



Alberni-Clayoquot Regional District

Bylaw A1085

A bylaw to provide for the Appointment of Officers
and the Delegation of Authority

WHEREAS, the Alberni-Clayoquot Regional District must, by bylaw, under provisions of the *Local Government Act*, establish Officer positions in relation to the powers, duties and functions of corporate administration and financial administration, with titles it considers appropriate;

AND WHEREAS, the Alberni-Clayoquot Regional District may, by bylaw, under provisions of the *Local Government Act*, establish other officer positions for its regional district, with titles it considers appropriate, and may assign powers, duties and functions to those officer positions;

AND WHEREAS, under provisions of the *Local Government Act*, the Board may, by bylaw, adopted by at least two thirds of the votes cast, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees;

NOW THEREFORE, the Board of the Alberni-Clayoquot Regional District, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited as *“Alberni-Clayoquot Regional District Officers’ Appointment and Delegation Bylaw No. A1085, 2019”*.

Definitions

2. In this Bylaw:

“Board” means the board of the Alberni-Clayoquot Regional District;

“Chief Administrative Officer (CAO)” means the senior officer of the regional district;

“Officer” means any person holding the officer positions of the regional district as established by this Bylaw;

“Regional District” means the Alberni-Clayoquot Regional District;

Officer Positions

3. The following positions are established as Officers of the Regional District:
 - a. Chief Administrative Officer (CAO)

- b. General Manager of Administrative Services
- c. Chief Financial Officer

Chief Administrative Officer (CAO)

- 4. The CAO is assigned the chief administrative responsibilities under section 235 of the *Local Government Act* which includes the following powers, duties and functions:
 - a. Overall management of the administrative operations of the Regional District;
 - b. Ensuring that the policies and directions of the Board are implemented;
 - c. Advising and informing the Board on the operation and affairs of the Regional District.

General Manager of Administrative Services

- 5. The General Manager of Administrative Services is assigned the responsibility of corporate administration under section 236 of the *Local Government Act*, which includes the following powers, duties and functions:
 - a. Ensuring that accurate minutes of the meetings of the Board and Board committees are prepared and that the minutes, bylaws and other records of the business of the Board and Board committees are maintained and kept safe;
 - b. Ensuring that access is provided to records of the Board and Board committees, as required by law or authorized by the Board;
 - c. Certifying copies of bylaws and other documents, as required or requested;
 - d. Administering oaths and taking affirmations, declarations and affidavits required to be taken under this or any other Act relating to the Regional District;
 - e. Accepting, on behalf of the Board or Regional District, notices and documents that are required or permitted to be given to, served on, filed or otherwise provided to the Board or Regional District;
 - f. Keeping the corporate seal and having affixed to documents as required.

Chief Financial Officer

- 6. The Chief Financial Officer is assigned the responsibility of financial administration under section 237 of the *Local Government Act*, which includes the following powers, duties and functions:
 - a. Receiving all money paid to the Regional District;
 - b. Ensuring the keeping of all funds and securities of the Regional District;
 - c. Expending and disbursing money in the manner authorized by the Board;
 - d. Investing funds, until required, in authorized investments;
 - e. Ensuring that accurate records and full accounts of the financial affairs of the Regional District are prepared, maintained and kept safe;
 - f. Exercising control and supervision over all other financial affairs of the Regional District.

Other Assignments

7. Other assignments:
 - a. In addition to the Officer assignments under section 5 and 6 of this Bylaw, the CAO is assigned responsibility for corporate administration under section 236 of the *Local Government Act* and financial administration under section 237 of the *Local Government Act*, as required in the absence of the other Officers.
 - b. During the absence of the CAO, the CAO may assign any Officer named in this Bylaw as the acting CAO and that acting CAO will have the same powers, duties and functions as the CAO defined in this Bylaw.

Oath of Office

8. A person appointed to an Officer position in this Bylaw must swear an oath of office as prescribed in "Appendix A" attached to and forming part of this Bylaw.

Delegation of Authority

9. The Board delegates the following powers, duties and functions to the CAO:
 - a. the power to instruct counsel to defend any action or proceeding in any court of law, or before any tribunal, arbitrator or any other person, for or on behalf of the Regional District;
 - b. the power to accept a restrictive covenant under section 56 of the *Community Charter* or section 219 of the *Land Title Act*;
 - c. the power to execute on behalf of the Regional District a discharge of a restrictive covenant referred to in subsection (b) which is no longer required or is to be replaced;
 - d. the power to acquire a statutory right of way or easement on behalf of the Regional District in connection with the operation of sewer, water or drainage works;
 - e. the power to execute a discharge of a statutory right of way or easement referred to in subsection (d) which is no longer required by the Regional District or is to be replaced;
 - f. the power to execute on behalf of the Regional District a union contract subject only to the limits imposed by the Board.

Repeal

10. Bylaw No. A1062, *Regional District of Alberni-Clayoquot Officers' Appointment and Delegation Bylaw, 2006* is hereby repealed.

Read a first time this 28th day of August, 2019.

Read a second time this 28th day of August, 2019.

Read a third time this 28th day of August, 2019.

Adopted this 28th day of August, 2019.



Chairperson



Manager of Administrative Services

APPENDIX "A"



Alberni-Clayoquot Regional District

Oath of Office

I, _____ having been appointed to the office of

for the Alberni Clayoquot Regional District, do hereby promise and swear:

1. I will faithfully, honestly and impartially, to the best of my knowledge and ability, execute the powers, duties and functions of my Office;
2. I will treat all matters and information that comes to my attention, as a result of my Office, in confidence;
3. I have not received, nor will I receive or accept any payment or reward, or promise of either, in return for the exercise of my powers, duties and functions, other than as permitted by the Regional District;
4. I will not allow my personal interest to conflict with the duties of my Office; and
5. I will comply with all policies and directives of the Regional District and comply with all laws.

Date

Signature of Officer