

BYLAW 24-2025

CHIEF ADMINISTRATIVE OFFICER BYLAW

AS:

- A. section 205 of the *Municipal Government Act* provides that every council must establish by bylaw a position of chief administrative officer to carry out the responsibilities listed under the *Municipal Government Act*;
- B. section 207 of the *Municipal Government Act* prescribes a chief administrative officer's responsibilities and section 208 of the *Municipal Government Act* prescribes a chief administrative officer's major administrative duties;
- C. section 202 of the *Municipal Government Act* provides that where the *Municipal Government Act*, another enactment, or a bylaw requires or authorizes a municipality to do something but does not specify who in the municipality may do it, or when a municipality wishes to exercise its natural person powers, then the thing may be done, or the natural person powers may be exercised by the chief administrative officer, unless the council specifies otherwise;
- D. section 203 of the *Municipal Government Act* provides that a council may by bylaw delegate any of its powers, duties or functions under the *Municipal Government Act* or any other enactment or a bylaw to any person unless an enactment or bylaw provides otherwise;
- E. the Council of Strathcona County deems it expedient and advisable to delegate to the chief administrative officer certain powers, duties, and functions;
- F. pursuant to the provisions of the *Agricultural Pests Act*, the *Weed Control Act*, the *Soil Conservation Act*, the *Alberta Environmental Protection and Enhancement Act*, the *Forest and Prairie Protection Act* and the *Emergency Management Act*, a local authority must appoint sufficient municipal officers to carry out the provisions of those statutes; and
- G. pursuant to the *Access to Information Act* a council must by bylaw designate a person or group of persons as the head of the local public body and may set fees required to be paid for services.

Council enacts:

PART 1 – DEFINITIONS, AND INTERPRETATION

Definitions

- 1 Unless otherwise specified, words used in this bylaw have the same meaning as defined in the Act.
- 2 In this bylaw:
 - (a) "Act" means the *Municipal Government Act*;
 - (b) "Chief Administrative Officer" or "CAO" means the chief administrative officer of the County, or delegate;
 - (c) "claim" means any demand, suit, action, or proceeding that has or could be advanced, regardless of whether legal process has formally commenced, whereby compensation, damages, or other relief may be sought;
 - (d) "County" means the municipal corporation of Strathcona County, a specialized municipality established under the authority of the Act and Order in Council 761/95;
 - (e) "Emergency Expenditure" means an expenditure that could not have reasonably been anticipated and must be made to address a present or imminent event that is adversely affecting, or could adversely affect, the health, safety, or welfare of people, or is or may reasonably be expected to cause damage to property or the environment;
 - (f) "Employee" means an individual who reports to the CAO and provides services to the County under an employment agreement, personal services agreement, or in the capacity of agent, student, or volunteer; and
 - (g) "Mayor" means the chief elected official as defined in the Act.

Interpretation

- 3 The following rules apply to interpretation of this bylaw:
 - (a) headings, titles, and margin notes in this bylaw are for ease of reference only;
 - (b) gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;
 - (c) every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared

invalid by a Court, all other provisions of this bylaw remain valid and enforceable;

- (d) references to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder;
 - (e) if there is a conflict between any provision of this bylaw and another bylaw, this bylaw takes precedence;
 - (f) if a power, duty, or function can be exercised pursuant to multiple provisions of this bylaw, the exercise of the power, duty, or function is subject to the more specific provision;
 - (g) the exercise of any power, duty, or function pursuant to this bylaw is subject to any specific Council direction; and
 - (h) if a provision in this bylaw limits the exercise of the power to approve agreements or settlements based on term or monetary limits, or both, then:
 - (i) term limits include all options, extensions, and renewals; and
 - (ii) monetary limits are calculated as the total amount payable by or to the County in Canadian funds, including all taxes, charges, and disbursements.
- 4 The authority to approve any expenditure or agreement is subject to approved capital and operating budgets, and interim budgets if applicable.

PART 2 – THE CHIEF ADMINISTRATIVE OFFICER

- | | |
|--------------|--|
| Continuation | 5 The established position of chief administrative officer for the County, titled "Chief Commissioner", is continued, and the position title is changed to "Chief Administrative Officer". |
| Appointment | 6 Council must by resolution appoint an individual to the position of Chief Administrative Officer. |
| | 7 The CAO's terms and conditions of employment, including remuneration, must be set out in an agreement between the CAO and the County that is satisfactory to Council and |

not inconsistent with any provision of the Act or this bylaw and executed by the Mayor on behalf of the County.

- | | |
|-------------------------|---|
| Designated Officer | 8 The CAO may exercise all of the powers, duties and functions of a designated officer of the County if:

(a) no position of designated officer has been established by Council;

(b) the position of designated officer is vacant; or

(c) the power, duty, function or other thing relating to the designated officer has not been assigned to any designated officer by Council. |
| Delegation of Authority | 9 The CAO may delegate any or all the CAO's powers, duties, or functions, including the power to further delegate those powers, duties, or functions, to an Employee.

10 Despite any delegation of authority by the CAO to an Employee, the CAO remains responsible to Council for the exercise of any power, duty, or function under the Act or any other enactment or a bylaw. |
| Acting CAO | 11 If the CAO is temporarily absent or otherwise unable to perform the CAO's powers, duties, or functions, the CAO may designate an Employee as the Acting CAO and when so designated, the Acting CAO will perform the CAO's powers, duties, and functions.

12 If the CAO does not designate an Acting CAO in accordance with section 11 of this bylaw, then Council may do so. |
| Interim CAO | 13 If a vacancy occurs in the position of CAO, then Council must by resolution appoint a person to be an interim CAO and in such case all the provisions of this bylaw will apply equally to the interim CAO. |

PART 3 – GENERAL POWERS, DUTIES, AND FUNCTIONS

- | | |
|-----|--|
| CAO | 14 The CAO has all the powers, duties, and functions of a chief administrative officer under the Act or any other enactment or a bylaw.

15 As the administrative head of the County, the CAO is responsible for managing the County's Employees and |
|-----|--|

resources, including:

- (a) establishing the structure of departments, including adding, merging, and eliminating departments, and establishing the managerial hierarchy;
- (b) approving the terms and conditions of employment for Employees;
- (c) negotiating and approving collective agreements;
- (d) acting on behalf of the County for the purposes of the *Labour Relations Code*;
- (e) supervising, directing, and reviewing the performance of all Employees, including hiring, firing, disciplining, terminating, demoting, and transferring all Employees;
- (f) approving policies, procedures, standards, manuals, and guidelines applicable to the operation and administration of the County and its Employees;
- (g) establishing administrative and operational plans, goals, and performance measures; and
- (h) conducting audits, investigations, and studies of the County's operations.

Appointments

16 The CAO is authorized to appoint:

- (a) inspectors under the *Agricultural Pests Act*;
- (b) inspectors under the *Weed Control Act*;
- (c) soil conservation officers under the *Soil Conservation Act*;
- (d) inspectors and investigators under the *Environmental Protection and Enhancement Act*;
- (e) fire guardians under the *Forest and Prairie Protection Act*; and
- (f) agricultural fieldmen under the *Agricultural Service Board Act*.

Leaves of Absence

17 The CAO is authorized to grant an application for a leave of absence without pay to an Employee who wishes to be nominated as a candidate in an election to be held for the County, in accordance with section 22 of the *Local*

Authorities Election Act.

- | | |
|------------|--|
| Signatures | 18 The CAO may, acting alone, sign agreements, cheques, and other negotiable instruments on behalf of the County. |
| | 19 The CAO may direct that the signatures of the CAO, Mayor, designated officers, or Employees with delegated signing authority be printed, lithographed, or otherwise reproduced. |
| Reporting | 20 The CAO must regularly report to Council on all matters and issues affecting the County, including progress on Council's directions, plans, policies, and strategic goals. |
| | 21 The CAO must, at least once annually, report to Council all: <ul style="list-style-type: none">(a) agreements resulting from non-competitive procurement process, including a single or sole source procurement, where the value of the agreement exceeds \$75,000.00 for procurements of goods or services or \$200,000.00 for procurements of construction;(b) settlements of insured claims where the amount payable by the County exceeds \$1,000,000.00;(c) settlements of uninsured claims where the amount payable by the County exceeds \$500,000.00; and(d) payments of grant funding where the specific grant recipients and payment amounts were not determined by Council. |

PART 4 – FINANCIAL MANAGEMENT

- | | |
|-----------------------------|---|
| Banking | 22 The CAO must designate the County's banking institutions as required by section 270 of the Act. |
| Investments | 23 The CAO is authorized to invest funds on behalf of the County as permitted by section 250 of the Act. |
| Capital and Financial Plans | 24 The CAO must prepare and submit proposed capital plans and financial plans as required by Council. |
| Budgets | 25 The CAO must prepare and submit proposed annual capital and operating budgets, and interim budgets as required by Council. |

Budget
Adjustments

26 The CAO may authorize budget adjustments between existing programs or projects:

(a) within the approved capital budget that do not exceed \$5,000,000.00 per adjustment; or

(b) within the approved operating budget that do not exceed \$2,000,000.00 per adjustment;

provided that the adjustment does not result in an increase to the net requirement from the tax levy.

Emergency
Expenditures

27 The CAO may authorize and approve any necessary agreements for an Emergency Expenditure not in an approved budget that does not exceed \$2,000,000.00 from any source of funds.

28 The CAO must report on the implications of any Emergency Expenditure authorized by section 27 of this bylaw to Council as soon as practicable and in any event no later than the date the next capital budget, operating budget, or interim budget is presented to Council.

PART 5 – TAXATION MATTERS

Tax Agreements

29 The CAO may approve tax agreements, as permitted by sections 333.1 and 360 of the Act, where the difference between the value of taxes as would have otherwise been levied and the value of the taxes paid under the agreement does not exceed \$500,000.00 per year.

30 The CAO must report any tax agreement authorized by section 29 of this bylaw to Council no later than the date the next capital budget, operating budget, or interim budget is presented to Council.

Public Auction

31 The CAO is authorized to set the reserve bid for each parcel of land to be offered for sale at a public auction and any conditions that apply to the sale as required by section 419 of the Act.

32 The CAO is authorized to set a reserve bid for each designated manufactured home to be offered for sale at a public auction and any conditions that apply to the sale as required by section 436.1 of the Act.

PART 6 – LEGAL MATTERS AND INSURANCE

- | | |
|------------------------------------|--|
| Corporate Seal | 33 The CAO is authorized to affix the corporate seal and must ensure that the corporate seal is kept safe. |
| Power of Attorney | 34 The CAO has the County's power of attorney for all purposes. |
| Intellectual Property | 35 The CAO may: <ul style="list-style-type: none">(a) approve and register the County's intellectual property rights, including the County's heraldic emblems; and(b) approve the use of the County's intellectual property rights, including the County's heraldic emblems as permitted by section 559 of the Act. |
| Representation and Indemnification | 36 The CAO may approve the indemnification, legal representation, and payment of judgments, fines, or penalties on behalf of Employees and designated officers. |
| Legal Proceedings | 37 The CAO may initiate and respond to claims and proceedings and make, in the best interests of the County, all decisions regarding admissions, strategy, and procedure, before any court of law, quasi-judicial tribunal, administrative official or body. |
| Settlement Authority | 38 The CAO may approve the settlement of: <ul style="list-style-type: none">(a) any insured claim advanced by or against the County;(b) any uninsured claim against the County where the amount payable by the County does not exceed \$1,000,000.00 in addition to judgment interest and legal costs; and(c) any uninsured claim advanced by the City where the difference between the amount claimed and the amount recovered does not exceed \$1,000,000.00 in addition to judgment interest and legal costs. |
| Release and Waiver | 39 The CAO may approve agreements regarding the release and waiver from liability for claims where the County is either the releasor or the releasee. |
| Insurance | 40 The CAO may approve agreements for the purchase of the County's insurance policies. |

Security and
Surety Bonds

- 41 The CAO may establish the types and forms of security that will be accepted by the County, including the amounts of security required, and may approve agreements relating to any contract or commercial surety bonds required by or purchased for the County.

PART 7 – LAND AND ROAD-RELATED MATTERS

Acquisitions

- 42 The CAO may approve:
- (a) agreements for acquisitions of fee simple interests in land for fair market value or less that do not exceed \$5,000,000.00; and
 - (b) reasonably necessary ancillary and incidental agreements related to subsection (a) for:
 - (i) nominal or actual costs; or
 - (ii) amounts equivalent to damages that would be payable under the *Expropriation Act* if the fee simple interest had been expropriated, provided that the value of the agreement does not exceed \$100,000.00.

Dispositions

- 43 The CAO may approve:
- (a) agreements for dispositions of fee simple interests in land for fair market value or more that do not exceed \$5,000,000.00; and
 - (b) reasonably necessary ancillary and incidental agreements related to subsection (a) for nominal or actual costs.

Leases where
Lessor

- 44 The CAO may approve leases of County land, or any portion thereof, including leases of any improvements on County land, for fair market value or more, provided that:
- (a) the term of the lease does not exceed 5 years; and
 - (b) the rent payable by a tenant to the County, does not exceed \$2,000,000.00 per year.
- 45 The CAO may approve leases of County land, or any portion thereof, including leases of any improvements on County land, for less than fair market value, provided that:

- (a) the term of the lease does not exceed 5 years; and
 - (b) the tenant is a non-profit organization.
- Leases where Lessee
 - 46 The CAO may approve leases for the County's use at fair market value or less, provided that:
 - (a) the term of the lease does not exceed 5 years; and
 - (b) the rent payable by the County to a landlord does not exceed \$2,000,000.00 per year.
- Other Interests In Land
 - 47 The CAO may approve agreements to acquire at fair market value or less, or dispose at fair market value or more, all other interests in land, including easements, encroachments, options, restrictive covenants, rights of first refusal, and utility rights of way, provided that the value of the agreement does not exceed \$1,000,000.00.
 - 48 The CAO may approve reasonably necessary ancillary and incidental agreements related to section 47 of this bylaw for:
 - (a) nominal or actual costs; or
 - (b) amounts equivalent to damages that would be payable under the *Expropriation Act* if the interest had been expropriated, provided that the value of the agreement does not exceed \$100,000.00.
- Licences where Licensor and Permits where Approver
 - 49 The CAO may approve licences or permits for use of County land or road right of way, provided that:
 - (a) the amount payable for the licence or permit does not exceed \$1,000,000.00 per year; and
 - (b) the term of the licence or permit does not exceed 10 years.
 - 50 The CAO may approve licence of occupation agreements for transportation utility corridors and sewer outfalls.
- Licences where Licensee and Permits where Applicant
 - 51 The CAO may apply for licences or permits for the County's use of land, provided that:
 - (a) the amount payable for the licence or permit does not exceed \$1,000,000.00 per year; and
 - (b) the term of the licence or permit does not exceed 10

years.

- | | |
|--------------------------|--|
| Crossing Agreements | 52 The CAO may approve crossing and proximity agreements for roads, railways, pipelines, and public utilities. |
| Land Related Instruments | 53 The CAO may approve all land related instruments, including assignments, caveats, consents, postponements, and risk management plans for nominal value. |
| Temporary Road Closures | 54 The CAO may temporarily close all or part of a road in accordance with an enactment. |
| Expropriation Agreements | 55 The CAO may approve agreements to acquire land at fair market value from a consenting owner pursuant to the <i>Expropriation Act</i> if Council has approved commencement of the expropriation. |
| Affordable Housing | 56 The CAO may approve affordable housing agreements that do not exceed \$1,000,000.00. |

PART 8 – OTHER AGREEMENTS AND ACTIONS

- | | |
|---|--|
| Memorandums of Understanding | <p>57 The CAO may approve memorandums of understanding with respect to operational or administrative matters falling within the scope of the CAO's powers, duties, and functions.</p> <p>58 Memorandums of understanding involving policy decisions for the County that do not fall within the scope of the CAO's powers, duties, and functions will be signed by the Mayor on behalf of Council if approved by Council.</p> |
| General Agreements | <p>59 The CAO may approve any agreement that does not pertain to an interest in land and is not otherwise dealt with in this bylaw, if:</p> <p style="padding-left: 40px;">(a) the value of the agreement does not exceed \$1,000,000.00; and</p> <p style="padding-left: 40px;">(a) the term of the agreement does not exceed 10 years.</p> |
| Ancillary and Incidental Agreements and Actions | <p>60 The CAO may approve all necessary ancillary and incidental agreements, amendments, consents, certificates, or other documents reasonably required for an agreement previously approved by Council or the CAO.</p> <p>61 If applications, registrations, filings, or other actions are</p> |

required for the exercise of the County's powers, duties or functions, the CAO may take all such related and necessary actions.

Procurement
Agreements

62 The CAO may approve agreements for the procurement of goods, services, and construction:

(a) that result from either a competitive procurement process or a non-competitive procurement process, conducted in accordance with applicable trade agreements; or

(b) to which no trade agreement is applicable.

63 For the procurement of goods, services, and construction not dealt with in section 62, the CAO may approve agreements if:

(a) the value of the agreement does not exceed \$1,000,000.00; and

(b) the CAO reports to Council as required by section 21 of this bylaw.

Revenue
Agreements

64 The CAO may approve any agreement where the County earns revenue by providing or disposing of a good, service, or intellectual property right.

Grant Funding

65 The CAO may approve the payment of grant funding from the County if:

(a) the program, project, or activity to which the grant relates is specifically identified within the approved capital budget or operating budget; and

(b) payment is made in accordance with the express terms or conditions, if any, directed by Council.

Applying for
Grants

66 The CAO may apply, on behalf of the County, for grant funding from any source, and approve all documents and agreements required to obtain the grant funding.

Family Support
Services

67 The CAO may approve grant agreements for the provision of family and community support services as provided for in the *Family and Community Support Services Regulation*.

Flag Protocol

68 The CAO is authorized to designate one or more flag poles on County property for community use to display the flag or banner of community groups and may, in the CAO's

discretion, approve an application to display a flag or banner.

- | | |
|---------------------|---|
| Lighting Protocol | 69 The CAO may, in the CAO's discretion, approve an application to display selected colours and patterns of lights on the Community Centre or Festival Place. |
| Bylaw Consolidation | 70 The CAO may consolidate any County bylaw as permitted by section 69 of the Act. |

PART 9 – LICENCES, PERMITS, AND ENFORCEMENT

- | | |
|----------------------|--|
| Licences and Permits | 71 The CAO may issue County licences and permits, and may suspend, cancel, reinstate, and impose conditions or restrictions on any County licence or permit. |
| Proceedings | 72 The CAO may issue certificates, demands, orders, notices, processes, tags, tickets, or other similar documents for the County as permitted by a bylaw or an enactment. |
| Enforcement | <p>73 The CAO may approve and direct remedial or enforcement actions for matters within the County's jurisdiction, including:</p> <ul style="list-style-type: none"> (a) levying or imposing penalties, interest, costs, or charges; and (b) adding amounts owed to the County to tax rolls, as permitted by sections 553, 553.1 and 553.2 of the Act. |

PART 10 – ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

- | | |
|---------------------|---|
| Head of Public Body | 74 The CAO is designated as the head of the County for the purposes of the <i>Access to Information Act</i> . |
|---------------------|---|

PART 11 – GENERAL

- | | |
|-------------------|--|
| Council Direction | 75 Despite any other provision in this bylaw, if Council expressly approves a County project, program, or activity, and the budget for that project, program, or activity, and directs the CAO to negotiate and approve the agreement required for the approved project, program, or activity, the CAO may approve agreements in accordance with Council's |
|-------------------|--|

express direction.

Repeal 76 Bylaw 21-2015, as amended, is repealed.

Effective Date 77 This bylaw comes into effect on July 31, 2025.

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

SIGNED THIS ____ day of _____, 2025.

MAYOR

MANAGER, MUNICIPAL CLERKS
OFFICE