

The following is a consolidated copy of the regional district officer bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
21	Comox Valley Regional District Officer Bylaw, No. 21	October 28, 2008	A bylaw to provide for the appointment of officers
76	Comox Valley Regional District Officer Bylaw, No. 21, 2008, Amendment No. 1	October 27, 2009	Amendment to reflect current job titles
181	Comox Valley Regional District Officer Bylaw, No. 21, 2008, Amendment No. 2	August 30, 2011	Amendment to add executive managers of strategic & long range planning and human resources as officers
580	Comox Valley Regional District Officer Bylaw, No. 21, 2008, Amendment No. 3	June 25, 2019	Amendment to provide for only statutory positions
618	Comox Valley Regional District Officer Bylaw, No. 21, 2008, Amendment No. 4	July 14, 2020	To amend the statutory positions
821	Comox Valley Regional District Officer Bylaw, No. 21, 2008, Amendment No. 5	April 9, 2024	To amend the officer positions and make other chosen improvements

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 21

A bylaw to provide for the appointment of officers

WHEREAS the Comox Valley Regional District must, by bylaw, under section 196 of the *Local Government Act*, establish officer positions in relation to the duties under sections 198 and 199 of the *Local Government Act* with titles it considers appropriate and may, by bylaw, establish other officer positions for the regional district with titles it considers appropriate and, by bylaw, assign powers, duties and functions to those officer positions;

NOW THEREFORE, the board of the Comox Valley Regional District, in open meeting assembled, enacts as follows:

Definitions

1. In this bylaw:

Board means the board of the Comox Valley Regional District;

Regional district means the Comox Valley Regional District;

Chair means that person duly elected at the inaugural meeting of the board, or that person filling in during the absence of the chair (elected as vice-chair of the board or in the absence of a vice-chair the person nominated as presiding member for that meeting);

Chief Administrative Officer (CAO) means the senior officer of the regional district assigned chief administrative officer responsibility under section 235 of the *Local Government Act*;

Officer means any person holding the officer positions of the regional district as established by section 3 of this bylaw;

Executive management shall refer to all positions directly reporting to the chief administrative officer.

Chief Administrative Officer

2. The board vests all of the administrative responsibilities in the chief administrative officer unless otherwise required by the *Community Charter* or the *Local Government Act*. The CAO shall determine who will be vested with those powers and authority in the absence of the CAO, and shall notify the chair of the board of any planned absences from the office for any extended period of time (i.e. longer than 2 days) requiring the appointment of an acting CAO. Notwithstanding any duties assigned to other officer positions, all such positions shall report directly to the CAO and through the CAO to the board.

Officer positions

3. (1) The following positions are hereby established as officers of the regional district:
 - (a) The Chief Administrative Officer;
 - (b) The General Manager of Corporate Services;
 - (c) The Chief Financial Officer.
- (2) The position established under subsection (1)(a) (Chief Administrative Officer) is assigned the chief administrative responsibility of the regional district under section 235 of the *Local Government Act*.
- (3) The position established under subsection (1)(b) (General Manager of Corporate Services) is assigned responsibility for corporate administration under section 236 of the *Local Government Act*.
- (4) The position established under subsection (1)(c) (Chief Financial Officer) is assigned responsibility for financial administration under section 237 of the *Local Government Act*.”
- (5) The duties and responsibilities of the Chief Administrative Officer, Corporate Officer and Financial Officer are:
 - (a) As specified in the applicable sections of the *Local Government Act*;
 - (b) As specified in any other applicable legislation; and
 - (c) As specified in their respective job descriptions.

Chief Administrative Officer Position

- 4 (1) The Chief Administrative Officer shall have the powers, duties and functions under section 235 of the *Local Government Act*.
- (2) Despite subsection (1) the board may assign further powers, duties and functions to the chief administrative officer.
- (3) In addition to the assignments in sections 3(3) and 3(4), the Chief Administrative Officer is assigned responsibility for corporate administration under section 236 and financial administration under section 237 of the *Local Government Act*, as required.”

Personnel Administration

- 5 (1) The Chief Administrative Officer of the regional district is authorized to supervise and direct all employees of the regional district.
- (2) Without limiting the generality of subsection (1) the Chief Administrative Officer shall:
 - (a) be responsible for the recruitment, appointment, promotion and dismissal of all employees (other than the position of CAO) of the regional district except as delegated by the CAO;

- (b) recommend to the board on an annual basis a compensation plan for all employees and shall administer all salaries of all officers and employees of the regional district, within the limits of any board-approved salary plan or employment agreement;
 - (c) notify the board of any changes to executive management personnel as soon as practically possible and shall introduce any new members of executive management to the board at the first opportunity;
 - (d) propose any additions/deletions of executive management positions (i.e. direct reports) to the board at least annually prior to the approval of the annual budget and request approval of the board of any additional permanent positions at the same time or as the need exists.
- (3) The board may establish an ad hoc search and selection committee in the case of the need to recruit a Chief Administrative Officer and that committee shall make recommendations to the board regarding the engagement of a Chief Administrative Officer.
- (4) The Chief Administrative Officer:
 - (a) is authorized to organize or reorganize departments of the regional district as, in the opinion of the Chief Administrative Officer, may be necessary to carry out the more efficient and effective administration of the affairs of the regional district provided that the Chief Administrative Officer shall not increase the number of permanent employee positions without first obtaining the approval of the board through a specific resolution or budget approval; and
 - (b) may delegate to other appointed officers and employees of the regional district any powers or duties assigned to the Chief Administrative Officer under this bylaw to achieve more efficient and effective administration of the regional district's affairs.

Appointment

6. (1) Nothing in this bylaw shall prevent the appointment of the same person to two or more offices or positions.
- (2) The powers, duties and responsibilities of those persons appointed to the positions of officers, which are not prescribed by the statute or by bylaw, shall be recommended to the board by the CAO and shall be as determined from time to time by the board.

Oath of office

7. 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 regional district.

Financial Disclosure Act

8. For the purposes of the *Financial Disclosure Act*, the persons employed in the positions identified in section 3 of this bylaw are hereby designated as “municipal employees” and must make a written disclosure pursuant to that Act.

Signing Authorization

9. Any Officer may execute a contract, agreement or other document on behalf of the Regional District where the authority to enter into such instrument is expressly provided by way of enabling legislation or a Regional District bylaw, policy or resolution.

Deferral of appointment

10. Nothing in this bylaw shall be interpreted as restricting the right of the board to defer an appointment to any position other than a position established by statute.

Repeal

11. Bylaw No. 2779 being “Regional District of Comox-Strathcona Officer Bylaw No. 2779, 2005” and all amendments hereto are hereby repealed.

Citation

12. The Bylaw No. 21 may be cited for all purposes as “Comox Valley Regional District Officer Bylaw No. 21, 2008.”

Schedule A

Oath of Office

I, _____ do solemnly affirm that:

- I will truly, faithfully and impartially execute the office of _____ for the Comox Valley Regional District to the best of my knowledge, skills and ability;
- I have not received and will not receive any payment or reward, or any promise of payment or reward, for the exercise of any partiality or other improper execution of my office.

Signature of Officer affirming the Oath

Signature of person administering the Oath