

## CITY OF MAPLE RIDGE

### BYLAW NO. 7717-2021

A Bylaw to provide for the appointment of Officers and to prescribe the powers, duties and responsibilities of such Officers including the Delegation of Authority

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#### WHEREAS:

The City of Maple Ridge must by bylaw, under Section 146 of the *Community Charter*, establish officers' positions having responsibility under Sections 148 and 149 of the *Community Charter*;

AND WHEREAS the City of Maple Ridge may, by bylaw, confer on an officer position the chief administrative responsibility for the City under Section 147, of the *Community Charter*;

Pursuant to section 154 of the *Community Charter*, S.B.C. 2003, c. 26, Council may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to officers and employees of the City; and,

Council wishes to delegate to its officers and employees certain powers, duties and functions, including the authority to execute certain documents on behalf of the City.

NOW THEREFORE, the Council of the City of Maple Ridge, in open meeting lawfully assembled, ENACTS AS FOLLOWS:

#### Part 1: Interpretation

##### Name of Bylaw

1. This Bylaw may be cited for all purposes as the "Maple Ridge Officers Designation Bylaw No. 7717-2021."

##### Repeal

2. Maple Ridge Establishment of Officers Bylaw No. 6465-2007 is hereby repealed in its entirety including all amendments thereto.

##### Definitions

3. In this Bylaw, the following words have the following meanings:

**"Authorized Designate"** means a statutory officer or employee who has temporarily assumed responsibilities of another position in an acting capacity or who has been appointed in writing to act on another person's behalf during that person's absence for the purposes of exercising authority under this Bylaw;

**"Chief Administrative Officer"** means the person designated by Council as the City's Chief Administrative Officer;

**"City"** means the City of Maple Ridge;

“**Council**” means the elected council for the City;

“**Statutory Officers**” means the statutory officers established pursuant to Part 2, Section 1 of this Bylaw;

4. Except as otherwise defined in this bylaw, words or phrases herein shall be construed in accordance with their meanings under the *Community Charter, Local Government Act, and Interpretation Act*, and other legislation as the context and circumstances may require. A reference to a statute refers to a statute of the Province of British Columbia, and a reference to any statute, regulation or bylaw refers to that enactment, as amended or replaced from time to time.
5. Words in the singular include the plural.
6. Headings in this bylaw are for convenience only and must not be construed as defining, or in any way limiting the scope or intent of this bylaw.

## **Part 2: Establishment of Statutory Officer Positions**

7. The persons holding the following positions with the City are established as Statutory Officers of the City under Section 146 and the following provisions of the *Community Charter*:
  - a. Chief Administrative Officer, pursuant to Section 147;
  - b. Corporate Officer, pursuant to Section 148; and
  - c. Financial Officer, pursuant to Section 149.
8. The selection of the Chief Administrative Officer shall be made by Council.
9. The selection of the Financial Officer and Corporate Officer shall be made by the Chief Administrative Officer and appointed by resolution of Council.
10. The selection of the Acting Chief Administrative Officer shall be made by the Chief Administrative Officer. In the event of incapacitation of the Chief Administrative Officer or vacancy in that position, the selection of the Acting Chief Administrative Officer shall be made by Council.
11. The delegation under this Bylaw will apply to staff who assume or are appointed the responsibility of the Statutory Officers noted in this bylaw while those individuals are absent.

### **Powers and Duties of the Chief Administrative Officer**

12. The Chief Administrative Officer for the City has the following duties, powers and functions:
  - a) carrying out the powers, duties and functions specified in Section 147 of the *Community Charter* and other provisions applicable to the Chief Administrative Officer in other enactments;
  - b) appointing and/or suspending Statutory Officers per Section 154(3) of the *Community Charter*;

- c) appointing, promoting, disciplining, suspending or terminating any other Employee of the City, subject to any contract of employment or collective agreement in force;
- d) coordinating, motivating, directing and supervising department heads and establishing their duties and responsibilities;
- e) administering exempt staff compensation in accordance with the corporate policies and budgets established by Council;
- f) subject to Council approval, negotiating all collective agreements;
- g) developing and recommending for Council approval, policies dealing with non-administrative matters as directed by Council, and may initiate such policies for consideration by Council;
- h) implementing all Council approved policies and directives;
- i) developing, approving, and implementing policies, procedures and practices dealing with administrative matters;
- j) preparing and submitting such reports and recommendations as may be required by Council;
- k) hiring and retaining legal counsel on behalf of the City;
- l) taking whatever legal actions or measures deemed necessary in response to an emergency;
- m) the authority to assign additional responsibilities to an officer, including acting on behalf of another officer in their absence;
- n) the authority to assign to other appointed officers and employees of the City any powers, duties or functions assigned to the Chief Administrative Officer under this bylaw to achieve more efficient and effective administration of the City's affairs. This does not apply to the powers, duties and functions specified in subsections (a), (b), (k), and (l), or the authority to appoint, suspend or terminate employees specified in subsection (c).

**Powers and Duties of the Corporate Officer**

- 13. The Corporate Officer is assigned responsibility for the corporate administration of the City, including carrying out the powers, duties and functions of the corporate officer as set out in Section 148 of the *Community Charter* and other provisions applicable to the corporate officer in other enactments.
- 14. Council hereby delegates to the Corporate Officer all duties, powers and functions of Council to consolidate any of the City's bylaws by adding all amendments made to it, omitting a provision that has been repealed or has expired, and placing on the consolidated bylaw a statement that the bylaw is consolidated for convenience only.
- 15. Administering a records management program for the City;
- 16. Providing any notice required by statute or other law in relation to a bylaw or to an action, decision or other matter.

### **Powers and Duties of the Financial Officer**

17. The Financial Officer is assigned the responsibility of financial administration for the City, and carrying out the powers, duties, and functions specified in Section 149 of the *Community Charter* and other provisions applicable to the financial officer in other enactments.

### **No delegation by Persons Holding Statutory Officer Position**

18. A person to whom a power, duty or function has been delegated under this bylaw has no authority to further delegate to another person any power, duty or function that has been delegated in this bylaw unless that person is in an acting position while that person is away.

### **Suspension of Statutory Officers**

19. Suspension of a Statutory Officer will be in accordance with Sections 151 and 154(3) of the *Community Charter* and Section 11(b) of this bylaw.

### **Termination of Statutory Officers**

20. Termination of the appointment of any Statutory Officer will be made in accordance with Section 152 of the *Community Charter*.

### **Appointment to Two or More Positions**

21. Nothing in this Bylaw shall prevent the appointment of the same person to two or more offices or positions.

### **Power to Enter on and Use Property**

22. The Chief Administrative Officer, the General Manager Engineering Services and the General Manager Parks, Recreation and Culture are each delegated authority, in accordance with Section 32(3) of the *Community Charter*, to cause on behalf of the city entry onto real property and undertake works of construction, maintenance and repair or mitigation of injury done or anticipated, or in reduction of compensation, if they consider that real property may be injuriously affected by the exercise of a Council Power.

### **Delegation**

23. A delegation of a power, duty, or function under this Bylaw includes a delegation to a person who has, from time to time, been appointed to act on behalf of the delegate or is appointed by Council to act in the capacity of the delegate in the delegate's absence including, in the event of a state of local emergency, the appointed Emergency Operations Centre Director.

24. In the absence of the delegate, the powers delegated under this Bylaw may be exercised by a person who has been appointed to act in the capacity of the delegate, or the General Manager or Director of the person's department. In the absence of a General Manager or Director, the powers delegated under this Bylaw may be exercised by the Chief Administrative Officer or the person designated as the acting Chief Administrative Officer.

### **Amendments to Titles**

25. For the purposes of this Bylaw, where a staff position or committee is identified by title within this Bylaw or the Associated Bylaws, and should the name of that position/committee or details of the duties of that position/committee change, the rights, duties and obligations of the former position/committee under the Bylaw will transfer to the new position/committee title if the role of that staff position/committee is similar in authority and responsibility.

**Required Notices**

26. All delegations of powers, duties and functions pursuant to this Bylaw are inclusive of a grant of authority to provide any notice required under a statute or other law in relation to an action, decision or other matter.

**Severability**

27. If any section, subsection, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

**READ** a first time the 11<sup>th</sup> day of May, 2021.

**READ** a second time the 11<sup>th</sup> day of May, 2021.

**READ** a third time the 11<sup>th</sup> day of May, 2021.

**ADOPTED**, the 25<sup>th</sup> day of May, 2021.

  
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**PRESIDING MEMBER**  
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**CORPORATE OFFICER**