

DISTRICT OF LAKE COUNTRY

BYLAW 837, 2012

CONSOLIDATED VERSION

(Includes amendment as of March 31, 2020)

This is a consolidated copy to be used for convenience only. Users are asked to refer to the Officer Establishment Bylaw as amended from time to time to verify accuracy and completeness.

Amending Bylaw	Summary of Amendments	Adoption
1117	Delete section 1. d.	March 31, 2020

DISTRICT OF LAKE COUNTRY

BYLAW 837

A BYLAW TO ESTABLISH THE POWERS, DUTIES AND RESPONSIBILITIES OF THE OFFICERS OF THE DISTRICT OF LAKE COUNTRY

WHEREAS the *Community Charter and Land Titles Act* empowers Council, by bylaw, to establish officer positions and to assign the powers, duties and functions to those officer positions;

NOW THEREFORE, the Council of the District of Lake Country, in open meeting assembled, enacts as follows:

OFFICER POSITIONS

1. The following positions are hereby established as officer positions of the District of Lake Country:
 - a. The **Chief Administrative Officer** is hereby established as an officer position of the District of Lake Country and shall be responsible for the powers, duties and functions pursuant to Section 147 of the *Community Charter* and those duties as outlined in Schedule "A";
 - b. The **Chief Financial Officer** is hereby established as an officer position of the District of Lake Country and shall be responsible for the powers, duties and functions pursuant to Section 149 of the *Community Charter* and those duties as outlined in Schedule "B";
 - c. The **Corporate Officer** is hereby established as an officer position of the District of Lake Country and shall be responsible for the powers, duties and functions pursuant to Section 148 of the *Community Charter* and those duties as outlined in Schedule "C";

Section d. deleted by Bylaw 1117, 2020

OATH OF OFFICE

2. The Oath of Office as set out in Schedule "D" to this Bylaw is hereby adopted as the Oath of Office for the officer positions of the District of Lake Country.

REPEAL

3. Officers and Other Exempt Employees Bylaw 739, 2010 and all amendments thereto are hereby repealed in their entirety.

CITATION

4. This bylaw shall be cited for all purposes as "Officer Establishment Bylaw 837, 2012".

READ A FIRST TIME this 3rd day of July, 2012.

READ A SECOND TIME this 3rd day of July, 2012.

RECONSIDERED AND ADOPTED this 17th day of July, 2012.

Original signed by James Baker

Mayor

Original signed by Reyna Seabrook

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Officer Establishment Bylaw 837, 2012" as adopted by Municipal Council on the 17th day of July, 2012.

Dated at Lake Country, B. C.

Corporate Officer

SCHEDULE 'A'

The **Chief Administrative Officer** shall be responsible for the following powers, duties and functions:

Chief administrative functions as outlined in Section 147 of the Community Charter:

- a) overall management of the operations of the municipality;
- b) ensuring that the policies, programs and other directions of Council are implemented;
- c) advising and informing Council on the operation and affairs of the municipality;

Human Resources

- d) appoint, promote, supervise, discipline and dismiss all employees of the municipality;
- e) appoint, promote, supervise, discipline and suspend officers of the municipality;
- f) make recommendations to Council for the demotion or termination of officers of the municipality;
- g) appoint acting department heads and deputy officers;
- h) supervise contract negotiations with employee unions of the municipality and recommend contract settlements with the unions to Council;

General Administration

- i) supervise the operation of the departments of the municipality;
- j) supervise implementation of Council directives;
- k) act as the principal intermediary between the municipality and the administration of other governments and all other entities dealing with the municipality;
- l) from time to time re-organize the administrative structure to improve the efficient and effective operation of the municipality subject to overall budget availability;

Legal Advice and Proceedings

- m) obtain legal advice;
- n) authorize lawyers to defend, or conduct any action or proceeding in any court of law or before any tribunal, arbitrator, board, or any person, for or on behalf of the municipality;
- o) authorize settlements of claims against the municipality;

Council

- p) supervise preparation of Council agendas;
- q) have the right to participate in all meetings of Council, Committees of Council and other entities created by Council;
- r) provide advice and recommendations to Council on any matter within Council's jurisdiction;
- s) report to Council on any matter of importance to the municipality;

Contracts and Agreements

- t) authorize the use or budgeted purchase or sale of municipal facilities, equipment, and services and authorize the awarding of contracts for budgeted items;
- u) supervise the calling and awarding of tenders for the supply of goods, services or construction authorized by Council through bylaw, resolution, or approved budget;
- v) sign on behalf of the municipality together with the Corporate Officer any contract or agreement authorized by Council through bylaw, resolution, or approved budget;

Additional Powers, Duties and Responsibilities

- w) exercise whatever additional powers and discharge whatever additional duties and responsibilities Council may assign from time to time.

SCHEDULE 'B'

The **Chief Financial Officer** shall be responsible for the following powers, duties and functions:

Financial administration functions as outlined in Section 149 of the Community Charter:

- a) receiving all money paid to the municipality;
- b) ensuring the keeping of all funds and securities of the municipality;
- c) investing municipal funds, until required, in authorized investments;
- d) expending municipal money in the manner authorized by Council;
- e) ensuring that accurate records and full accounts of the financial affairs of the municipality are prepared, maintained and kept safe;
- f) exercising control and supervision over all other financial affairs of the municipality;
- g) compiling and supplying information on the financial affairs of the municipality required by the Inspector.

Human Resources

- h) appoint, promote, discipline and dismiss all employees within the Finance Department, in consultation with the Chief Administrative Officer;
- i) supervise all employees in the Finance Department;

General Administration

- j) supervise the operation of the Finance Department;
- k) supervise implementation of Council directives and directives of the Chief Administrative Officer;
- l) act as a contact between the Finance Department and other departments, under the supervision of the Chief Administrative Officer;
- m) develop and recommend to the Chief Administrative Officer policies and procedures for all operational matters.
- n) liaise with the municipality's auditor in connection with the financial audit.

Legal Advice and Proceedings

- o) supervise the obtaining of insurance as deemed necessary;
- p) supervise the provision of, or management of, insurance matters.

Contracts and Agreements

- q) authorize agreements respecting the statutory powers, duties and responsibilities listed in (a) to (g) above;
- r) in consultation with the Chief Administrative Officer, and together with the Corporate Officer, sign on behalf of the municipality any contract or agreement authorized by Council through bylaw, resolution, or approved budget;

Council

- s) attend meetings of Council and committees, as required by the Chief Administrative Officer or Council;
- t) provide advice to the Chief Administrative Officer and Council regarding any matter of a financial nature; and
- u) prepare budgets and financial plans, as required under the Community Charter and as requested by Council and the Chief Administrative Officer.

SCHEDULE 'C'

The **Corporate Services Manager** shall be responsible for the following powers, duties and functions:

Corporate administration functions as outlined in Section 148 of the Community Charter:

- a) ensuring that the accurate minutes of the meetings of Council and Council committees are prepared and that the minutes, bylaws and other records of the business of Council and Council committees are maintained and kept safe;
- b) ensuring that access is provided to records of Council and Council committees, as required by law or authorized by Council;
- c) administering oaths and taking affirmations, affidavits, and declarations required to be taken under the Community Charter or any other Act relating to municipalities;
- d) certifying copies of bylaws and other documents, as required or requested;
- e) accepting, on behalf of Council, notices and documents that are required or permitted to be given to, served on, filed with or otherwise provided to Council;
- f) keeping the corporate seal, if any, and having it affixed to documents as required;
- g) prepare and arrange for filing of any documentation necessary under the Financial Disclosure Act or otherwise.

Human Resources

- h) appoint, promote, discipline and dismiss all employees within the Corporate Services Department, in consultation with the Chief Administrative Officer;
- i) supervise all employees in the Corporate Services Department;

General Administration

- j) supervise the operation of the Corporate Services Department;
- k) prepare and manage the operating and capital budgets of the Corporate Services Department;
- l) supervise implementation of Council directives and directives of the Chief Administrative Officer;
- m) act as a contact between the Corporate Services Department and other departments, under the supervision of the Chief Administrative Officer;
- n) act as the Freedom of Information and Protection of Privacy Head for the municipality.

Contracts and Agreement

- o) in consultation with the Chief Administrative Officer, and together with the applicable Officer, sign on behalf of the municipality any contract or agreement authorized by Council through bylaw, resolution, or approved budget;

Council

- p) attend, or ensure a Deputy attends, all meetings of Council for the purposes of minute taking, except where otherwise directed by the Chief Administrative Officer or Council;
- q) ensure the attendance of staff at all Council committee meetings for the purpose of minute taking;
- r) organize efficient and effective record-keeping for all corporate documents; and
- s) provide copies of any documents served on the municipality to the Chief Administrative Officer, the Chief Financial Officer and to any insurers, as appropriate.

SCHEDULE 'D'

Oath of Office

I, _____, having been appointed to the Office of
_____ for the Municipality of the District of Lake
Country, do hereby promise and swear:

- a) I will faithfully, honestly and impartially, to the best of my knowledge and ability, execute the powers, duties and functions of my Office;
- b) I will treat all matters and information that comes to my attention, as a result of my Office, in confidence;
- c) 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 Municipality;
- d) I will not allow my personal interests to conflict with the duties of my Office;
and
- e) I will comply with all policies and directives of the Municipality and comply with all laws.

Sworn before me at the District of Lake)
Country, in the Province of British)
Columbia, this _____ day of)
_____, 201____.)
))
))
_____)
Corporate Officer/Deputy Corporate Officer

name