



DISTRICT OF PORT HARDY

BYLAW NO. 1170-2024

A BYLAW TO ESTABLISH THE OFFICER POSITIONS OF THE DISTRICT OF PORT HARDY

WHEREAS Council must, by Bylaw, establish Officer positions and establish the powers, duties and responsibilities of Officers;

NOW THEREFORE, the Council of the District of Port Hardy, in an open meeting, assembled enacts as follows:

1. TITLE

- 1.1 This Bylaw may be cited as the "District of Port Hardy Officers and Delegation Bylaw No. 1170-2024."

2. OFFICER POSITIONS

- 2.1 The following positions are hereby established as Officer positions of the Municipality:

- a) Chief Administrative Officer
- b) Corporate Officer
- c) Finance Officer
- d) Deputy Corporate Officer

- 2.2 The District of Port Hardy Council may assign two or more positions to the same person.

3. POWERS, DUTIES AND RESPONSIBILITIES

- 3.1 Chief Administrative Officer

In addition to any other powers, duties and functions assigned by Council, or required or permitted by the *Local Government Act*, *Community Charter* or any other enactment, The Chief Administrative Officer shall be responsible for the Chief Administrative functions of the District of Port Hardy pursuant to Section 147 of the *Community Charter*.

The Chief Administrative Officer's duties and functions shall include:

- (a) Overall management of the operations of the Municipality;
- (b) Ensuring that the policies, programs and other directions of the Council are implemented;
- (c) Advising and informing the Council on the operation and affairs of the Municipality.

(d) Act as Corporate Officer in the absence of a designated Corporate Officer;

(e) Act as Finance Officer in the absence of a designated Finance Officer.

3.2 Corporate Officer

In addition to any other powers, duties and functions assigned by Council, or the Chief Administrative Officer, or required or permitted by the *Local Government Act*, *Community Charter* or any other enactment, The designated Corporate Officer shall be responsible for the Corporate Officer functions of the District of Port Hardy pursuant to Section 148 of the *Community Charter*.

The Corporate Officer's duties and functions shall include:

- (a) Ensuring that accurate minutes of the meetings of the council and council committees are prepared and that the minutes, bylaws and other records of the business of the council and council committees are maintained and kept safe;
- (b) Ensuring that access is provided to records of the council and council committees, as required by law or authorized by the Council;
- (c) Administering oaths and taking affirmations, affidavits and declarations required to be taken under this Act or any other Act relating to municipalities;
- (d) Certifying copies of bylaws and other documents, as required or requested;
- (e) Accepting, on behalf of the Council or Municipality, notices and documents that are required or permitted to be given to served on, filed with or otherwise provided to the Council or Municipality;
- (f) Keep the corporate seal, if any, and have it affixed to documents as required.

3.3 Finance Officer

In addition to any other powers, duties and functions assigned by Council, or the Chief Administrative Officer, or required or permitted by the *Local Government Act*, *Community Charter* or any other enactment, The Finance Officer shall be responsible for the Finance Officer functions of the District of Port Hardy pursuant to Section 149 of the *Community Charter*.

The Finance Officer's duties and functions shall include:

- (a) Receiving all money paid to the Municipality;
- (b) Ensuring the keeping of all funds and securities of the Municipality;

- (c) Investing municipal funds, until required, in authorized investments;
- (d) Expending municipal money in the manner authorized by the Council;
- (e) Ensuring that accurate records and full accounts of the financial affairs of the Municipality are prepared, maintained and kept safe;
- (f) Exercising control and supervision over all other financial affairs of the Municipality.

3.2 Deputy Corporate Officer

In addition to any other powers, duties and functions assigned by the Chief Administrative Officer or Corporate Officer, or required or permitted by the *Local Government Act, Community Charter* or any other enactment, The Deputy Corporate Officer shall be responsible for the Deputy Corporate Officer functions of the District of Port Hardy pursuant to Section 148 of the *Community Charter*.

The Deputy Corporate Officer's duties and functions shall include:

- (a) Ensuring that accurate minutes of the meetings of the council and council committees are prepared and that the minutes, bylaws and other records of the business of the council and council committees are maintained and kept safe;
- (b) Ensuring that access is provided to records of the council and council committees, as required by law or authorized by the Council;
- (c) Administering oaths and taking affirmations, affidavits and declarations required to be taken under this Act or any other Act relating to municipalities;
- (d) Certifying copies of bylaws and other documents, as required or requested;
- (e) Accepting, on behalf of the Council or Municipality, notices and documents that are required or permitted to be given to served on, filed with or otherwise provided to the Council or Municipality;
- (f) Keeping the corporate seal, if any, and having it affixed to documents as required;

4. OATH OF OFFICE

- 4.1 An Oath of Office must be sworn upon appointment to the established Officer Positions.

4.2 The Oath of Office as set out in Schedule "A" to this Bylaw is hereby adopted as the Oath of Office for Officers of the Municipality.

5. SCHEDULES

5.1 The schedules annexed to this Bylaw shall be deemed an integral part of this Bylaw.

6. SEVERABILITY

6.1 If a court of competent jurisdiction declares any portion of this Bylaw invalid, then the invalid portion must be severed, and the remainder of the Bylaw is deemed valid.

7. REPEAL

7.1 Bylaw No. 02-2011 is hereby repealed.

Read the first time on the 23rd day of January, 2024.

Read a second time on the 23rd day of January, 2024.

Read a third time on the 23rd day of January, 2024.

Adopted on the 13th day of February, 2024.

Original signed:

Corporate Officer

Mayor

SCHEDULE "A"
Oath of Office for Officers of the Municipality

OATH OF OFFICE

I, _____, having been appointed to the Office of
Print Name
_____ for the District of Port Hardy,
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;
- c) I have not received, nor will I receive nor 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 Municipality;
- d) I will not allow my personal interests to conflict with the duties of my Office;
- e) I will comply with all policies and directives of the Municipality and comply with all laws.

Sworn before me this _____ day of _____ 20__.

Officer's Signature

Witness Signature