Orders thereunder;</li><li>(2) “Chief Commissioner” means the chief administrative officer of the County or delegate;</li><li>(3) “County” means the municipal corporation of Strathcona County;</li><li>(4) “designated officer” means individuals appointed to designated officer positions under the Municipal Government Act;</li></ul> |

- (5) “qualified person” means a County employee who holds the credentials required, if any, to perform the powers, duties and functions of a designated officer.

## **PART 2 – MUNICIPAL ASSESSOR**

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|------------------------------|---|--|
| Establishment                | 4 | The designated officer position of Municipal Assessor is established.  |
|                              | 5 | The Chief Commissioner shall appoint a qualified person to the designated officer position of Municipal Assessor.  |
| Powers, duties and functions | 6 | The Municipal Assessor shall exercise the powers, duties and functions of the municipal assessor and of the municipality in relation to County assessments and taxation as permitted or required by Parts 9 and 10 of the Municipal Government Act, except for the following items which require Council approval:<br><br>(a) Approval of tax agreements; and<br><br>(b) Decisions to cancel, reduce, refund or defer taxes.   |
|                              | 7 | Without limiting the preceding, the Municipal Assessor may in the exercise of the Municipal Assessor’s powers, duties and functions issue notices, certify records, swear statutory declarations, conduct inspections, demand records, produce and disclose information to other governmental authorities, and take the actions required for the preparation and administration of the County’s assessment and taxation rolls. |

## **PART 3 – CLERK OF THE ASSESSMENT REVIEW BOARDS**

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|------------------------------|----|---|
| Establishment                | 8  | The designated officer position of Clerk of the Assessment Review Boards is established.  |
|                              | 9  | The Chief Commissioner shall appoint a qualified person to the designated officer position of Clerk of the Assessment Review Boards.  |
| Powers, duties and functions | 10 | The Clerk of the Assessment Review Boards shall exercise the powers, and perform the duties and functions imposed on a Clerk of the Assessment Review Boards by legislation and bylaws, and as the County’s designated officer for assessment review boards will: |

- (a) provide assessment complaint forms to complainants;
- (b) receive and file assessment complaints;
- (c) schedule hearings;
- (d) process and distribute assessment complaints and other hearing materials to members of assessment review boards;
- (e) prepare and certify records, including records of proceedings; and
- (f) perform administrative duties for assessment review boards.

## **PART 4 – CLERK OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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|------------------------------|----|---|
| Establishment                | 11 | The designated officer position of Clerk of the Subdivision and Development Appeal Board is established.  |
|                              | 12 | The Chief Commissioner shall appoint one or more persons to the position of Clerk of the Subdivision and Development Appeal Board and the persons so appointed may also be a Clerk of the Assessment Review Board.  |
| Powers, duties and functions | 13 | <p>A Clerk of the Subdivision and Development Appeal Board shall exercise the powers, and perform the duties and functions imposed on a Clerk of the Assessment Review Boards by legislation and bylaws, and as the County's designated officer for the subdivision and development appeal boards will:</p> <ul style="list-style-type: none"> <li>(a) receive and file subdivision and development appeals;</li> <li>(b) schedule hearings;</li> <li>(c) process and distribute hearing material to members of subdivision and development appeal boards;</li> <li>(d) prepare and certify records, including records of proceedings; and</li> <li>(e) perform administrative duties for subdivision and development appeal boards.</li> </ul> |

**PART 5 – GENERAL MATTERS**

- Employment            14    The Chief Commissioner will establish the remuneration payable and other terms and conditions of employment for the County’s designated officers.
  
- Reporting             15    Unless otherwise directed by Council, designated officers are accountable to, and are under the supervision of, the Chief Commissioner.
  
- Delegation            16    Designated officers may delegate any or all of their powers, duties and functions to other qualified persons, and may when absent or otherwise unable to perform their powers, duties and functions, designate a delegate as an acting designated officer.
  
- Indemnity             17    The County will indemnify and save harmless designated officers in relation to errors and omissions made in the good faith exercise of their powers, duties and functions.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2017.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2017.

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2017.

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Mayor

\_\_\_\_\_  
Director, Legislative & Legal Services

Date Signed: \_\_\_\_\_