



**BYLAW NO. 969/ADM/2021  
MUNICIPAL DISTRICT OF FAIRVIEW NO. 136**

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**A BYLAW OF THE MUNICIPAL DISTRICT OF FAIRVIEW NO. 136 IN THE PROVINCE OF ALBERTA TO ESTABLISH POSITIONS AND AUTHORITY OF DESIGNATED OFFICERS FOR THE MUNICIPALITY AND TO REPEAL BYLAWS #812, #832 AND #875.**

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**WHEREAS** a Council may, in accordance with Section 210 of the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, establish one or more positions to carry out the powers, duties and functions of a designated officer under the *Municipal Government Act* or any other enactment or municipal bylaw;

**NOW THEREFORE**, the Council of the municipality of the Municipal District of Fairview No. 136 in the Province of Alberta, duly assembled, enacts as follows:

**1.0 INTERPRETATION**

1.1 This bylaw is cited as the "Designated Officers" bylaw.

1.2 In this bylaw,

"**CAO**" means the individual appointed by Council as the Chief Administrative Officer of the Municipal District of Fairview No. 136 under the Chief Administrative Officer Bylaw";

"**Council**" means the Council of the Municipal District of Fairview No. 136;

"**MGA**" means the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta 2000, as amended or replaced from time to time;

"**Municipality**" means the municipal corporation of the Municipal District of Fairview No. 136 and the area contained within the corporate boundaries of the municipal corporation;

1.3 All other terms used in this bylaw shall have the meaning as is assigned to them in the *Municipal Government Act*, as amended or replaced from time to time.

**2.0 DESIGNATION**

2.1 The following positions are designated officers of the Municipality:

**Director, Agriculture and Parks  
Director, Corporate Services and Finance  
Development Officer  
Bylaw Enforcement Officer  
Municipal Assessor**

**3.0 DIRECTOR, AGRICULTURE AND PARKS**

3.1 The Director, Agriculture and Parks has designated officer authority for the purpose of delegated authority under the following Acts:

*Agriculture Service Board Act  
Agricultural Pest Act  
Weed Control Act  
Soil Conservation Act  
Animal Health Act*

and any other Acts related to agriculture.

**4.0 DIRECTOR, CORPORATE SERVICES AND FINANCE**

4.1 The Director, Corporate Services and Finance is the designated officer for the purpose of the following sections of the *MGA*:

- Section 213(4) Signing of agreements and cheques and other negotiable instruments
- Section 270 Opening and closing of accounts that hold money of the Municipality
- Section 310(4) Certification of the date on which assessment notices are sent
- Section 336(1) Certification of the date on which tax notices are sent
- Section 343(2) Application of Tax Payments
- Section 350 Issuing Tax Certificates
- Section 612 Certified Copies

**5.0 DIRECTOR, LEGISLATIVE SERVICES/DEVELOPMENT OFFICER**

5.1 The Director, Legislative Services/Development Officer is the designated officer for the purpose of the following sections of the *MGA*:

Legislative Services

Section 612 Certified Copies

Development Officer

Section 213(4)(b) Signing agreements and negotiable instruments related to land use and development and planning

Section 624 Development Authority

Section 606(7) Certification of advertising

5.2 The Development Officer has designated officer authority for the purpose of delegated authority of the Development Authority under the Municipal Land-Use Bylaw.

5.3 The Director, Legislative Services is the designated officer for the purposes of carrying out the duties and responsibility of the 'FOIP' Coordinator under the Freedom of Information and Protection of Privacy Act, RSA 2000, c-F25 and the regulations thereunder.

**6.0 BYLAW ENFORCEMENT OFFICER**

6.1 The Bylaw Enforcement Officer is the designated officer for the purpose of the following sections of the *MGA*:

Section 542 Entering on land to inspect, remedy and enforce bylaws

Section 545 Issuing order to cease contravention of any bylaw

Section 546 Order to remedy dangerous and unsightly property

6.2 The Bylaw Enforcement Officer has designated officer authority for the purpose of delegated authority under the Municipal Bylaw Enforcement Officer Bylaw.

**7.0 MUNICIPAL ASSESSOR**

7.1 The Municipal Assessor is the designated officer for the purpose of carrying out duties and responsibilities of an assessor under the *MGA*, and any other statute, regulation or Municipal bylaw related to assessment.

7.2 Council shall appoint the Municipal Assessor by resolution at the Annual Organizational Meeting.

**8.0 GENERAL**

8.1 All designated officers are subject to the supervision of and are accountable to the Chief Administrative Officer.

8.2 Those persons appointed to the positions noted above, have the authority to further delegate any powers, duties and functions assigned to them within this bylaw, in accordance with the *Act*, but the designated officer remains responsible to ensure that any delegated power, duty or function is properly exercised or carried out.

- 8.3 A Chief Administrative Officer may exercise all of the powers, duties and functions of a designated officer under the *MGA* or any other enactment or bylaw if:
- a) no position of designated officer has been established by Council,
  - b) the position of designated officer is vacant, or
  - c) the *MGA* or any other enactment or bylaw refers to a designated officer and the power, duty, function or other thing relating to the designated officer has not been assigned to any designated officer by Council.

**9.0 SEVERABILITY**

- 9.1 It is the intention of the Council of the Municipal District of Fairview No. 136 that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall be effective and enforceable.

**10.0 REPEAL**

- 10.1 Bylaw No. 812 and all amendments thereto and Bylaw No. 832 and all amendments thereto and Bylaw #875 and any amendments thereto are hereby repealed.

**11.0 EFFECTIVE DATE**

- 11.1 This Bylaw will take force and effect upon third and final reading and signing thereof.


**12.0 READING DATES**

Read a first time this 23 day of March **2021**.

Read a second time this 23 day of March **2021**.

Read a third and final time this 23 day of March **2021**.

  
Reeve Peggy Johnson

  
CAO Sandra Fox