



City of Chestermere
PROVINCE OF ALBERTA

Bylaw #029-26

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Chief Administrative Officer Bylaw

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BEING A BYLAW OF THE CITY OF CHESTERMERE IN THE PROVINCE OF ALBERTA TO ESTABLISH THE POSITION OF CHIEF ADMINISTRATIVE OFFICER.

WHEREAS 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 a municipality wishes to exercise its natural person powers, the thing may be done, or the natural person powers may be exercised by the Chief Administrative Officer, unless the Council specifies otherwise;

WHEREAS 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;

WHEREAS 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*;

WHEREAS 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;

WHEREAS the Council of Chestermere deems it expedient and advisable to delegate to the Chief Administrative Officer certain powers, duties, and functions; and

WHEREAS 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.

NOW, THEREFORE THE COUNCIL OF THE CITY OF CHESTERMERE, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. TITLE

1.1 This Bylaw may be cited as the "Chief Administrative Officer Bylaw".

2. DEFINITIONS:

- 2.1 **“Act”** means the *Municipal Government Act*, RSA 2000, c. M-26, as amended;
- 2.2 **“Access to Information Act”** and **“Protection of Privacy Act”** or **“ATIA”** & **“POPA”** refers to the *Access to Information Act*, SA 2024, c A-1.4 and *Protection of Privacy Act*, SA 2024, c P-28.5 as amended;
- 2.3 **“Chief Administrative Officer”** or **“CAO”** means the Chief Administrative Officer of the City of Chestermere, Alberta appointed by Council, or their designate pursuant to the Act;
- 2.4 **“City”** means the municipal corporation of the City of Chestermere, in the Province of Alberta, or the area within the City of Chestermere's corporate limits, as the context requires;
- 2.5 **“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;
- 2.6 **“Council”** means the duly elected Councillors of the City of Chestermere;
- 2.7 **“Councillor”** refers to all duly elected officials, including the Mayor as per the Act;
- 2.8 **“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;
- 2.9 **“Employee”** means any person employed by the City;
- 2.10 **“Mayor”** means the individual elected as the chief elected official; and
- 2.11 **“Substantial Information Request”** means a request for information that requires a Council Resolution, under Section 5.5.2.

3. APPLICATION

3.1 The following rules apply to interpretation of this Bylaw:

- 3.1.1** Headings, titles, and margin notes in this Bylaw are for ease of reference only.
- 3.1.2** Gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires.
- 3.1.3** 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.
- 3.1.4** References to bylaws and enactments in this Bylaw include amendments and replacement by bylaws and enactments, and regulations and orders thereunder.
- 3.1.5** If there is a conflict between any provision of this Bylaw and another Bylaw, this Bylaw takes precedence.
- 3.1.6** 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.
- 3.1.7** The exercise of any power, duty, or function pursuant to this Bylaw is subject to any specific Council direction.

4. CHIEF ADMINISTRATIVE OFFICER

4.1 Appointment

- 4.1.1** The established position of Chief Administrative Officer “CAO” is continued, and the position is referred to as Chief Administrative Officer.
- 4.1.2** Council shall, by resolution, appoint an individual to the position of Chief Administrative Officer.
- 4.1.3** Council shall, by resolution, approve the CAO’s terms and conditions of employment, including remuneration. The Mayor shall execute the employment contract on behalf of Council after that approval. Any material amendment, renewal, settlement, or replacement of the CAO’s employment contract shall require approval by resolution of Council before execution by the Mayor.

4.2 Designated Officer

- 4.2.1** The CAO may exercise all the powers, duties, and functions of a designated officer of the City if:
- 4.2.1.1** no position of designated officer has been established by Council;
 - 4.2.1.2** the position of designated officer is vacant; or
 - 4.2.1.3** the power, duty, function, or other things relating to the designated officer has not been assigned to any designated officer by Council.

4.3 Legal Matters

- 4.3.1** The City will defend and indemnify the CAO against all Claims for which the CAO may be liable, provided that the CAO acted in the course and scope of the CAO's employment and acted in good faith in the performance or intended performance of the CAO's powers, duties and functions under any applicable resolution, Bylaw, the Act or any other enactment.

- 4.3.2** The CAO may retain legal counsel on behalf of the City.

- 4.3.3** The CAO shall inform Council of legal counsel retained on behalf of the City through the next quarterly legal update, subject to solicitor-client privilege, litigation privilege, privacy requirements, and any other applicable confidentiality obligation.

4.4 Delegation of Authority

- 4.4.1** The CAO is authorized to delegate any of the CAO's powers, duties and functions under the Act or any other enactment, the Bylaw or any other bylaw or resolution to an Employee or a designated officer.

- 4.4.2** The CAO may authorize delegates to further delegate the powers, duties and functions assigned to them to an Employee.

- 4.4.3** Despite any delegation of authority by the CAO, the CAO remains responsible to Council for the exercise of the CAO's powers, duties and functions under the Act, any other enactment, this Bylaw or any other bylaw or resolution.

4.5 Acting CAO

4.5.1 If the CAO is temporarily absent, or on leave for less than four weeks, the CAO shall designate an Employee as the acting CAO and when so designated, the acting CAO will perform the CAO's powers, duties, and functions.

4.5.2 If the CAO is unable to designate an acting CAO in accordance with Section 4.5.1 of this Bylaw, then Council may do so.

4.6 Interim CAO

4.6.1 If a vacancy occurs in this position or if the CAO is on leave for more than 4 weeks, then Council shall 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.

5. GENERAL POWERS, DUTIES AND FUNCTIONS

5.1 CAO

5.1.1 The CAO has all the powers, duties, and functions assigned to the Chief Administrative Officer in the *Act*, any other enactment, this Bylaw or any other bylaws or resolutions.

5.1.2 The CAO is granted the authority to exercise natural person powers with respect to the operations and administration of the municipality where authorized by this Bylaw or by Council.

5.1.3 As the administrative head of the City, the CAO is responsible for managing Employees and City resources, including:

5.1.3.1 establishing the structure of departments, including adding, merging, and eliminating departments, and establishing the managerial hierarchy;

5.1.3.2 approving the terms and conditions of employment for Employees;

5.1.3.3 negotiating and recommending approval of collective agreements;

5.1.3.4 acting on behalf of the City for the purposes of the *Labour Relations Code*;

5.1.3.5 supervising, directing, and reviewing the performance of all Employees, including hiring, firing, disciplining, terminating, demoting, and transferring;

5.1.3.6 approving policies, procedures, standards, manuals, and guidelines applicable to the operation and administration of the City and its Employees;

5.1.3.7 establishing administrative and operational plans, goals, and performance measures; and

5.1.3.8 conducting audits, investigations, and studies of the City's operations.

5.2 Leaves of Absence

5.2.1 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 City, in accordance with the *Local Authorities Election Act*.

5.3 Signatures

5.3.1 The CAO may sign agreements and other documents on behalf of the City where the underlying transaction or commitment has been authorized by this Bylaw, another City bylaw, a Council resolution, an enactment, or an approved City policy.

5.3.2 Cheques and other negotiable instruments shall be authorized and signed in accordance with the City's Signing Authority Policy, the requirements of the Act, and any applicable financial controls

5.3.3 Authority to sign a document does not, but itself, confer authority to approve the underlying expenditure, transaction, agreement, or commitment. A person signing on behalf of the City must confirm that the underlying matter has been properly authorized.

5.3.4 Where permitted by the Act and the City's Signing Authority Policy, an authorized signature may be printed, lithographed, digitally applied, electronically applied, or otherwise reproduced under controls approved by the CAO.

5.4 Reporting

5.4.1 The CAO must regularly report to Council on all matters and issues affecting the City, including progress on Council's directions, plans, policies, and strategic goals.

5.4.2 The CAO shall inform Council, as soon as practicable, of:

- 5.4.2.1** a material change to the City's organizational structure, including the establishment, merger, or elimination of a department or equivalent organizational unit; and
- 5.4.2.2** the appointment or departure of an Employee at the manager level or above.
- 5.4.2.3** Information provided under Section 5.4.2 shall be provided in a manner consistent with applicable privacy legislation and may be provided in a closed meeting where authorized by the Act.
- 5.4.2.4** For greater clarity, Section 5.4.2 establishes a reporting requirement and does not require Council approval of an organizational or staffing decision.

5.5 Information Requests

5.5.1 Where a Councillor makes a request for information about the operation or administration of the City, the CAO must respond in accordance with the Act.

5.5.2 Where the CAO determines that responding to an Information Request will require a substantial amount of staff time to retrieve, compile, analyze, or prepare the requested information, or will require external resources costing more than \$2,000, the request shall be classified as a Substantial Information Request. The CAO will provide Council with an assessment of the request and seek a resolution of Council before proceeding.

5.5.3 The CAO may refuse to disclose personal or confidential information, pursuant to the Act or other enactments.

5.6 Bylaw Consolidation

5.6.1 The CAO may consolidate any City bylaw as permitted by the Act.

5.7 Access to Information Act and Protection of Privacy Act

5.7.1 Head of Public Body

5.7.1.1 the CAO is designated as the head of the City for the purposes of the *Access to Information Act* and *Protection of Privacy Act*.

6. FINANCIAL MANAGEMENT

6.1 Banking

6.1.1 The CAO must designate the City's banking institutions as required by the Act.

6.2 Investments

6.2.1 The CAO is authorized to invest funds on behalf of the City as permitted by the Act.

6.3 Capital and Financial Plans

6.3.1 The CAO must prepare and submit proposed capital plans and financial plans as required by the Act.

6.4 Budgets

6.4.1 The CAO has the authority to approve any expenditure or agreement, subject to approved capital and operating budgets, and interim budgets if applicable.

6.4.2 The CAO must prepare and submit proposed annual capital and operating budgets, and interim budgets as required by the Act.

6.5 Council Authorization of Expenditures

6.5.1 The CAO shall not commit or authorize City funds for a project, program, service, or activity solely at the request or direction of the Mayor or an individual Councillor unless the expenditure is authorized by:

6.5.1.1 an approved operating, capital, or interim budget;

6.5.1.2 a resolution or bylaw of Council; or

6.5.1.3 another authority expressly provided by this Bylaw, another City bylaw, an enactment, or an approved City policy.

6.6 Budget Reallocations

6.6.1 The CAO may authorize budget reallocations between existing programs or projects provided that the reallocation does not result in an increase to the total approved capital and operating budget for that budget year:

6.6.1.1 Within the approved capital budget, the CAO may authorize reallocations up to 15% of the affected project's approved budget or \$500,000 per adjustment, whichever is the lesser amount.

6.6.1.2 Within the approved operating budget, the CAO may authorize reallocation between approved division budgets.

6.6.2 The CAO must report the reallocation to Council at the next scheduled financial update.

6.7 Emergency Expenditures

6.7.1 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 from any source of funds.

6.7.2 The CAO must report on the implications of any Emergency Expenditure authorized under this Bylaw to Council as soon as practicable and in any event no later than the next regularly scheduled Council Meeting.

6.7.3 This Section applies where a State of Local Emergency has not been declared and does not limit or affect any authority exercised pursuant to the City's Emergency Management Bylaw during a declared State of Local Emergency.

7. LEGAL MATTERS AND INSURANCE

7.1 Power of Attorney

7.1.1 The CAO has the City's power of attorney for all purposes.

7.2 Representation and Indemnification

7.2.1 The CAO may approve the indemnification, legal representation, and payment of judgments, fines, or penalties on behalf of Employees and designated officers.

7.3 Legal Proceedings

7.3.1 The CAO may initiate and respond to Claims and make, in the best interests of the City, all decisions regarding admissions, strategy, and procedure, before any court of law, quasi-judicial tribunal, administrative official or body.

7.4 Release and Waiver

7.4.1 The CAO may approve agreements regarding the release and waiver from liability for Claims where the City is either the releasor or the releasee.

7.5 Insurance

7.5.1 The CAO may approve agreements for the purchase of the City's insurance policies.

7.6 Security and Surety Bonds

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

8. LAND AND ROAD-RELATED MATTERS

8.1 Land Related Instruments

- 8.1.1** The CAO may approve all land related instruments, including assignments, caveats, consents, postponements, and risk management plans for nominal value.

8.2 Temporary Road Closures

- 8.2.1** The CAO may temporarily close all or part of a road in accordance with an enactment.

8.3 Expropriation Agreements

- 8.3.1** The CAO may approve agreements to acquire land at fair market value pursuant to the *Expropriation Act* if Council has approved commencement of the expropriation.

9. OTHER AGREEMENTS AND ACTIONS

9.1 Memorandums of Understanding

- 9.1.1** 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.

- 9.1.2** Memorandums of Understanding approved by Council involving policy decisions for the City 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.

9.2 General Agreements

- 9.2.1** The CAO may approve any agreement that does not pertain to an interest in land and is not otherwise dealt with in a bylaw or policy if:
- 9.2.1.1** the value of the agreement does not exceed \$1,000,000; and
 - 9.2.1.2** the term of the agreement does not exceed 10 years.

9.3 Procurement Agreements

9.3.1 The CAO approves agreements for the procurement of budgeted goods, services, and construction.

9.3.2 Any agreement signed with a value greater than \$1,000,000 shall be reported to Council by the CAO at the next scheduled financial update.

9.4 Grant Funding

9.4.1 The CAO may approve the payment of grant funding from the City if:

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

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

9.5 Applying for Grants

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

10. LICENCES, PERMITS, AND ENFORCEMENT

10.1 Licences and Permits

10.1 The CAO may issue certificates, demands, orders, notices, processes, tags, tickets, City licences, permits, or other similar documents for the City as permitted by a Bylaw or an enactment.

10.2 The CAO may suspend, cancel, reinstate, modify, and impose conditions or restrictions on any City licence, order, or permit.

10.2 Enforcement

10.2.1 The CAO may approve and direct remedial or enforcement actions for matters within the City's jurisdiction, including:

10.2.1.1 levying or imposing penalties, interest, costs, or charges; and

10.2.1.2 adding amounts owed to the City to tax rolls, as permitted by the Act.

11. GENERAL

11.1 Council Direction

11.1.1 Despite any other provision in this Bylaw, if Council expressly approves a City 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.

11.2 Bylaw #026-23, being the CAO & Designated Officer Bylaw, and all its amendments shall be repealed upon third and final reading of this Bylaw.

11.3 This Bylaw comes into force on the date of third and final reading.

READ A FIRST TIME: October 6, 2026

READ A SECOND TIME: October 6, 2026

READ A THIRD TIME: October 6, 2026

RESOLUTION NUMBERS:

261006-09

261006-10

261006-12



Mayor, Shannon Dean



Chief Administrative Officer, Kent Edney