

AGENDA

SPECIAL COUNCIL MEETING

Monday, April 6, 2020, 1:40 p.m.
Halton Hills Town Hall, Council Chambers
1 Halton Hills Drive

In our efforts to contain the spread of COVID-19 and to protect all individuals, public attendance at Council Meetings will not be permitted at this time. The public may submit comments regarding Agenda matters to clerks@haltonhills.ca. Comments submitted may be considered as public information and entered into the public record.

	Pages
1. OPENING OF THE COUNCIL MEETING	
1:40 p.m. Council Chambers/Electronic Participation	
2. DISCLOSURES OF PECUNIARY INTEREST/CONFLICT OF INTEREST	
3. MUNICIPAL OFFICERS REPORTS TO BE CONSIDERED	
1. REPORT NO. ADMIN-2020-0013	2
OFFICE OF CAO REPORT NO. ADMIN-2020-0013 dated March 30, 2020 regarding Delegation of Authority to Chief Administrative Officer during COVID-19 Pandemic.	
4. CONSIDERATION OF BYLAWS	
1. BY-LAW NO. 2020-0018	7
A By-law to further delegate certain powers and duties to the Chief Administrative Officer of the Town of Halton Hills.	
2. BY-LAW NO. 2020-0019	9
A By-law to provide for the waiver of late payment charges on the non-payment of property taxes.	
3. BY--LAW NO. 2020-0020	10
A By-law to adopt the proceedings of the Special Council Meeting held on the 6th day of April, 2020 and to authorize its execution.	
5. ADJOURNMENT	



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Suzanne Jones, Clerk and Director of Legislative Services

DATE: March 30, 2020

REPORT NO.: ADMIN-2020-0013

RE: Delegation of Authority to Chief Administrative Officer during COVID-19 Pandemic

RECOMMENDATION:

THAT Report No. ADMIN-2020-0013 dated March 30, 2020 regarding Delegation of Authority to the Chief Administrative Officer during COVID-19 Pandemic be received;

AND FURTHER THAT the Chief Administrative Officer be delegated the authority to take any action that may be required to ensure the continuity of Town activities and operations as described in Report No. ADMIN-2020-0013 upon passage of a by-law (Appendix A to this Report) for that purpose.

BACKGROUND:

Following the declaration of a global pandemic related to the outbreak of COVID-19 by the World Health Organization on March 11, 2020, all levels of government are taking increased steps to respond to the pandemic and are adjusting the ways in which they operate accordingly. Several municipalities across Ontario, including all Halton Region municipalities, have closed their public offices.

COMMENTS:

In light of the extent of the impact of Halton Hills response to COVID-19 on day-to-day operations, this report recommends delegating all authority to approve expenditures and execute contracts, including those relating to the disposition or acquisition of real property, as well as the authority to take any other action provided that its delegation is not barred by legislation, to the Chief Administrative Officer. This delegation would remain in place until revoked by Council. This will ensure that Halton Hills has additional flexibility to react quickly and efficiently to the effects of, and the responses by the provincial and federal governments to, the COVID-19 pandemic as it evolves. This in turn will allow decisions affecting both the health and safety of residents as well as all

other municipal programs and services to be made and implemented as quickly as possible.

Regarding the delegation of authority, it should be noted that Section 23.3(1) of the *Municipal Act, 2001* (Municipal Act) prescribes certain powers that cannot be delegated. Briefly, they are:

- The power to appoint or remove from office an officer of the municipality whose appointment is required by the Municipal Act (clerk, deputy clerk, treasurer and/or deputy treasurer);
- The power to pass a by-law to impose a tax in respect of the purchase of transient accommodation;
- The power to incorporate corporations in accordance with Section 203 of the Municipal Act;
- The power to adopt an official plan or an amendment to an official plan under the *Planning Act*;
- The power to pass a zoning by-law under the *Planning Act*;
- The power to pass a by-law related to the establishment of a small business counselling service;
- The power to adopt a community improvement plan under section 28 of the *Planning Act*;
- The power to adopt or amend the budget of the municipality.

Furthermore, it is recommended that any matters under the *Expropriations Act* that require the enacting of a by-law and the declaration of property as surplus to the municipality be exempt from the delegation of authority. Staff do not foresee the need for the exercise of any authority under these and the matters described in bullet form above at present and will report back as and if the need arises.

It is proposed that the Chief Administrative Officer report to Council monthly on the exercise of this delegated authority in the form of memoranda transmitted to Council by the Clerk, and a staff report to Council summarizing all actions taken once the delegated authority has been revoked.

Staff will continue to assess and make recommendations regarding cancelling or conducting regularly scheduled or special meetings of Town Council as the Town's response to the COVID-19 pandemic continues.

RELATIONSHIP TO STRATEGIC PLAN:

This report is administrative in nature and therefore there is not a direct relationship to the Town's Strategic Plan.

FINANCIAL IMPACT:

There are no direct financial implications to this report.

CONSULTATION:

This Report was prepared in consultation with the Chief Administrative Officer.

PUBLIC ENGAGEMENT:

No public engagement was required for this report.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report is not applicable to the Strategy's implementation.

COMMUNICATIONS:

Upon passage of the by-law staff will be advised of the delegated authority to ensure continuity of Town activities and programs.

CONCLUSION:

That the Chief Administrative Officer be delegated the authority to take any action that may be required to ensure the continuity of municipal activity and operation as described Report No. ADMIN-2020-0013.

Reviewed and Approved by,

A handwritten signature in black ink, reading "Brent Marshall". The signature is written in a cursive, flowing style.

A.B. Marshall, Chief Administrative Officer



BY-LAW NO. 2020-0018

A By-law to further delegate certain powers and duties to the Chief Administrative Officer of the Town of Halton Hills.

WHEREAS pursuant to Section 227 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (hereinafter referred to as the *Municipal Act, 2001*) it is the role of the officers and employees of a municipality to carry out duties assigned by the municipality;

AND WHEREAS pursuant to Section 229 of the *Municipal Act, 2001* a municipality may appoint, and Council for the Town of Halton Hills (herein after referred to as Town Council) has appointed, a Chief Administrative Officer who shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and performing such other duties as are assigned by the municipality;

AND WHEREAS pursuant to Section 23.1 of the *Municipal Act, 2001* a municipality is authorized to delegate its powers and duties under that or any other act;

AND WHEREAS Town Council has delegated certain powers and duties to the Chief Administrative Officer from time to time;

AND WHEREAS the Coronavirus (COVID-19) outbreak has resulted in the World Health Organization declaring a global pandemic;

AND WHEREAS Council for the Town of Halton Hills deems it necessary to ensure that its operations are able to continue as much as possible during this time.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. THAT the Chief Administrative Officer is delegated the authority to take any action that may be required to ensure the continuity of municipal activity and operation except those items and matters that may not be delegated by Town Council as set out in legislation, including but not limited to those matters set out in Section 23.3(1) of the *Municipal Act, 2001*, those matters under the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended that require Town Council as approval authority to enact a by-law, and the declaration of property as surplus to the needs of the municipality. Further to the foregoing, delegated matters include, but are not limited to:
 - i. the authority to approve all expenditures; and
 - ii. the authority to execute any contracts and agreements, including those related to the disposition or acquisition of real property.
2. THAT the Chief Administrative Officer report to Town Council monthly regarding any exercise of this delegated authority.

3. THAT the provisions of this By-law shall apply to an Acting CAO, as appointed by the CAO.
4. THAT Town of Halton Hills Council review this By-law no later than at such time as the World Health Organization declares an end to the global pandemic associated with COVID-19.
5. THAT this By-law comes into force on the day it is passed.

BY-LAW read and passed by the Council for the Town of Halton Hills this 6th day of April, 2020.

MAYOR – RICK BONNETTE

CLERK – SUZANNE JONES



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BY-LAW read and passed by the Council for the Town of Halton Hills this 6th day of April, 2020.

MAYOR – RICK BONNETTE

CLERK – SUZANNE JONES



BY-LAW NO. 2020-0019

A By-law to provide for the waiver of late payment charges on the non-payment of property taxes

WHEREAS Section 345 of The Municipal Act, 2001, S.O.2001 as amended (Municipal Act) provides the authority of the Council of the Town of Halton Hills to charge late payment charges for the non-payment of taxes or any instalment by the due date.

AND WHEREAS Council amend the 2020 Interim Tax and Establish Penalty and Interest Rates By-Law BL-CL-2019-0064

AND WHEREAS as a result of the widespread closure of businesses and declaration of a state of emergency by the Province of Ontario due to the COVID-19 pandemic, many Halton Hills businesses are closed and residents are being financially impacted.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. Notwithstanding By-law BL-CL-2019-0064 late payment charges will not be applied and interest shall not accrue against all tax amounts that have come due and remain outstanding for the period beginning March 31, 2020 and ending June 30, 2020.

BY-LAW read and passed by the Council for the Town of Halton Hills this 6th day of April, 2020.

MAYOR – RICK BONNETTE

CLERK – SUZANNE JONES



BY-LAW NO. 2020-0020

A By-law to adopt the proceedings of the Special Council Meeting held on the 6th day of April, 2020 and to authorize its execution.

WHEREAS Section 5(3) of *The Municipal Act*, 2001, c.25, as amended, provides that Council's powers shall be exercised by by-law;

AND WHEREAS certain actions of Council do not require the enactment of a specific by-law;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. Subject to Paragraph 3 of this by-law, the proceedings of the above-referenced Council meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports, and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this by-law.
2. The Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Town to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law.
3. Nothing in this by-law has the effect of conferring the status of a by-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who complied with the provisions of Section 5 of the *Municipal Conflict of Interest Act*, R.S.O. 1990, Chapter M.50 respecting the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law shall be deemed to have complied with said provisions in respect of this by-law.

BY-LAW read and passed by the Council for the Town of Halton Hills this 6th day of April, 2020.

MAYOR – RICK BONNETTE

CLERK – SUZANNE JONES