

DISTRICT OF WEST KELOWNA

BYLAW NO. 0146

A BYLAW TO AUTHORIZE THE DELEGATION OF LOCAL GOVERNMENT  
AUTHORITY

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WHEREAS pursuant to Section 154 of the *Community Charter*, Council may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees; and,

WHEREAS the Council desires to delegate its authority for certain matters;

NOW THEREFORE the Council of the District of West Kelowna, in open meeting assembled, enacts as follows:

Title

1. This bylaw shall be cited as the "District of West Kelowna Delegation of Authority-Personnel Responsibilities Bylaw No. 0146, 2012".

Interpretation

2. In this bylaw:

'Chief Administrative Officer' means the person appointed by Council as the Chief Administrative Officer;

'Council' means the Council of the District of West Kelowna; and,

'Officer positions' mean those officer positions established by Council through bylaw.

Delegation of Authority

3. The position of Chief Administrative Officer is designated as having the authority to perform the following duties for all union and exempt positions, excluding the officer positions of the District of West Kelowna:
  - a. Appoint staff providing adequate resources are within the financial plan;
  - b. Promote, discipline, suspend and dismiss staff; and,
  - c. Recommend the appointment, suspension or dismissal of officers for the District of West Kelowna to Council for consideration.
4. In exercising his or her authority under this bylaw, the Chief Administrative Officer shall comply with the District of West Kelowna collective agreements and labour related policies, and the provisions in contracts of employment, whichever may be applicable.

No Delegation by a Delegate

5. A person to who a power, duty or function has been delegated under this bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this bylaw.

Scope of Bylaw

6. For clarity, subject to the *Community Charter*, unless a power, duty or function of Council has been expressly delegated by this bylaw or another Council bylaw, all of the powers, duties and functions of Council will remain with Council.

Severability

7. If any portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the severed portion.

PASSED FIRST READING, AUGUST 14, 2012

PASSED SECOND READING, AUGUST 14, 2012

PASSED THIRD READING, AUGUST 14, 2012

ADOPTED, AUGUST 28, 2012

'DOUG FINDLATER'

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MAYOR

'TRACEY BATTEN'

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CITY CLERK