



CORPORATION OF THE CITY OF KINGSTON

Ontario

BY-LAW NO. 2002-86

**A BY-LAW TO ESTABLISH THE POSITION OF
CHIEF ADMINISTRATIVE OFFICER**

PASSED: May 21, 2002

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October 5, 2010

(Office Consolidation)

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THE CORPORATION OF THE CITY OF KINGSTON

BY-LAW NO. 2002-86

**A BY-LAW TO ESTABLISH THE POSITION OF
CHIEF ADMINISTRATIVE OFFICER**

PASSED: May 21, 2002

WHEREAS Council may by by-law appoint a Chief Administrative Officer, who shall have such general control and management of the administration of the government and affairs of the municipal corporation and perform such duties as the council by by-law prescribes and shall be responsible for the efficient administration of all its departments to the extent that he or she is given authority and control over them by by-law.

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. APPOINTMENT AND REMUNERATION

- (1) The position of the Chief Administrative Officer of the City of Kingston is hereby confirmed.
- (2) The Chief Administrative Officer is hereby authorized to designate in writing an Acting Chief Administrative Officer to act during periods of his temporary absence, not to exceed six consecutive weeks in one calendar year. In cases of emergency, Council may appoint an Acting Chief Administrative Officer.
- (3) The Chief Administrative Officer shall not be dismissed from office except after a hearing by Council.
- (4) City Council or its delegate shall, not less than once each calendar year, meet with the Chief Administrative Officer to review his performance and salary and benefit provisions and establish goals for the upcoming year. Every second year, a 360 Degree Feedback process will be included as part of the performance review. The 360 Degree Feedback will be used to establish learning and development plans for the Chief Administrative Officer which will be discussed as part of the performance review process.

(By-law No. 2002-86; 2008-122; 2010-196)

2. GENERAL DUTIES AND RESPONSIBILITIES

- (1) Nothing in this By-law shall be deemed to empower the Chief Administrative Officer to exercise or encroach upon the power of Council or its Committees or upon the statutory duties of its officers.
- (2) The Chief Administrative Officer shall be the head of the administrative branch of the City government and shall be responsible to the City Council for the general control and management of the administration of the government and affairs of the City, and shall perform such duties as the City Council, by by-law, prescribes including the exercise of duties, powers and responsibilities as follows:

(By-law No. 2002-86; 2010-196)

- (a) to direct, co-ordinate and generally supervise the implementation of all policies, plans and programs approved by the City Council;
- (b) to submit to City Council all reports and recommendations of Commissioners together with comments or recommendations where he/she deems such are necessary;
- (c) to coordinate and facilitate the flow of information between the administration and Council, and between Committees and Council, including the development of an effective format and mode of presentation with respect to the reports and other communications from the City's administration and Committees to the City Council;
- (d) to encourage throughout the City's departments a continuous search for improvement in the delivery of City services to the public and the management of the City's affairs;

(By-law No. 2002-86; 2010-196)

- (e) to prepare and submit to City Council recommendations for the establishment of new, or the revision of existing City policies, programs and services;
- (f) to administer the business affairs of the Corporation in accordance with the policies and plans established and approved by Council;
- (g) to supervise the management of the City, including the business and affairs of the City in accordance with the policies approved and determined by the Council;
- (h) to attend meetings of City Council and, where necessary, any committee established by Council and to participate in discussion for the purpose of clarifying or providing information on any matter being discussed by Council;

(By-law No. 2002-86; 2010-196)

- (i) co-ordinate and direct the implementation of the policies, plans and programs of the council and deal with any matter including complaints from citizens arising therefrom, with the assistance of the Commissioners;

(By-law No. 2002-86)

2. GENERAL DUTIES AND RESPONSIBILITIES (cont'd)

- (j) to attend to the interests of the municipality on intergovernmental matters at the administrative level; and
- (k) to undertake such other responsibilities as may be assigned by the City Council.
- (l) to undertake the responsibilities assigned to the Chief Administrative Officer pursuant to the municipality's Emergency Plan; and

(By-law No. 2002-86; 2010-196)

- (m) that the Chief Administrative Officer is to act as a Director of Utilities Kingston and a Director of Kingston Electric Distribution Limited as provided in the shareholders agreement for those corporations, and as a Director for such other municipal corporations as City Council may determine;

(By-law No. 2002-86; 2010-196)

3. HUMAN RESOURCE ADMINISTRATION

The Chief Administrative Officer shall:

- (1) have authority over, supervise and direct all City employees and other officers of the City of Kingston, except those appointed as statutory officers to the extent only of those duties and responsibilities for which such officers may by statute be responsible directly to City Council. The Chief Administrative Officer shall ensure that appointed officials with statutory duties in respect of the municipal corporation carry out those duties in a proper manner.
- (2) recommend to City Council the appointment and terms of employment of the Commissioners and of officers of the City whose appointment is required by statute and have the authority to suspend and recommend to the City Council the termination of the employment of any Commissioner or officer whose appointment is required by statute in accordance with generally accepted human resources policies and procedures.
- (3) oversee and authorize, within the terms of collective bargaining agreements and the Human Resources policies of the City, the exercise by Commissioners of their responsibilities in the appointment, employment, suspension or dismissal of employees and of officers whose appointment is not required by statute.
- (4) direct generally the collective bargaining process carried out by Human Resources staff with all unions and associations of City employees and to recommend to City Council the terms of any agreements concerning wages, benefits, and terms of service, and upon approval, to direct the administration of such agreements by Human Resources.

(By-law No. 2002-86; 2010-196)

3. HUMAN RESOURCE ADMINISTRATION (cont'd):

(5) not less than once each calendar year, meet with each Commissioner to review his or her performance, and establish goals for the upcoming year, and ensure that a 360 Degree Feedback process shall be included once every two years as part of the Commissioners' performance review process. The Chief Administrative Officer will use the results of the 360 Degree Feedback process to establish learning and development plans for each Commissioner.

(By-law No. 2002-86; 2010-196)

4. FINANCIAL ADMINISTRATION

- (1) To generally direct the preparation of the annual operating budget and its submission to City Council together with such recommendations and observations with respect to the expenditures and revenues which he/she deems appropriate.
- (2) To direct the preparation of and submission to City Council of an annual capital budget together with a ten year forecast of the City's capital requirements. To direct and prepare the Corporate Strategic Plan to submit same to City Council and direct its implementation, once approved.

(By-law No. 2002-86)

5. ADMINISTRATIVE ORGANIZATION AND POLICY DEVELOPMENT

- (1) To ensure the development and promotion of appropriate and effective corporate administrative policies and practices;

(By-law No. 2002-86)

6. By-Law No. 9398, entitled "A By-Law to Establish the Office of The Chief Administrative Officer", and amendments thereto, is hereby **repealed**.

(By-law No. 2002-86)

7. This By-Law shall come into force and take effect on the date of its passing.

(By-law No. 2002-86)
