



Town of Bowden  
Box 338, 2101 20<sup>th</sup> Ave  
Bowden, Alberta, T0M 0K0

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## Town of Bowden – Province of Alberta DESIGNATED OFFICER BYLAW 04 / 2020

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**Whereas** the Municipal Government Act, RSA2000, Chapter M-26 (as amended) provides that Council may by bylaw pass establish one or more positions to carry out the powers and functions of a designated officer;

**And whereas**, Council deems it desirable to establish a framework for the delegation of administrative functions;

**Now therefore**, the Municipal Council of the Town of Bowden hereby enacts as follows;

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### 1 SHORT TITLE

This Bylaw may be known as, and cited as, the “Designated Officer Bylaw”

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### 2 PURPOSE

This Bylaw provides a record of designated officers in accordance with the Municipal Government Act

- i. (section 209)  
A CAO may delegate any of the CAO’s powers, duties or functions under this Act or any other enactment or bylaw to a designated officer or employee of the municipality
  - ii. (section 210)  
may by bylaw pass establish one or more positions to carry out the powers and functions of a designated officer, and,  
the bylaw must include the powers, duties and functions exercised by each position
  - iii. (section 217)  
The CAO must provide information on the salaries of councillors, the salary of the CAO and the salaries of the designated officers of the municipality
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### 3 DEFINITIONS

In this Bylaw (and the attached Schedule) the following definitions apply;

#### **CAO (Chief Administrative Officer)**

Is the person appointed by the Council into the position of Chief Administrative Officer for the Town of Bowden in accordance with the MGA (or his / her designate) and is the administrative head of the Municipality.

**CFO (Chief Financial Officer)**

Is the person appointed by the CAO to manage the financial affairs of the Town including reporting and other administrative duties.

**Council**

Means the duly elected Municipal Council of the Town of Bowden.

**MGA**

Means the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time).

**Municipality**

Means the Town of Bowden

**Town**

Means the municipal corporation of the Town of Bowden.

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**4 DESIGNATIONS**

**4.1**

The following are the designated officer positions within the Town of Bowden.

- i. Director of Emergency Management
- ii. Bylaw Enforcement Officer
- iii. Municipal Assessor
- iv. FOIP Coordinator
- v. Health & Safety Representative

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**5 GENERAL PROVISIONS**

**5.1**

The CAO may appoint an acting designated officer during a period of absence, illness or other incapacity of a designated officer.

**5.2**

A designated officer may delegate powers, duties or responsibilities to another employee of the Town provided that the designated officer and / or the CAO retains overall responsibility to ensure that any delegated power, duty or function is properly exercised or carried out.

**5.3**

The CAO may appoint a person to act on behalf of a designated officer during a period of scheduled absence.

**5.4**

The position of municipal assessor cannot be appointed, or the powers and duties delegated to another person without prior Council approval.

**5.5**

All designated officers are subject to the supervision of and are accountable to the CAO.

**5.6**

The CAO may exercise all of the powers and functions of a designated officer in accordance with section 210 (5) of the MGA (as amended over time).

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**6 SEVERABILITY**

Every provision of this Bylaw is independent of all other provisions. If any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

Nothing in this Bylaw relieves a person from complying with any provision of any Federal, Provincial or municipal law or regulation or any requirement of any lawful permit, order or licence.

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**7 BYLAW PRECEDENCE**

This Bylaw supersedes and takes precedence over all previously passed Bylaws that establishes the position of designated officers or which makes reference to the powers, duties and functions of a designated officer.

Bylaw **4/99** and all amendments thereto are hereby repealed.

Schedules attached to this Bylaw;

Schedule A                      List of Designated Officers & Responsibilities

This Bylaw and the schedules listed below will come into effect on the final day of passing and signature thereof.

**Read a first time in open council this                      \_25<sup>th</sup> \_ day of                      \_May 2020\_,**

**Read a second time in open council this                      \_25<sup>th</sup> \_ day of                      \_May 2020 \_,**

**and finally passed by unanimous consent of the councillor's present.**

**Read a third time in open council this                      \_25<sup>th</sup> \_ day of                      \_May 2020 \_,**

\_\_\_\_\_  
Robb Stuart, Mayor

\_\_\_\_\_  
Greg Skotheim, Chief Administrative Officer

**Designated Officer Bylaw**  
**SCHEDULE A**  
**List of Designated Officers & Responsibilities**

**A1 Director of Emergency Management**

The Director of Emergency Management is the designated officer appointed under section 3(2) of the Emergency Management Act and has the responsibility for implementing and putting into operation emergency plans in accordance with the Emergency Management Act, the Town of Bowden Emergency Management Bylaw and any other relevant bylaw, act or regulation.

The position of Director of Emergency Management is determined by Council resolution.

**A2 Bylaw Enforcement Officer**

The Bylaw Enforcement Officer is the designated officer appointed under section 555 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) and has the responsibility for the execution of duties and obligations as defined by the Act, and the Town of Bowden, Bylaw Enforcement Officer Bylaw and any other relevant bylaw, act or regulation.

The position of Bylaw Enforcement Officer is appointed by the CAO.

**A3 Municipal Assessor**

The Municipal Assessor is the designated officer appointed under section 284.2 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) and has the responsibility for the execution of duties and obligations as defined and imposed by the Act and the Town of Bowden Municipal Assessor Bylaw and any other relevant bylaw, act or regulation.

The Municipal Assessor is determined by Bylaw.

**A4 FOIP Coordinator**

The FOIP Coordinator is the designated officer appointed under section 95 of the Freedom of Information and Protection of Privacy Act, RSA 2000 Chapter F-25 (as amended over time) and has the responsibility for the execution of duties and obligations as defined and imposed by the Act.

The position of FOIP Coordinator is appointed by the CAO.

**A5 Health & Safety Representative**

The Health & Safety Representative is the designated officer appointed under section 17 of the Occupational Health & Safety Act, RSA 2017 Chapter O-2.1 (as amended over time) and has the responsibility for the execution of duties and obligations as defined and imposed by the Act.

The position of Health & Safety Representative is appointed by the CAO.