



## **THE CORPORATION OF THE TOWN OF OAKVILLE**

### **BY-LAW NUMBER 2015-028**

A by-law to amend By-law 2007-144, a by-law to appoint a Chief Administrative Officer for the Corporation of the Town of Oakville, to define the duties and responsibilities of the Chief Administrative Officer and to repeal By-law 2001-208

**WHEREAS** By-law 2007-144 and related Schedule “A” was approved by Council in August 2007 with the incorrect schedule attached;

#### **COUNCIL ENACTS AS FOLLOWS:**

1. That By-law 2007-144, a by-law to appoint a Chief Administrative Officer for the Corporation of the Town of Oakville, to define the duties and responsibilities of the Chief Administrative Officer and to repeal By-law 2001-208 be amended by deleting Schedule A and replacing it with Schedule A attached.

PASSED this 23rd day of February, 2015

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MAYOR

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CLERK

## **SCHEDULE 'A' TO BY-LAW 2015-028**

### **1. DEFINITIONS**

- (a) “Act” means the *Municipal Act 2001*, S.O. 2001, c.25, as amended, and any act substituted therefor.
- (b) “Commissioner” means the Commissioner of a Commission within the Town, and “Commissioners” shall have the same meaning.
- (c) “Council” means the Mayor and Councillors of the Town acting at a duly assembled and constituted meeting thereof.
- (d) “Town” means The Corporation of the Town of Oakville.

### **2. APPOINTMENT AND REMUNERATION**

- (a) There shall be, in and for the Town, a Chief Administrative Officer appointed by Council as the head of civic administration of the Town.
- (b) The Chief Administrative Officer shall be directly responsible and accountable to Council, and shall carry out any and all of the administrative duties and responsibilities as more particularly set out herein in accordance with any and all relevant and applicable by-laws and resolutions of Council.
- (c) Council shall, at least once each calendar year, meet with the Chief Administrative Officer to review his/her performance and salary and benefit provisions.

- (d) Council may appoint an Acting Chief Administrative Officer who shall act during the illness, absence, or other incapacity of the Chief Administrative Officer, to perform the duties of his/her office. The Chief Administrative Officer is hereby authorized to designate an Acting Chief Administrative Officer to act during periods of his/her temporary absence, not to exceed eight (8) consecutive weeks in any one (1) calendar year.
- (e) Nothing in this by-law authorizes or empowers the Chief Administrative Officer to exercise or encroach upon the authorities or powers of the Mayor as chief executive officer of the Town, the Council, or upon the statutory duties of appointed officers of the Town.
- (f) The Chief Administrative Officer shall not be dismissed from office except after a hearing by Council.

Subject to the provisions of the Act, and as hereinafter provided, the duties and responsibilities of the Chief Administrative Officer shall be as follows:

### 3. GENERAL DUTIES AND RESPONSIBILITIES

- (a) To co-ordinate, lead and direct the Town staff in the administration of the business affairs of the Town in accordance with the by-laws, policies and plans established and approved by Council.
- (b) To be responsible for the overall efficient operation of the Town's administration, and for motivating and developing the skills of the Commissioners and their staff to foster productivity, professionalism and high morale.

- (c) To co-ordinate and facilitate the flow of information between the Town administration, Council and Committees of Council.
- (d) To ensure that information and reports that are requested by Council or that, in the opinion of the Chief Administrative Officer, could be of assistance to Council, are obtained or prepared and submitted to Council, and that such reports, where appropriate, provide a recommended course of action and identify suitable alternatives.
- (e) To organize, co-ordinate, and present to Council recommendations arising from administrative operations of the Town that require the approval of Council, and to propose by-laws and resolutions arising from such recommendations.
- (f) To present to Council reports and information regarding such matters as process and results of programs and projects, the status of revenues and expenditures, the status of strategic and long range planning, and the general administrative management of the Town.
- (g) To co-ordinate, lead and direct the Commissioners in the preparation of plans and programs to be submitted to Council regarding such matters as the construction, maintenance and rehabilitation of municipal property and facilities, the development and improvement of municipal services, and the development and redevelopment of land in the Town.
- (h) To assist Council in the development and implementation of corporate and strategic policies, plans and programs for the Town.

- (i) To co-ordinate, lead and direct the Commissioners in the implementation, management, enforcement and evaluation of all by-laws, resolutions and programs approved by Council.
- (j) To attend Council and Committees of Council with the right to speak when recognized by the Mayor or presiding officer in accordance with the Town's procedure by-law, but not to vote.
- (k) To delegate appropriate duties and responsibilities to Commissioners or other staff as the Chief Administrative Officer may deem appropriate within the Town's organizational structure.
- (l) To be responsible for administrative liaison with the local boards, commissions, agencies, other municipalities, and the provincial and federal governments, and to have the right to represent and speak on behalf of the Town in documents and meetings in a manner consistent with the policies of Council.
- (m) To obtain advice and to negotiate and settle disputes involving the Town to a maximum financial limit as shall be determined from time to time by a resolution or by-law of Council.
- (n) Without limiting the generality of the foregoing, to perform any additional responsibilities and to exercise the powers incidental thereto which may from time to time, be assigned to the Chief Administrative Officer by Council.
- (o) To develop and maintain internal controls that ensure a systematic and disciplined approach to evaluate and improve the effectiveness of risk

management and the achievement of value for money in municipal operations.

#### 4. PERSONNEL ADMINISTRATION

- (a) To have authority to employ, promote, demote, suspend and dismiss all employees of the Town in accordance with provisions contained in any applicable collective agreements and Town policies, and in accordance with the lines of authority that are defined in the Town's organizational structure.
- (b) Notwithstanding clause 4 (a), the appointment, terms of employment, promotion, demotion, suspension or dismissal of Commissioners, statutory officers and the Fire Chief shall be subject to Council's approval based upon the CAO's recommendations.
- (c) Within the terms of collective bargaining agreements and the human resources policies of the Council, to oversee and authorize the exercise by the Commissioners and Directors of their responsibilities in the appointment, employment, suspension or dismissal of employees.
- (d) To coordinate and direct collective bargaining with unionized Town employees and to recommend to Council collective agreements concerning wages, salaries, benefits, terms of service and working conditions, and upon approval by Council, to direct the administration of such agreements.
- (e) To recommend to Council such personnel management and salary systems as may improve the overall effective and efficient management

of the Town, and to implement and administer such systems after approval by Council.

5. FINANCIAL ADMINISTRATION

- (a) To direct the exercise of general financial control of all Town departments, and direct the presentation to Council of the annual estimates of revenue and expenditures and the capital budget, and the administration and control of the Town's affairs according to the estimates and the budget, as approved by Council.
- (b) To exercise financial control over all Town operations by implementing the administrative direction of Council-approved programmed and budget expenditures in each year.
- (c) To direct the presentation, at regular intervals, to the Council of reports with respect to finances and works projects, indicating the progress in terms of the programs of Council and any matter that, in the opinion of the Chief Administrative Officer, should be reported to Council.

6. ADMINISTRATIVE ORGANIZATION, MANAGEMENT AND POLICY DEVELOPMENT

- (a) To direct the periodic review of the Town's organization, and its structural, management, administrative and communication systems and processes as may be considered necessary and proper to fulfill the functional obligations of the municipality.
- (b) To carry out long range administration planning.

- (c) To develop, approve and implement policies, procedures and practices that are administrative in nature.