

THE CORPORATION OF THE MUNICIPALITY OF CLARINGTON

BY-LAW 98-171

Being a by-law to establish the position and to define and determine the duties and responsibilities of the Chief Administrative Officer and to repeal By-laws 85-23 and 88-145

WHEREAS it is deemed expedient and desirable to establish the position of Chief Administrative Officer and to define and determine the duties and responsibilities thereof:

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF CLARINGTON HEREBY ENACTS AS FOLLOWS:

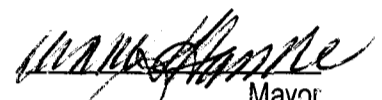
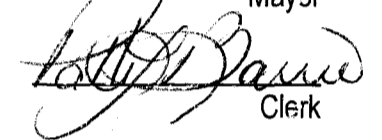
1. THAT the position of Chief Administrative Officer is established.
2. THAT the Chief Administrative Officer is the head administrative official of the Municipality of Clarington and is accountable to Municipal Council for the effective administration of all Municipal Departments. Responsibility includes the overall planning, co-ordination and control of all Municipal operations in collaboration with the Administrative Branch of the Municipality's government, and in accordance with the objectives, policies and plans approved by Municipal Council.
3. Specific responsibilities may be delegated to staff members together with the necessary authority for their fulfillment but the overall responsibility for results may neither be delegated nor relinquished.
4. The Chief Administrative Officer will be specifically responsible to:
 - a) Maintain total responsibility to the Municipal Council for the operations of the Corporation, while liaising closely with the Administrative Branch.
 - b) Collaborate with Municipal Council and the Administrative Branch in the development and administration of the Municipality's objectives and major policies.
 - c) Provide advice and expertise to Municipal Council on the Corporation's general policies. Inform Council on the condition of the Municipality's administrative affairs and factors that may affect them.
 - d) Attend Council and Committee meetings with the right, with the consent of the Chair, to speak, but not to vote.
 - e) Maintain communications with all levels of government, as necessary for the conduct of Municipal business. Provide resource information for members of Council in consultation with Department Heads, on relevant matters with the various levels of government.
 - f) Act upon Council requests, resolutions and directives.
 - g) Develop and recommend to Council, plans and programs for the attainment of organization objectives.
 - h) Review drafts of all by-laws, staff reports, contracts and agreements and submit to Council and/or committee of Council his/her recommendations thereon.
 - i) Review the performance of all contracts or agreements entered into by the Municipality and satisfy himself/herself that all conditions have been fulfilled in accordance with the provisions of such contracts or agreements and he/she may report therein to Council.
 - j) Meet regularly with Department Heads for discussion of policy matters and for co-ordination of all departmental activities.
 - k) Oversee and co-ordinate the execution of approved plans and programs.

- l) Ensure that information about policies, organization, and procedures is prepared and promulgated.
 - m) Co-ordinate, direct and supervise the Heads of Department, and through them, all other employees of the Corporation except those officials as are appointed under statute in respect to their statutory duties and responsibilities.
 - n) Advise Council on the appointment, suspension, or dismissal of Department Heads.
 - o) Appoint, suspend or dismiss for cause, other management and Non-Union employees.
 - p) Appoint and employ all other employees of the Corporation in accordance with procedures laid down in collective bargaining agreements, and to dismiss or suspend such employees for cause, after consultation with the Department Head.
 - q) Perform the duties of personnel administrator and co-ordinate and supervise, through the Committee or Council, the negotiation and settlement of the terms of the collective bargaining agreements between the municipality and its employees and generally supervise and administer such agreements and make recommendations to the Council or its committee with respect to the salaries, wages and working conditions of its employees, subject to normal grievance procedure.
 - r) Recommend to Council any change in the position descriptions of Department Heads.
 - s) Supervise and direct the preparation of the annual estimates of revenue and expenditures for the consideration of Council and the administration of the budget, subject to the approval of Council.
 - t) Be involved in the on-going maintenance of a nuclear and non-nuclear emergency plan and play a leadership role in carrying out the plan in the event of an emergency.
 - u) Prescribe the specific limitation of authority of subordinates regarding policies, contractual commitments, expenditures and personnel action.
 - v) Provide for the continual improvement of the Municipality's management techniques and operating efficiency.
 - w) Ensure that the Civic administration has and functions under an appropriate organization structure.
 - x) Ensure that officials carry out statutory duties in a proper manner.
 - y) Handle inquiries and complaints that require the attention of the senior official.
 - z) Conduct such dealings with individuals or groups outside the Corporation as are necessary to carry out responsibilities, and promote the interests of the Municipality.
 - aa) Develop, record and maintain a policy manual and distribute copies to Council Members and Department Heads.
 - bb) Give thought and action to all phases of the maintenance of sound public relations as it pertains to the municipal staff, the general public and the taxpayer.
 - cc) Generally and in addition to the foregoing, to perform the duties and exercise the powers which, from time to time, may lawfully be assigned to or vested in him/her by the Council.
5. THAT the said duties and responsibilities as set forth above shall not be deemed to empower the said Chief Administrative Officer to have, perform, do or direct any act of matter that would, to any extent whatsoever, encroach upon the statutory authority or legislative powers of the Council.
6. THAT Council is hereby authorized and empowered to appoint by by-law, such person as it may deem most suitable for the purpose of the carrying out of said duties and responsibilities.

7. THAT the Chief Administrative Officer shall not be dismissed from office except by the provisions of a by-law passed at a meeting by a majority vote of the members of Council at such meeting so called.
8. THAT By-law Nos. 85-23 and 88-145 are hereby repealed.

By-law read a first and second time this 27th day of November 1998.

By-law read a third time and finally passed this 27th day of November 1998.


Mayor

Clerk