

**LAMONT COUNTY**  
**Bylaw Number 844.22**  
**Designated Officer Bylaw**

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**A BYLAW OF LAMONT COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH THE POSITIONS OF DESIGNATED OFFICERS AND TO DEFINE THE DUTIES, POWERS, AND FUNCTIONS OF THOSE POSITIONS.**

**WHEREAS**, section 210 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and amendments thereto, the Council of Lamont County, may pass a bylaw for the establishment of one or more positions to carry out the powers, duties, and functions of a designated officer; and

**WHEREAS**, section 8(2) of the *Agriculture Services Board Act*, R.S.A. 2000, A-10, establishes the agriculture fieldman as a designated officer; and

**WHEREAS**, pursuant to section 210 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and amendments thereto, all designated officers are subject to the supervision of and accountable to the chief administrative officer.

**NOW THEREFORE**, the Council of Lamont County in the Province of Alberta duly assembled; hereby enacts as follows:

**PART ONE**  
**TITLE AND INTERPRETATION**

1. The purpose of this bylaw is to establish the position(s) of Designated Officer(s) of Lamont County pursuant to the *Municipal Government Act* and the *Agriculture Services Board Act*.
2. This bylaw shall be known as the "Designated Officer Bylaw".

**DEFINITIONS**

3. In this bylaw:
  - 3.1. "Act" means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 and regulations made under the *Municipal Government Act* as amended.
  - 3.2. "Administration" means the general operations of the Municipality, including all personnel, financial and other related resources, as permitted by the Act and any successor legislation.
  - 3.3. "Agriculture Fieldman" means a qualified person to implement agricultural policies and programs and to manage the agricultural resources of the municipality.
  - 3.4. "ASB" means *Agriculture Services Board Act*, R.S.A. 2000, A-10.
  - 3.5. "Chief Administrative Officer" or "CAO" means the person appointed to that position by Council under the provisions of the Act.

- 3.6. "Chief Financial Officer" or "CFO" means a person responsible for the financial affairs of the municipality.
- 3.7. "Community Peace Officer" or "CPO", means a person appointed by the Government of Alberta through the Solicitor General's office who is empowered to enforce all or part of the laws of Alberta.
- 3.8. "Council" shall mean the Council of Lamont County, consisting of five (5) members including the Reeve, each of whom except the Reeve has the title "Councillor".
- 3.9. "County" means the Municipal Corporation of Lamont County.
- 3.10. "Freedom of Information Protection of Privacy Act" or "FOIP" means the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, as amended or legislation substituted, therefore.
- 3.11. "Municipal Assessor" means the person appointed to carry out the functions and duties of the municipal assessor under the Act.

## **PART TWO**

### **DESIGNATIONS**

4. The following positions are established as Designated Officers for Lamont County:
  - a. Agriculture Fieldman;
  - b. Chief Financial Officer;
  - c. Community Peace Officer; and
  - d. Municipal Assessor.

### **AGRICULTURE FIELDMAN**

5. The agriculture fieldman is the designated officer for purposes of the following sections of the ASB Act:
  - a. section 8(2) – carrying out functions relating to agriculture; and
  - b. section 8(3) – carrying out functions related to the *Weed Control Act*, the *Agricultural Pests Act*, and the *Soil Conservation Act*.

### **CHIEF FINANCIAL OFFICER, CFO**

6. The CFO is the designated officer for purposes of the following sections of the Act:
  - a. section 213 - signing or authorizing of agreements and cheques and other negotiable instruments;
  - b. section 270 - opening and closing the accounts that hold money of the county;
  - c. section 309(1)(d) - contents of assessment notices;

- d. section 334(1)(e) - contents of tax notices;
- e. section 336(1) – certifying date of sending tax notices;
- f. section 343(2) – application of tax payments;
- g. section 350 – issuing tax certificates; and
- h. section 612 – certified copies.

**COMMUNITY PEACE OFFICER, CPO**

- 7. The CPO is the designated officer for purposes of the following sections of the Act:
  - a. section 420(2) – obtaining possession of lands;
  - b. section 436(11) – obtaining possession of designated manufactured homes;
  - c. section 439(2) – preparing and issuing distress warrants and seizing goods;
  - d. section 542 – entering on land to inspect, remedy and enforce bylaws;
  - e. section 545 - Issuing orders to cease contravention of any bylaw; and
  - f. section 546 - Orders to remedy dangerous and unsightly property.

**MUNICIPAL ASSESSOR**

- 8. The municipal assessor is the designated officer for purposes of the following sections of the Act:
  - a. section 284(2) – carry out all duties of a municipal assessor.

**PART THREE**

**GENERAL PROVISIONS**

- 9. The CAO may appoint an acting designated officer during an illness, scheduled absence or other incapacity of a designated officer.
- 10. A designated officer may delegate any of his or her powers, duties, or functions to an employee of the County, but the designated officer remains responsible to ensure that any delegate powers, duty, or functions is properly exercised or carried out.

**SEVERABILITY**

- 11. If at any time any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then that provision shall not apply, and the remainder of the bylaw shall continue in full force and effect and shall be constructed as if it had been enacted without the illegal, invalid or ultra vires provision.

**REPEAL AND EFFECTIVE DATE**

12. Bylaw 656/05 and any amendments to Bylaw 656/05 are hereby repealed.
13. Bylaw 844.22 is passed when it receives Third Reading and is signed by the Reeve and the CAO or designate, as per the *MGA*.

Read a first time this 25<sup>th</sup> day of January, 2022.

Read a second time this 25<sup>th</sup> day of January, 2022.

Read a third time this 25<sup>th</sup> day of January, 2022.

  
REEVE

  
CHIEF ADMINISTRATIVE OFFICER