



**THE CORPORATION OF THE TOWN OF FOX CREEK, ALBERTA  
BY-LAW 852-2020**

**“DESIGNATED OFFICERS BYLAW”**

**Being a Bylaw of the Town of Fox Creek in the Province of Alberta to Establish Positions to carry out the powers, duties, and functions of a Designated Officer.**

**WHEREAS** Sections 284, 289, 455 and 284.1, 284.2, 627.1 (to be proclaimed) of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, require municipalities to establish certain designated officer positions to which individuals who meet legislated credentials are appointed;

**WHEREAS** Section 210 of the *Municipal Government Act* requires designated officer positions to be established by bylaw, and the bylaw must identify the powers, duties and functions of each designated officer so established;

**NOW THEREFORE** the Municipal Council of the Town of Fox Creek enacts this bylaw as follows:

**SECTION 1 – SHORT TITLE**

This Bylaw may be cited as the “Designated Officers Bylaw”.

**SECTION 2 – PURPOSE**

The purposes of this bylaw are to:

- 2.1 establish designated officer positions as permitted or required by the *Municipal Government Act*, and the terms and conditions of appointment;
- 2.2 identify the powers, duties and functions of each designated officer position;
- 2.3 provide for the delegation of designated officer’s powers, duties, and functions.

**SECTION 3 – DEFINITIONS**

- 3.1 “Chief Administrative Officer” means the Chief Administrative Officer of the Town of Fox Creek or their designate.
- 3.2 “Designated Officer” means individuals appointed to designated officer positions under the *Municipal Government Act*.
- 3.3 “Town” means the Town of Fox Creek
- 3.4 “Qualified Person” means a Town employee who holds the credential required, if any, to perform the powers, duties, and functions of a designated officer.

**SECTION 4 – MUNICIPAL ASSESSOR**

- 4.1 The designated officer position of Municipal Assessor is established.
- 4.2 The Chief Administrative Officer shall appoint a qualified person to the designated officer position of Municipal Assessor.
- 4.3 The Municipal Assessor shall exercise the powers, duties and functions of the municipal assessor and of the municipality in relation to Town assessments and taxation as permitted or required by Parts 9 and 10 of the *Municipal Government Act*, except for the following items:
  - 4.3.1 Tax agreements; and
  - 4.3.2 Decisions to cancel, reduce, refund, or defer taxes.

- 4.4 Without limited the preceding, the Municipal Assessor may in the exercise of the Municipal Assessor's powers, duties and functions issue notices, certify records, swear statutory declarations, conduct inspections, demand records, produce and disclose information to other governmental authorities, and take the actions required for the preparation and administration of the Town's assessment and taxation rolls.

#### **SECTION 5 – CLERK OF THE ASSESSMENT REVIEW BOARD**

- 5.1 The designated officer position of Clerk of the Assessment Review Board is established.
- 5.2 The Chief Administrative Officer shall appoint a qualified person to the designated officer position of Clerk of the Assessment Review Board.
- 5.3 The Clerk of the Assessment Review Board shall exercise the powers, and perform the duties and functions imposed on a Clerk of the Assessment Review Board by legislation and bylaws, and as the Town's designated officer for assessment review boards will:
- 5.3.1 provide assessment complaint forms to complainants;
  - 5.3.2 receive and file assessment complaints;
  - 5.3.3 schedule hearings;
  - 5.3.4 process and distribute assessment complaints and other hearing materials to members of the assessment review board;
  - 5.3.5 prepare and certify records, including records of proceedings; and
  - 5.3.6 perform administrative duties for assessment review boards.

#### **SECTION 6 – CLERK OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

- 6.1 The designated officer position of Clerk of the Subdivision and Development Appeal Board is established.
- 6.2 The Chief Administrative Officer shall appoint one or more persons to the position of Clerk of the Subdivision and Development Appeal Board and the persons so appointed may also be a Clerk of the Assessment Review Board.
- 6.3 A Clerk of the Subdivision and Development Appeal Board shall exercise the powers, and perform the duties and functions imposed on a Clerk of the Assessment Review Boards by legislation and bylaws, and as the Town's designated officer for the subdivision and development appeal boards will:
- 6.3.1 receive and file subdivision and development appeals;
  - 6.3.2 schedule hearings;
  - 6.3.3 process and distribute hearing material to members of subdivision and development appeal boards;
  - 6.3.4 prepare and certify records, including records of proceedings; and
  - 6.3.5 perform administrative duties for subdivision and development appeal boards.

#### **SECTION 7 – GENERAL MATTERS**

- 7.1 The Chief Administrative Officer will establish the remuneration payable and other terms and conditions of employment for the Town's designated officers.
- 7.2 Unless otherwise directed by Council, designated officers are accountable to, and are under the supervision of the Chief Administrative Officer.
- 7.3 The Town will identify and save harmless designated officers in relation to errors and omissions made in the good faith and exercise of their powers, duties, and functions.

**SECTION 8 – EFFECTIVE DATE**

8.1 This By-Law shall come into effect the date upon third and final reading.

Read a First time this 8<sup>th</sup> day of September 2020.

Read a Second time this 8<sup>th</sup> day of September 2020.

Received Unanimous Consent for presentation of third reading this 8<sup>th</sup> day of September 2020.

Read a third and final time this 8<sup>th</sup> day of September 2020.



James Hailes  
Mayor



Kristen Milne  
Chief Administrative Officer