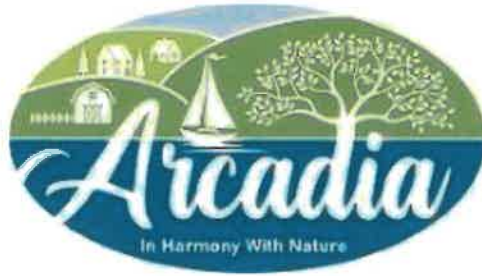


BY-LAW NO. 8
A BY-LAW RESPECTING THE DUTIES AND POWERS OF THE CHIEF
ADMINISTRATIVE OFFICER OF ARCADIA



The Council of Arcadia, under the authority vested in it by the *Local Governance Act, SNB 2017, c18*;

WHEREAS Section 81 of the *Local Governance Act* provides that the chief administrative officer of a local government has the powers and duties that the council prescribes by by-law or resolution;

BE IT ENACTED by the Council of Arcadia as follows:

TITLE

- 1) This by-law shall be cited as the “Chief Administrative Officer (CAO) By-law”.

PURPOSE

- 2) This by-law is enacted for the purpose of establishing and defining the duties and powers of the Chief Administrative Officer of Arcadia.

DEFINITIONS

- 3) In this by-law:
 - a) “**Chief Administrative Officer (CAO)**” means the head of the municipal administration. The individual is the only employee who reports directly to Council.
 - b) “**Council**” means Mayor and Councillors of the municipality of Arcadia.
 - c) “**Employee**” means any other person employed by Arcadia aside from the CAO.
 - d) “**Municipality**” means the municipality of Arcadia.

APPOINTMENT

- 4) A CAO shall be appointed in accordance with Section 71(2) of the Local Governance Act, who shall carry out any and all duties and powers of Council as delegated by Council under the Act, and other such duties which Council may have vested in, conferred, or delegated to the CAO prior to the enactment of this by-law.

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- a) In the event of an absence of the CAO without notification to Council or by a decision of Council, Council shall by resolution appoint an Acting CAO who shall act for the CAO in their absence, with full powers and responsibilities of the CAO.
- b) In the event of a planned absence by the CAO, he/she will designate an Acting CAO for that period of absence and will advise the Mayor and Councillors the name(s) of who is to fill the role on a temporary basis and its duration.
- c) Council may by resolution appoint an Assistant CAO who shall act for the CAO in any unplanned absence, until an appointment is made under paragraph 4a).

GENERAL DUTIES AND RESPONSIBILITIES

5) The Chief Administrative Officer:

- a) Is responsible for the management of human resources. In this capacity, the CAO shall:
 - i) Form and lead a management team consisting of municipal staff,
 - ii) Maintain an organizational chart and make recommendations to Council on any modifications necessary to improve efficiency and productivity,
 - iii) Develop and apply systems, policies, and procedures for planning and recording staff orientation and training, assessment of employee performance, and the development of work plans,
 - iv) Ensure that annual performance appraisals are completed for all employees,
 - v) Recommend to Council the appointment, promotion, dismissal, suspension, or transfer of all municipal employees,
- b) Attends all Council meetings and makes such observations and suggestions deemed appropriate and expedient with the permission of the Mayor and acts as ex-officio member of all committees, boards, and authorities, as required by Council,
- c) Acts as the primary interface between the administration and Council for the flow of information and directives,
- d) Provides recommendations and assists Council in establishing effective programs, objectives, and schedules, ensuring that they conform to various municipal, provincial, and federal legislation,
- e) Develops, coordinates, implements, administers, and monitors policies and programs established by Council,
- f) Works in collaboration with the Treasurer to prepare the annual operational and capital budget and long-term capital expenditure forecast,
- g) Ensures that budget guidelines approved by Council are followed and maintained,
- h) Responsible for the administration of the budget and monitoring of the work plan after adoption of the budget,
- i) Advises Council on a regular basis the status of the budget and shall make recommendations on any needed alterations, motions, or actions as required by legislation or by emergency circumstances,

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- j) Develops and prepares policies, procedures, and systems necessary to ensure that effective controls are in place to protect the financial affairs of Arcadia,
- k) Ensures that all necessary tenders, request for proposals, and requests for quotations are prepared and dealt with as per Arcadia's Procurement Policy,
- l) Is responsible for negotiating contracts and agreements for Arcadia, whether it be for goods, products, or services, and ensures the legality of all contracts or agreements entered into by the municipality,
- m) Supervises the execution of all contracts and agreements signed by Arcadia, ensuring that all conditions are respected and if they are not met, must report to Council,
- n) Initiates, manages, and oversees economic development opportunities, soliciting and aiding new business,
- o) Provides Council with legal advice and interpretation as attained through consultation with the municipality's designated legal counsel, on all matters pertaining to decisions of Council,
- p) Oversees the publication of all notices, ordinances, or other documents required by law to be published and prepares, or approves, all reports which the municipality is required by law to prepare,
- q) Implements and ensures maintenance of good public relations; acts as liaison with various organizations, committees, boards, agencies, and authorities, ensuring positive relationships; receives and responds to inquiries from the public; interprets by-laws, resolutions, and policies for interested citizens and ensuring that citizens are aware of the intent of council decisions; responds to media inquiries as directed,
- r) Coordinates the development and implementation of short and long-range strategies and operating plans for the municipality, as approved by Council,
- s) Acts as the head of the public body under the Right to Information and Protection of Privacy Act (RTIPPA).

Without limitation to Section 5 of this by-law, the CAO shall perform such other duties and functions and exercise such powers as may be required for the effective administration of the municipality including but not limited to entering into all contracts, agreements, and transactions required for the effective administration and operation of the municipality and its policies and programs, provided that no action requires an expenditure of money that has not been included in an approved budget or otherwise authorized by Council.

The CAO is authorized to sign agreements, cheques, and other negotiable instruments for expenditures within approved budgets or otherwise authorized by Council.

For the purpose of empowering the organization to carry out the programs and services of the municipality and policies of Council, the CAO may delegate any power, duty, or function given

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to the CAO under the Act, an enactment of this or any other by-law to a municipal employee, including any power, duty, or function delegated by Council to the CAO under the Local Governance Act, Section 81, and the power to further delegate any power, duty, or function.

PERFORMANCE EVALUATION

- 6) The performance of the CAO shall be appraised not less than once, in a twelve (12) month period in accordance with the process identified in the CAO performance appraisal system.
- 7) The salary and benefits provided to the CAO shall be established annually by Council after the annual performance review.

ENACTMENT

- 8) IN WITNESS WHEREOF the local government of Arcadia has caused its corporate seal to be affixed to this by-law.

FIRST READING BY TITLE: January 20, 2025

SECOND READING BY TITLE: February 18, 2025

THIRD READING BY TITLE AND ENACTMENT: February 18, 2025


Mayor—Derek Pleadwell


Clerk—Jessica McGarity

