

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2472

A BYLAW TO ESTABLISH THE OFFICER POSITIONS OF THE CITY OF ROSSLAND AND TO ESTABLISH THE POWERS, DUTIES AND RESPONSIBILITIES OF SUCH OFFICERS

WHEREAS the *Community Charter, SBC 2003, C.26*, empowers Council, by bylaw, to establish officer positions and to establish the powers, duties and responsibilities of officers and employees;

NOW THEREFORE the Council of the City of Rossland, in open meeting assembled, **ENACTS AS FOLLOWS:**

Citation

1. This By-law may be cited for all purposes as the “**City of Rossland Officers Bylaw No. 2472, 2009**”.

Officer Positions

2. The following positions are hereby established as officer positions of the Corporation of the City of Rossland:
 - (a) Chief Administrative Officer (City Manager);
 - (b) Chief Financial Officer/Financial Administrator; and
 - (c) Corporate Officer (City Clerk).

Officials Positions

3. Officials (Department Heads) positions are as appointed by the Chief Administrative Officer (City Manager) from time to time for the City of Rossland.

Powers, Duties and Responsibilities

4. The powers, duties, and responsibilities of the Chief Administrative Officer (City Manager) are as set out in Schedule “A” attached hereto and forming part of this Bylaw.
5. The powers, duties, and responsibilities of the Chief Financial Officer/Financial Administrator) are as set out in Schedule “B” attached hereto and forming part of this Bylaw.

6. The powers, duties, and responsibilities of the Corporate Officer are as set out in Schedule “C” attached hereto and forming part of this Bylaw.
7. The powers, duties and responsibilities of Officials(Department Heads) shall be as designated and set by the Chief Administrative Officer (City Manager) from time to time.

Oath of Office

8. The oath of office as set out in Schedule “D” to this Bylaw is hereby adopted as the oath of office for officers and department heads of the City of Rossland.

Repeal

9. “Officers and Officials Bylaw No. 2103, 2001” and amendments thereto are hereby repealed.

Adoption Of Bylaw

10. This Bylaw shall come into full force and effect on the final adoption thereof.

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME
FINALLY ADOPTED

this 14th day of December, 2009
this 14th day of December, 2009
this 14th day of December, 2009
this 11th day of January, 2010

MAYOR

CORPORATE OFFICER

SCHEDULE "A"

Powers, Duties and Functions of the Chief Administrative Officer (City Manager)

Human Resources

1. appoint, promote, discipline and dismiss all Department Heads, Supervisors and Employees of the City of Rossland;
2. recommend to Council the appointment, promotion, demotion, suspension or termination of officers of the City of Rossland, being, those employees who are designated officers by bylaw;
3. supervise all officers, department heads, supervisors and employees of the City of Rossland;
4. set the terms, conditions, benefits and remuneration for the employment of all department heads, supervisors, administrative assistants and all other non-contract City of Rossland employees;
5. appoint acting department heads to administer departments in case of illness or absence;
6. supervise, implement and ratify all contract negotiations with employee unions or associations of the City of Rossland;
7. act as arbitrator between an employee and that employee's director subject to the terms of any applicable collective agreement with an employee union or association;
8. recommend to Council personnel requirements and labour relations for other City related Organizations and operations managed on behalf of the City and Provincial /Federal appointed Boards delivering City services;
9. under the direction of the Chair of Council Appointed Boards having separate jurisdictions, supervise senior staff delivering City services;

General Administration

10. supervise the operation of the departments of the City and other related organizations, boards, societies and agencies delivering city services;
11. supervise implementation of Council directives;

12. act as the principal intermediary between the City of Rossland and the administration of other governments and all other entities dealing with the City;
13. from time to time re-organize the administrative structure to improve the efficient and effective operation of the City;

Legal Advice and Proceedings

14. obtain legal advice;
15. 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 City and any other City related Organization delivering City services;
16. authorize settlements of claims against the City as approved by Council;

Council

17. supervise preparation of Council agendas;
18. attend all meetings of Council, Committees of Council and other entities created by Council and relating to the City;
19. provide advice and recommendations to Council on any matter within Council's jurisdiction;
20. report to Council on any matter of importance to the City and any other related organizations;

Contracts

21. authorize the use or budgeted purchase or sale of City facilities, equipment and services and authorize the awarding of contracts for budgeted items;
22. supervise the calling and awarding of tenders for the supply of materials, equipment, services or construction approved by Council in the budgets and financial plans of the City; and

Additional Powers, Duties and Responsibilities

23. exercise whatever additional powers and discharge whatever additional duties and responsibilities Council from time to time may assign.

SCHEDULE “B”

Powers, Duties and Functions of Corporate Officer (City Clerk)

Statutory (Corporate Officer)

1. ensuring that the accurate minutes of the meetings of the City and its committees are prepared and the minutes, bylaws and other records of the business of the City and its committees are maintained and kept safe;
2. ensuring that access is provided to records of the City and its committees, as required by law or authorized by Council;
3. certifying copies of by-laws and other documents; as required or requested;
4. administering oaths and taking affidavits, declarations and affidavits required to be taken under the *Community Charter* in relation to municipal matters;
5. accepting, on behalf of the City, notices and documents that are required or permitted to be given, served on, filed with or otherwise provided to the City;
6. keeping the corporate seal and having it affixed to documents as required;

Human Resources

7. recommend to the Chief Administrative Officer, appointment, promotion, discipline and dismissal of all employees within the Corporate Services Department;
8. supervise all employees in the Corporate Services Department and any other department designated by the Chief Administrative Officer;
9. be a member of bargaining committees dealing with union/association contract negotiations for the City of Rossland and other City related or appointed Boards delivering City services;

General Administration

10. supervise the operation of the Corporate Services Department of the City and any other department designated by the Chief Administrative Officer;
11. supervise implementation of Council directives and directives of the Chief Administrative Officer;

12. act as a contact between the Corporate Services Department and other departments, under the supervision of the Chief Administrative Officer;

Council

13. attend or ensure a Deputy attends, all meetings of the Council, its committees, boards, commission or other entities appointed by Council or Provincial statute that pertain to the City, for the purposes of minute taking, except where otherwise directed by the Chief Administrative Officer;
14. organize efficient and effective record-keeping for all corporate documents;
15. provide copies of any documents served on the City to the Chief Administrative Officer and to any insurers, as appropriate;

Risk Management

16. receive all insurance claims against the City and all other City departments; and
17. prepare, process and approve all statutory right of ways, licence of occupation, encroachment agreements for the City and other City operations.

SCHEDULE “C”

Powers, Duties and Functions of the Chief Financial Officer/Financial Administrator

Statutory (Financial Administration)

1. receiving all money paid to the City;
2. ensuring the keeping of all funds and securities of the Municipality;
3. expending and disbursing money in the manner authorized by Council;
4. investing revenue funds, until required, in investments as permitted under the *Community Charter*;
5. ensuring that accurate records and full accounts of the financial affairs of the City are prepared, maintained and kept safe;
6. compiling and supplying information on the financial affairs of the City required by the inspector;

Human Resources

7. recommend to the Chief Administrative Officer, appointment, promotion, discipline and dismissal of all employees within the Financial Services Department;
8. supervise all employees in the Financial Services Department;
9. be a member of bargaining committees dealing with union/association contract negotiations for the City of Rossland and other City related or appointed Boards delivering City services;

General Administration

10. supervise the operation of the Financial Services Department of the City;
11. supervise implementation of Council directives and directives of the City Manager;
12. act as a contact between the Financial Services Department and other departments, under the supervision of the Chief Administrative Officer;

Legal Advice and Proceedings

13. supervise the obtaining of insurance as deemed necessary;

14. supervise the provision of insurance matters;
15. prepare and arrange for filing of any documentation necessary, under the *Financial Disclosure Act* or otherwise;

Council

16. attend meetings, as required by the Chief Administrative Officer;
17. provide advice to Chief Administrative Officer regarding any matter of a financial nature;
18. prepare budgets and financial plans of the City and other organizations delivering City Services; and
19. liaise with the City's auditor in connection with the financial audit.

SCHEDULE “D”

Oath of Office

[insert name] having been appointed to the Office of **[insert name of Office]** for the City of Rossland 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,
- (1) 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 City of Rossland;
- (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 City and comply with all laws.