

**CITY OF BEAUMONT
BYLAW NUMBER - 969-20**

DESIGNATED OFFICERS BYLAW

A BYLAW OF THE CITY OF BEAUMONT, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE POSITION(S) OF DESIGNATED OFFICER WITHIN THE CITY OF BEAUMONT, IN THE PROVINCE OF ALBERTA.

WHEREAS, pursuant to Sections 209, 210, and 217 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, Statutes of Alberta and amendments thereto provides that Council may be required to establish by bylaw certain designated officer positions to which individuals who meet legislated credentials are appointed;

WHEREAS, Section 210 of the *Municipal Government Act* requires designated officers to be established by bylaw, and the bylaw must identify the powers, duties and functions of each designated officer so established.

NOW THEREFORE, pursuant to the provisions of the *Municipal Government Act*, the Council of the City of Beaumont, duly assembled, enacts as follows:

1. TITLE

1.1 This Bylaw may be cited as the "Designated Officers Bylaw"

2. PURPOSE

2.1 The purpose of this bylaw is to:

- a) establish designated officer positions as permitted or required by the Act, and the terms and conditions of the appointment;
- b) Identify the powers, duties and functions of each designated officer position; and
- c) Provide for the delegation of designated officer's powers, duties and functions.

3. DEFINITIONS

3.1 For the purpose of this Bylaw:

- a) "Act" means the *Municipal Government Act*, RSA 2000, c. M-26, as amended;
- b) "Council" means the Council of the City of Beaumont;
- c) "Chief Administrative Officer" is the person appointed by the Council into the position of Chief Administrative Officer for the City of Beaumont in accordance with the Act (or designate)
- d) "City" means the municipal corporation of the City of Beaumont;
- e) "Designated Officer" means individuals appointed to designated officer positions under the Municipal Government Act; and

- f) "Qualified Person" means a City employee who holds the credentials required, if any, to perform the powers, duties and functions of a designated officer.

4. DESIGNATION

4.1 The following are the designated officers within the City of Beaumont;

- a) Municipal Assessor;
- b) Deputy Chief Administrative Officer;
- c) Chief Financial Officer; and
- d) City Clerk.

5. MUNICIPAL ASSESSOR

5.1 The designated officer position of Municipal Assessor is hereby established.

5.2 The CAO shall appoint a qualified person to the designated officer position of Municipal Assessor.

5.3 The Municipal Assessor shall exercise the powers, duties and functions of the municipal assessor and of the municipality in relation to City assessments and taxation as permitted or required by Parts 9 and 10 of the *Municipal Government Act*, except for the following items which require Council approval:

- a) Approval of tax agreements; and
- b) Decisions to cancel, reduce, refund or defer taxes.

5.4 Without limiting the preceding, the Municipal Assessor may in the exercise of the Municipal Assessor's powers, duties and functions issue notices, certify records, swear statutory declarations, conduct inspections, demand records, produce and disclose information to other governmental authorities, and take the actions required for the preparation and administration of the City's assessment and taxation rolls.

6. DEPUTY CHIEF ADMINISTRATIVE OFFICER

6.1 The designated officer position of Deputy Chief Administrative Officer is hereby established.

6.2 The CAO shall appoint a qualified person to the designated officer position of Deputy Chief Administrative Officer.

6.3 The Deputy Chief Administrative Officer shall exercise the powers, duties and functions imposed on the Deputy Chief Administrative Officer, and as the designated officer will:

- a) Act on behalf of the CAO during a period of scheduled absence; and
- b) Act on behalf of the CAO during an unscheduled absence.

7. CHIEF FINANCIAL OFFICER

7.1 The designated officer position of Chief Financial Officer is hereby established.

7.2 The CAO shall appoint a qualified person to the designated officer position of Chief Financial Officer.

7.3 The Chief Financial Officer shall exercise the powers, and perform the duties and functions imposed on a Chief Financial Officer and is the designated officer for the following sections of the Act:

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| a) Section 213(4)(b) | Signing cheques and other negotiable instruments; |
| b) Section 270 | Opening and closing all the accounts of the city; |
| c) Section 309(1)(d) | Contents of assessment notices; |
| d) Section 334(1)(e) | Contents of tax notices; |
| e) Section 336(1) | Certifying date of sending tax notices; |
| f) Section 343(2) | Application of tax payments; |
| g) Section 350 | Issuing tax notices; |
| h) Section 420(2) | Obtaining possession of lands; |
| i) Section 439(2) | Preparing and issuing distress warrants and seizing goods; |
| j) Section 461(1)&(2) | Address to which complaint is sent; and |
| k) Section 483 | Decision admissible on appeal. |

8. CITY CLERK

8.1 The designated officer position of City Clerk is hereby established.

8.2 The CAO shall appoint a qualified person to the designated officer position of City Clerk.

8.3 The City Clerk shall exercise the powers, and perform the duties and functions imposed on a city Clerk.

8.4 The City Clerk is the designated officer for the purposes of carrying out the duties and responsibilities of the Clerk of the Subdivision and Development Appeal Board.

8.5 The City Clerk is the designated officer for the purposes of carrying out the duties and responsibilities of the "FOIP" coordinator under the *Freedom of Information and Protection of Privacy Act*, RSA 2000 c-F25 and the regulations thereunder.

9. GENERAL MATTERS

9.1 Unless otherwise directed by Council, designated officers are accountable to, and are under the supervision of, the CAO.

9.2 Designated officers may delegate any or all of their powers, duties and functions to other qualified persons, and may when absent or otherwise unable to perform their powers, duties and functions, designate a delegate as an acting designated officer.

9.3 The City will indemnify and save harmless designated officers in relation to errors and omissions made in good faith in exercise of their powers, duties and functions.

9.4 If any provision of this bylaw is declared or held to be invalid, that provision shall be deemed to be severed, and the remainder of the bylaw shall remain in force and effect.

10. EFFECTIVE DATE AND REPEAL

10.1 If any provision of this bylaw is declared or held to be invalid, that provision shall be deemed to be severed, and the remainder of the bylaw shall remain in force and effect.

10.2 Bylaw 567-03 – Assessor as Designated Officer is hereby repealed.

10.3 This Bylaw shall come into force and effect on third and final reading.

READ A FIRST TIME IN COUNCIL THIS 14th DAY OF JULY, 2020.

READ A SECOND TIME IN COUNCIL THIS 14th DAY OF JULY, 2020.

UNANIMOUS CONSENT TO THIRD READING THIS 14th DAY OF JULY, 2020.

READ A THIRD TIME IN COUNCIL THIS 14th DAY OF JULY, 2020.



Mayor



City Clerk