

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO PROVIDE FOR THE ROLES AND
RESPONSIBILITIES OF THE CHIEF ADMINISTRATIVE
OFFICER

WHEREAS section 229 of the *Municipal Act, 2001*, S.O. 2001, C. 25, as amended, provides that a municipality may appoint a chief administrative officer who shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and performing such other duties as are assigned by the municipality; and

WHEREAS Council wishes to establish the general roles and responsibilities of the Chief Administrative Officer;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the Chief Administrative Officer shall be directly accountable and responsible to Regional Council as a whole acting in its corporate capacity and nothing contained in Regional by-laws shall be deemed to empower the Chief Administrative Officer to perform, do or direct any act which shall in any manner encroach upon the legislative powers of Council.
2. That the Chief Administrative Officer is the head of the administrative branch of the Region and shall be responsible to Regional Council for coordinating, supervising, and ensuring the effective administration of all programs and policies initiated and adopted by Regional Council.
3. Regional Council will establish the terms and conditions of the appointment of the Chief Administrative Officer including the term of the appointment and the salary and benefits to be paid or provided to the Chief Administrative Officer, which may be varied from time to time by resolution of Regional Council.
4. General Roles and Responsibilities
 - a. The Chief Administrative Officer shall administer the business affairs of the Region and to that end lead and direct the members of the Corporate Leadership Team in carrying out the responsibilities of the Region, in accordance with the policies and plans approved and established by Regional Council;

- b. The Chief Administrative Officer shall be accountable to Regional Council as a whole for the exercise of all the powers, duties and functions delegated to the Chief Administrative Officer by this or any other by-law, resolution or policy adopted by Regional Council from time to time, whether such powers, duties and functions are exercised by the Chief Administrative Officer personally or by someone to whom the Chief Administrative Officer has delegated that power, duty or function.
- c. The Chief Administrative Officer shall recommend to Regional Council the appointment, suspension or dismissal of Commissioners;
- d. The Chief Administrative Officer (or a designate of the Chief Administrative Officer) shall attend all meetings of Regional Council and its Committees as required, with the right to speak when recognized by the Regional Chair or presiding Officer;
- e. The Chief Administrative Officer shall establish, liaise and maintain relationships with the Federal and Provincial governments, the Region's local municipalities, other government agencies, and the residents of the Region in general;
- f. The Chief Administrative Officer shall act as a spokesperson and representative of the Region to ensure the best interests of The Regional Municipality of Niagara are met;
- g. The Chief Administrative Officer shall have the right to represent and speak on behalf of the Corporation, in documents and meetings, in a manner consistent with the policies and direction of Regional Council but does not bind the Corporation to legally enforceable arrangements unless otherwise authorized to do so by specific by-law, resolution or policy of Council;
- h. The Chief Administrative Officer shall ensure that Regional Council is provided with complete, impartial and accurate information for the purposes of decision-making and by-law approvals, including all information that a reasonable person would consider relevant to the matter under consideration including suitable alternatives;
- i. The Chief Administrative Officer shall co-ordinate and direct, where appropriate, the compilation, consideration, preparation and presentation of recommendations to Regional Council for consideration and shall propose by-laws and resolutions to give effect to such recommendations as are adopted by Regional Council.

- j. The Chief Administrative Officer shall meet regularly and collectively with members of the Corporate Leadership Team for purposes of:
 - i. Advising and assisting the Chief Administrative Officer in carrying out the Chief Administrative Officer's duties and responsibilities;
 - ii. Ensuring representation from each operational and support service department concerning the effects or implications on it of corporate or departmental matters;
 - iii. Achieving efficient and effective co-operation and co-ordination of all departments of the Region;
 - iv. Ensuring that members of the Corporate Leadership Team are familiar with: the duties and responsibilities of the Chief Administrative Officer; Council direction, policies, processes and procedures; issues being addressed by Regional Council; and issues of concern to the Region.
 - k. The Chief Administrative Officer shall carry out such additional duties and exercising such additional responsibilities as may be required in the interests of the Region and as Regional Council may assign;
 - l. The Chief Administrative Officer shall have the authority to designate a member of the Corporate Leadership Team to act on the Chief Administrative Officer's behalf during any absence of the Chief Administrative Officer due to illness, vacation or otherwise;
 - m. The Chief Administrative Officer shall meet annually, and as requested, with Regional Council to review and assess his or her performance during the past year and review and discuss salary and benefits provisions as well as determining priorities to be pursued during the following year; and
 - n. The Chief Administrative Officer will hold office at the pleasure of Regional Council for the agreed upon term. Regional Council may in its sole discretion, suspend or dismiss the CAO, subject to compliance with any statutory requirements or contractual agreements approved by Regional Council.
5. The provisions of this by-law apply with the necessary modifications to a person designated under section 3 (l) of this by-law or, where the office of Chief Administrative Officer is vacant, to an appointed official designated by or under the authority of a by-law or resolution of Regional Council to act as Chief Administrative Officer.

Bill <>

Authorization Reference:

6. That this by-law shall come into force and effect on <the day upon which it is passed> OR <date>.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>