

CITY OF FORT ST. JOHN

BYLAW NO. 2537, 2020

A Bylaw to provide the appointment of Officers and prescribe the powers, duties and responsibilities of such Officers

WHEREAS the City of Fort St. John must, by bylaw, under Section 146(a) of the *Community Charter*, establish officers' positions having responsibilities under Sections 148 and 149 of the *Community Charter*,

AND WHEREAS, the City of Fort St. John may, by bylaw, establish other officer positions under Section 146(b) of the *Community Charter*,

AND WHEREAS, the City of Fort St. John may, by bylaw, confer on an officer position the chief administrative responsibility for the City under Section 147 of the *Community Charter*,

AND WHEREAS, pursuant to *Community Charter* Section 154, Council may by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees,

AND WHEREAS Council wishes to delegate to its officers and employees certain powers, duties and functions,

NOW THEREFORE, the Council of the City of Fort St. John in open meeting assembled, enacts as follows:

1. TITLE

This bylaw may be cited as "Appointment of Officers Bylaw No. 2537, 2020".

2. DEFINITIONS

"Authorized Designate" means an employee or an Officer provided with the authority in this Bylaw to act on another person's behalf in that person's absence.

"City" means the City of Fort St. John.

"Chief Administrative Officer" means the Officer position of the City's Chief Administrative Officer.

"Chief Financial Officer" means the Officer position of the Chief Financial Officer.

"Chief Human Resources Officer" means the Officer position of the Chief Human Resources Officer.

2. **DEFINITIONS** (continued)

“Deputy Chief Administrative Officer” means the Officer position of the Deputy Chief Administrative Officer.

“Director of Finance” means the Officer position of City’s Finance Officer.

“Director of Legislative and Administrative Services” means the Officer position of the City’s Corporate Officer.

“Employee” means an exempt or union employee of the City other than an Officer.

“Officer” means a person holding a position set out in Section 3.

3. **ESTABLISHMENT OF STATUTORY OFFICER POSITIONS**

3.1 The persons holding the following positions with the City are established as Statutory Officers of the City under Sections 146 and the following provisions of the *Community Charter*:

- a) Chief Administrative Officer as Chief Administrative Officer pursuant to Section 147,
- b) Director of Legislative and Administrative Services as Corporate Officer pursuant to Section 148,
- c) Director of Finance as Financial Officer pursuant to Section 149.

3.2 The persons holding the following positions with the City are established as Officers of the City under *Community Charter* Section 146(b):

- a) Deputy Chief Administrative Officer,
- b) Chief Financial Officer, and
- c) Chief Human Resources Officer.

3.3 The selection of the Chief Administrative Officer shall be made by Council.

3.4 The selection of the Director of Finance and Director of Legislative and Administrative Services shall be made by the Chief Administrative Officer, subject to Council approval.

3.5 The selection of additional officers identified in Section 3.2 shall be made by the Chief Administrative Officer.

4. CHIEF ADMINISTRATIVE OFFICER RESPONSIBILITIES

4.1 The Chief Administrative Officer (CAO) is assigned all the powers, duties and functions specified in Section 147 of the *Community Charter*, including, without limitation:

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

4.2 In addition to the responsibilities set out in the *Community Charter*, the Chief Administrative Officer is assigned the following specific powers, duties and functions:

- a) the Chief Administrative Officer shall be responsible to, and report to, Council in respect of the effective management of all of the activities under the administration in accordance with policies, plans and objectives which have been approved by the Council;
- b) all officers and employees of the City shall, save as provided in Part 2 of the *Community Charter*, be responsible to and report to the Chief Administrative Officer;
- c) to select the Directors and Officers and to coordinate, motivate, direct and supervise these key employees and prescribe their duties and responsibilities;
- d) in the absence of the other Officer(s) and their designate(s), the authority to perform the duties and functions of these Officer(s) on behalf of the City;
- e) the Chief Administrative Officer shall act as the chief corporate and strategic advisor to Council;
- f) the Chief Administrative Officer shall be the principal spokesman on behalf of the City for all non-political, factual or administrative matters;
- g) is the leader of the Executive Leadership Team.

5. DEPUTY CHIEF ADMINISTRATIVE OFFICER RESPONSIBILITIES

5.1 The Deputy Chief Administrative Officer (Deputy CAO) shall have all the powers, duties and functions assigned to the Chief Administrative Officer in his/her absence.

5. DEPUTY CHIEF ADMINISTRATIVE OFFICER RESPONSIBILITIES (continued)

- 5.2 The Deputy Chief Administrative Officer is assigned the responsibility of the following specific powers, duties and functions:
- a) member of the executive leadership team for the municipality;
 - b) exercises considerable independent judgement and performs highly responsible administrative and managerial work assisting the CAO;
 - c) supports the CAO in directing and coordinating policies and programs of the various City departments and in planning;
 - d) implementing, overseeing and reviewing major City projects;
 - e) ensures that the policies, plans and objectives of the municipality are implemented;
 - f) provides innovative vision and strategic advice to the CAO.

6. DIRECTOR OF FINANCE (FINANCIAL OFFICER) RESPONSIBILITIES

- 6.1 The Director of Finance is assigned the responsibility as collector of taxes and the responsibility of financial administration, including the following powers, duties and functions, pursuant to 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 the 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.

- 6.2 In the temporary absence of the Director of Finance, the Deputy Treasurer/Collector is the authorized designate who will assume the role and responsibilities of the Director.

7. DIRECTOR OF LEGISLATIVE AND ADMINISTRATIVE SERVICES (CORPORATE OFFICER) RESPONSIBILITIES

- 7.1 The Director of Legislative and Administrative Services is assigned the responsibility of corporate administration, including the following powers, duties and functions, pursuant to Section 148 of the *Community Charter*:
- a) ensuring that accurate minutes of the meetings of the council and council committees are prepared and that the minutes, bylaws and other records of the business of the council and council committees are maintained and kept safe;

7. DIRECTOR OF LEGISLATIVE AND ADMINISTRATIVE SERVICES (CORPORATE OFFICER) RESPONSIBILITIES (continued)

- 7.1 The Director of Legislative and Administrative Services is assigned the responsibility of corporate administration, including the following powers, duties and functions, pursuant to Section 148 of the *Community Charter*:
(continued)
- b) ensuring that access is provided to records of the council and council committees, as required by law or authorized by the council;
 - c) administering oaths and taking affirmations, affidavits and declarations required to be taken under this Act or any other Act relating to municipalities;
 - d) certifying copies of bylaws and other documents, as required or requested;
 - e) accepting, on behalf of the council or municipality, notices and documents that are required or permitted to be given to, served on, filed with or otherwise provided to the council or municipality;
 - f) keeping the corporate seal, if any, and having it affixed to documents as required.
- 7.2 In the temporary absence of the Director of Legislative and Administrative Services, the Deputy City Clerk is the authorized designate who will assume the role and responsibilities of the Director.

8. CHIEF FINANCIAL OFFICER

- 8.1 The Chief Financial Officer (CFO) is assigned the responsibility of the following specific powers, duties and functions:
- a) determines and provides leadership to establish the financial, corporate and information technology services of the municipality;
 - b) accountable to the Chief Administrative Officer (CAO);
 - c) plays a critical role in developing and implementing the financial strategy of the municipality;
 - d) member of the Executive Leadership Team,
 - e) provides leadership for capital project financial oversight;
 - f) directs and supervises the designated Financial and Corporate Officer positions.

9. CHIEF HUMAN RESOURCES OFFICER

9.1 The Chief Human Resources Officer (CHRO) is assigned the responsibility of the following specific powers, duties and functions:

- a) determines and provides leadership in developing and executing human resources strategy in support of the overall business plan and strategic direction of the organization;
- b) fully defines and implements a strong HR business consulting capability within the organization, shaping the function to align with business strategy, execution, performance and talent requirements, specifically in the areas of succession planning, talent management, change management, health and safety, organizational and performance management, training and development, and total reward;
- c) provides strategic leadership by articulating Human Resources needs;
- d) member of the Executive Leadership Team.

10. SUSPENSION AND TERMINATION OF OFFICERS

10.1 Suspension of any Officer shall be in accordance with Section 151 of the *Community Charter*.

10.2 Termination of employment of any Officer shall be in accordance with Section 152 of the *Community Charter* and his/her employment contract with the City.

11. VALIDITY

If any section, subsection sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

11. REPEAL

Appointment of Officers Bylaw No. 2522, 2020 is hereby repealed.

READ FOR THE FIRST THREE TIMES THIS 14th DAY OF December, 2020

ADOPTED THIS 11th DAY OF January, 2021

LORI ACKERMAN
MAYOR

JANET PRESTLEY, DIRECTOR OF
LEGISLATIVE AND ADMINISTRATIVE
SERVICES