

*(Note: Comments are noted in italics)*

**MUNICIPALITY**

**BY-LAW NUMBER XXX**

**A BY-LAW OF THE MUNICIPALITY IN THE PROVINCE OF ALBERTA  
TO DEFINE THE RESPONSIBILITY, AUTHORITY AND SPECIFIC DUTIES  
OF THE MANAGER OF THE MUNICIPALITY.**

**WHEREAS**, the Municipal Government Act, being Chapter M26.1 of the Revised Statutes of Alberta, 1994, as amended, provides that a Council must, by by-law, establish the position of Chief Administrative Officer;

**AND WHEREAS**, the Council may, in accordance with Section 203 of the Municipal Government Act, delegate any or all of its executive and administrative duties and powers;

**NOW THEREFORE**, the Council of the Municipality enacts as follows:

1. This by-law shall be cited as, "The Manager's By-Law".
2. **ROLE, TERMS AND CONDITIONS OF THE GENERAL MANAGER**
  - a) The Manager shall be the Chief Administrative Officer of the Municipality and the Principle Advisor to the Council.
  - b) The Council may appoint an Acting Manager to act during the illness, absence or other incapacity of the Manager. The Manager may appoint an Acting Manager where such absences are for a period less than one month.
  - c) Section 201(2) of the Municipal Government Act states that, "a Council must not exercise a power or function or perform a duty that is by this or another enactment or by-law specifically assigned to the Chief Administrative Officer or a Designated Officer".
  - d) Except for the purpose of an official inquiry, the Council shall deal with the civic administration and the control thereof solely through the Manager and shall not give orders to any of the subordinates of the Manager.

3. **RESPONSIBILITY OF THE MANAGER**

The Manager shall be responsible to the Council for:

- a) The development and maintenance of a civic administration capable of effectively and efficiently implementing the civic policies approved by the Council.

- b) The provision of information, advice and staff recommendations required by the Council for the consideration of policy alternatives.
- c) The carrying out of research and the presentation to the Council alternatives in any area requiring policy formulation or reconsideration.
- d) The preparation and presentation to the Council of the annual operating and capital budgets for the Municipality and for controlling approved budgetary expenditures on an ongoing basis.
- e) Keeping the Council informed of all events and data relevant to, and necessary for, the exercise of all powers, duties and responsibilities of the Council.
- f) In conjunction with the Chief Elected Official, endorsing the proposed agenda for the Council and Committee of the Whole meetings.
- g) Acting as the Director of Disaster Services under the Peacetime Emergency Plan.
- h) Performing the duties and exercising the powers and functions assigned to a Chief Administrative Officer by the Municipal Government Act and other enactments or assigned by the Council.

4. **AUTHORITY OF GENERAL MANAGER**

*Some managers may not like 4a)i). Others may find it allows a validation of the hiring processes.*

In order to carry out the responsibilities of the position, the Manager has the authority to:

- a) Hire, dismiss, promote, demote, reward or discipline any employee of the Municipality, subject to the following provision:
  - i) The hiring of a Manager shall be made by a selection committee of the Manager and a member of the Council.
- b) Implement any internal reorganization of responsibilities and duties required for the effective and efficient operation of the Municipality. If a major organizational change is effected, the Manager shall report such a change to the Council.
- c) Be present at any meeting of the Council or Committee of the Council and be recognized to speak on any subject brought before the Council.
- d) In the case of an emergency, incur any expenditure not previously approved by the Council provided a detailed report on such expenditure and its need is presented to the next meeting of the Council.

- e) Negotiate contracts, agreements and transactions required for the effective operation of the Municipality and to recommend the approval of such contracts, agreements and transactions by the Council.
  - f) Sign any order, agreement, cheque, negotiable instrument or document made or executed on behalf of the Municipality.
  - g) Take such other actions necessary to carry out the responsibilities assigned by the Council.
  - h) In accordance with Section 209 of the Municipal Government Act, delegate any of the Chief Administrative Officer's powers, duties or functions under the Municipal Government Act or any other enactment or by-law to a Designated Officer or an employee of the Municipality.
5. By-Law Number XXX is hereby repealed.
6. This by-law shall come into effect on the date of final passing and upon signing by the Mayor and Municipal Secretary.