

TOWN OF DRUMHELLER
BYLAW NUMBER 30.25
DEPARTMENT: LEGISLATIVE SERVICES

FLOOD MITIGATION PROJECT DESIGNATED OFFICER BYLAW

A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA, TO
ESTABLISH THE POSITION OF A DESIGNATED OFFICER FOR THE MUNICIPALITY

WHEREAS a Council may by bylaw, in accordance with section 210 of the *Municipal Government Act, R.S.A 2000, c.M.26*, establish one or more designated officer positions and give each of the positions a title and specify which powers, duties, and functions of a designated officer under this or any other enactment or bylaw are to be carried out;

AND WHEREAS section 213(4) of the *Municipal Government Act* allows agreements and cheques and other negotiable instruments to be signed or authorized by a designated officer acting alone if so authorized by Council;

AND WHEREAS section 180(3) of the *Municipal Government Act* allows Council to do something by bylaw if it is required to do something by resolution under any enactment.

NOW, THEREFORE the Council of the Town of Drumheller in the Province of Alberta, enacts as follows:

1. CITATION

- 1.1 This Bylaw shall be cited as the Town of Drumheller "Flood Mitigation Project Designated Officer Bylaw."

2. DEFINITIONS

2.1 For the purposes of this Bylaw, the following definitions shall apply:

- a) "*Chief Administrative Officer*" or "CAO" means the person appointed as *Chief Administrative Officer* for the *Town of Drumheller*, or their designate;
- b) "*Council*" means the Mayor and Councillors of the *Town of Drumheller*;
- c) "*Designated Officer*" means individuals appointed to designated officer positions under the *Municipal Government Act*;
- d) "*Qualified Person*" means a person who holds the credentials required, if any, to perform the powers, duties, and functions of a *designated officer*;
- e) "*Municipal Government Act*" or "MGA" means the *Municipal Government Act, R.S.A. 2000 M-26*, as amended from time to time, and its successor legislation; and
- f) "*Town of Drumheller*" or "Town" means the *Town of Drumheller*, a municipal corporation in the Province of Alberta, and includes the area contained within the corporate boundaries of the *Town of Drumheller*, as the context may require.

3. SCOPE

- 3.1 This Bylaw applies to any of the remaining work for the flood mitigation project, including, land transfers, financial reporting and approvals for scopes related to contract responsibilities to complete the project. This work may continue until the end of the agreement with Provincial and Federal Governments in 2028.

4. PURPOSE

- 4.1 The purpose of this Bylaw is to:
- a) establish a *designated officer* position as permitted or required by the *MGA*, and the terms and conditions of appointment; and
 - b) identify the powers, duties, and functions of the Flood Mitigation Project *Designated Officer* position.

5. DESIGNATION

- 5.1 The Flood Mitigation Project *Designated Officer* position is hereby established.
- 5.2 Council shall appoint Darryl Drohomerski as a qualified person as the Flood Mitigation Project *Designated Officer* position.
- 5.3 The Flood Mitigation Project *Designated Officer* of the *Town* with the following powers, duties, and functions:
- a) The duties shall include:
 - i) the approval of invoices, payments, or change orders for the flood mitigation project as the secondary approver to the Flood Mitigation Project Director.
 - ii) signatory for land designations or consolidations related to lands that included with the flood mitigation project; and
 - iii) any other duties assigned by the *CAO*.
 - b) The Duration of Power shall be until project completion or such time the *CAO* and/or *Council* desire to assume the responsibility for the items noted above.
- 5.4 Unless otherwise directed by *Council*, *designated officers* are accountable to, and are under the supervision of, the *CAO*.
- 5.5 *Designated officers*, when absent or otherwise unable to perform their powers, duties, and functions, will delegate any or all of their powers, duties, and functions to the *CAO*.
- 5.6 The *Town* will indemnify and save harmless *designated officers* in relation to errors and omissions made in good faith in exercise of their powers, duties, and functions.

6. SEVERABILITY

6.1 If any portion of this Bylaw is found to be invalid, that portion shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

7. TRANSITIONAL

7.1 This Bylaw comes into full force and effect upon third and final reading.

READ A FIRST TIME THIS 25th DAY OF AUGUST 2025.

READ A SECOND TIME THIS 25th DAY OF AUGUST 2025.

READ A THIRD AND FINAL TIME THIS 25th DAY OF AUGUST 2025.

The original document, duly signed and executed, is retained on file.