

Town of Stewiacke

By-Law Number 2000-03

Respecting the Position and Responsibility of the Chief Administrative Officer

The Council of the Town of Stewiacke, in the Province of Nova Scotia, enacts as follows:

Short Title:

1. This By-Law shall be known as and may be cited as the "Chief Administrative Officer By-Law".

2. Chief Administrative Officer

The office of the Chief Administrative Officer of the Town of Stewiacke is hereby established and may be also referred to as the "CAO".

3. Council and CAO Relationship

3.1 The CAO is the head of the administrative branch of the government of the Town and is responsible to Council for the proper administration of the affairs of the Town in accordance with the by-laws of the Town and the policies adopted by Council.

3.2 The Council shall communicate with the employees of the Town solely through the CAO, except that the Council may communicate directly with employees of the Town to obtain or provide information

3.3 The Council shall provide direction on the administration, plans, policies and programs of the Town to the CAO

3.4 No council member, committee or member of a committee established by Council shall instruct or give direction to, either publicly or privately, an employee of the Town.

4. Responsibilities of the CAO

4.1 The CAO, subject to the provisions of this By-Law, shall:

4.1.1. administer the day-to-day business affairs of all the departments of the Town in accordance with the policies and plans approved by Council;

4.1.2 coordinate and direct the preparation of plans and programs to be submitted to the Council for the construction, rehabilitation, and maintenance of all the Town's property and facilities;

- 4.1.3 be responsible for the preparation of the annual budget and its submission to Council as well as coordinating its implementation, after approval, throughout each fiscal year;
- 4.1.4 review the drafts of all by-laws and submit to the Council recommendations on such drafts and advise what procedures should be taken to carry out the by-laws and to enforce their observance;
- 4.1.5 attend, or be adequately represented at, all meetings of Council, Committees, Board and Commissions and make recommendations, either oral or written, from time to time, as shall be deemed necessary;
- 4.1.6 coordinate and direct recommendations, either oral or written, to Council regarding the upgrading, assessment and definition of programs, policies and plans or any such changes that are necessitated to maintain or improve the operation of the Town government;
- 4.1.7 act as Personnel Director within the scope of the duties of CAO and carry out such duties in accordance with the policies established by Council and shall;
 - (a) be responsible to post all vacant positions for hire, either part-time or full-time, via the newspaper and various web-based sites;
 - (b) be responsible for the appointment, promotion, demoting, suspension, transfer and dismissal of any and all employees below the Department Head level;
 - (c) recommend to Council, in writing, the appointment, employment, disciplinary action, or dismissal of Department Heads;
 - (d) be responsible for recommendations concerning wages, salary and working conditions to Council covering all Town staff;
 - (e) be responsible that all employees of the Town are accountable for the performance of their duties and ensure that all reports and recommendations required of them are submitted to and through the CAO;
 - (f) establish and maintain a vacation schedule for all employees, including the CAO, ensuring the proper coverage of all departments at all times;
 - (g) establish and maintain an employee evaluation tool confirming compliance of Human Resource policies, which will be provided to Council on an annual basis; and

- (h) establish, maintain and update from time to time, a succession plan for the Town outlining future employment needs, including training of current staff to assist with future employment opportunities.

4.1.8 act as Financial Officer within the scope of the duties of CAO to carry out such duties in accordance with the policies established by Council and shall:

- (a) have power to make or authorize the making of contracts for the purpose of acquiring services of equipment, supplies or other items required for the carrying on of the businesses of the Town and enter into contracts therefore on behalf of the Town in accordance with the Town's procurement policy where such expenditures does not exceed, in the any one case, the sum of fifteen thousand dollars (\$15,000.00) and provided it is a budgeted item. Such expenditures shall be reported by the CAO to Council on a regular basis;
- (b) notwithstanding the above (section 4.1.8 a), submit a recommendation to Council respecting any proposed expenditure, for any purpose, in excess of fifteen thousand dollars (\$15,000.00) in accordance with the Town's procurement policy, (b1)have power to make emergency expenditures in accordance with the Town's procurement policy;
- (c) subject to policies adopted by Council, sell any personal property belonging to the Town not exceeding a value of five thousand dollars (\$5,000.00) which, in the opinion of the CAO, is no longer needed by the Town or which is obsolete or unsuitable for use.
- (d) have power to make recommendations to Council respecting any proposed expenditure, for any purpose;
- (e) subject to policies adopted by Council, personally or by an agent, negotiate and execute leases of real property owned by the Town that are for a term not exceeding one year, including renewals. Such negotiations and leases shall be communicated by the CAO to Council on a regular basis; and
- (f) supervise the performance of all contracts or agreements entered into by the Town and ensure that all the conditions relating thereto have been fulfilled in accordance with the provisions of such contracts or agreements and the CAO shall report

to the Council, on a regular basis, respecting such contracts and/or agreements;

- 4.1.9 Act as the Development Officer for the Town of Stewiacke, in accordance with the policies adopted by Council
- 4.1.10 Act as the Economic Development Officer for the Town of Stewiacke, including the promotion of marketing and tourism, in accordance with the policies adopted by Council
- 4.1.11 Carry out such additional duties and exercise such additional responsibilities as Council may, from time to time, direct

5. Absence of the CAO

- 5.1 In the event of the temporary absence or disability of the CAO, the CAO will in writing, with the concurrence of the Council, designate a person to act in the capacity of Deputy Chief Administrative Officer to perform the duties of the CAO during the absence.
- 5.2 If the absence or disability of the CAO will exceed three weeks, or if the designation noted in subsection 5.1 is not made, or in the event of any emergency where the CAO is unavailable or if the CAO resigns or is dismissed, the Council may appoint a person to perform the duties until the CAO returns or is replaced.

Annotations for Official By-law Book

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| Date of first reading: | March 24 th 2022 |
| Date of advertisement of Notice of Intent to Consider: | March 8 th 2023 |
| Date of second reading: | March 23 rd 2023 |
| Date of advertisement of passage of the By-law: | June 28, 2023 |
| Date of mailing, to the Minister, a certified copy of the By-law: | June 19, 2023 |

I certify that this **CAO By-law** was adopted by Council and published as indicated above.

CAO / Clerk

Date

June 19/23