

Schedule 'A'

(from the *Municipal Government Act*, Province of Prince Edward Island)

93. Duties of Chief Administrative Officer

- 1) The Chief Administrative Officer
 - i. Is the administrative head of the municipality and reports directly to Council;
 - ii. Shall ensure that the resolutions and policies of the municipality are complied with and that its programs are implemented;
 - iii. Shall advise and inform the Council on the operation and affairs of the municipality;
 - iv. Is responsible for hiring, directing, managing and supervising the employees of the municipality;
 - v. Shall exercise the powers and carry out the duties and functions assigned to the Chief Administrative Officer by the Council and by this or another Act; and
 - vi. Shall notify Council if any action or inaction by Council or the municipality is contrary to a bylaw or resolution of Council or a provision of this or another Act.

Authority of Chief Administrative Officer

- 2) Subject to a bylaw, contract, collective agreement or provision of this or another Act, the Chief Administrative Officer has the authority to employ, suspend, discipline or dismiss any employee.

Responsibilities of Chief Administrative Officer

- 3) The Chief Administrative Officer shall ensure that
 - a) All minutes of Council and Council Committee meetings are recorded;
 - b) The names of Council members present at Council and Council Committee meetings are recorded;
 - c) The minutes of each Council meeting are given to Council for approval at the next regular Council meeting;
 - d) The corporate seal of the municipality, bylaws and minutes of Council meetings and all other records documents, funds and securities of the municipality are kept safe;
 - e) The Council is advised of its responsibilities pursuant to this or another Act or a bylaw;
 - f) The Minister is provided with statements, reports or other information regarding the municipality that the Minister requires or is entitled to under this or another Act;
 - g) The official correspondence of the Council is carried out according to the Council's directions;
 - h) An indexed register containing certified copies of the bylaws is maintained;
 - i) An indexed register containing certified copies of the resolutions is maintained;
 - j) One or more accounts in the name of the municipality are opened in a chartered bank or other financial institution approved by the Council and that money of the municipality is collected, received and deposited in the accounts;
 - k) The funds of the municipality are disbursed only in the manner and to the persons as directed by law or by the bylaws or resolutions of Council;

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- l) A complete and accurate account of assets and liabilities and all transactions affecting the financial position of the municipality is maintained in accordance with the Canadian accounting standards for the public sector, as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada;
- m) The financial statements and information that the Council may request are provided to the Council;
- n) An audited financial statement is completed and provided to Council in accordance with Part 6; and
- o) Other duties assigned to the Chief Administrative Officer by Council are carried out.

Idem

- 4) The Chief Administrative Officer shall take charge of and safely keep all books, documents and records of the municipality that are committed to his or her charge and shall:
 - a) Produce, when called for by the Council, auditor, Minister or other competent authority, all books, documents, records and money belonging to the municipality; and
 - b) On ceasing to hold office, deliver all books, documents, records and money belonging to the municipality to his or her successor in the office or to any other person Council may designate.

Prohibition – directing contractor

- 5) The Chief Administrative Officer shall ensure that:
 - a) All assets and records of the municipality are maintained safely;
 - b) Oaths are administered and affidavits, declarations and affirmations are taken and received in matters relating to the municipality in accordance with this or any other Act; and
 - c) Accurate accounts are kept of:
 - i. All money received or disbursed on behalf of the municipality,
 - ii. All assets and liabilities of the municipality, and
 - iii. All transactions affecting the financial position of the municipality.

Idem

- 6) No Council member or member of Council Committee shall publicly or privately instruct or direct an employee of the municipality except through the Chief Administrative Officer.

Exception

- 7) Despite subsection 6), a Council member or member of a Committee established by a Council may communicate directly with an employee of the municipality to obtain or provide information.
2016,c.44,s.93.

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