



BY-LAW NO. 2023-0046

A By-law to delegate certain powers and duties under the Municipal Act, 2001, S.O. 2001 c.25, and other Acts; and to repeal By-law No. 2022-0027

WHEREAS Section 23.1 of the *Municipal Act, 2001, S.O., c.25* authorizes a municipality to delegate its power and duties under this or any other Act to a person or body subject to certain restrictions;

AND WHEREAS the Council for the Town of Halton Hills has deemed that certain routine administrative and legislative powers are minor in nature, and the delegation of these powers would contribute to the efficient management of the Town while still adhering to the principles of accountability and transparency;

AND WHEREAS on May 2nd, 2022, Council for the Town of Halton Hills approved Report No. ADMIN-2022-0019, dated April 13th, 2022 in which certain recommendations were made relating to delegated authority.

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

Town Clerk

1. **THAT** the following power and duties are hereby delegated to the Town Clerk, or their designate:
 - a) Execute documents on behalf of the Town of Halton Hills required for the registration of subdivisions and the closing of real property transactions when such transactions have been approved by Council;
 - b) Authorize registration of releases and discharges and electronic registration of documents related to real property matters;
 - c) Execute releases and discharges;
 - d) Execute documents for Memorandums of Understanding where there is no financial implications to the Town, and approved by the Commissioner of the respective department.
- 1.1 **THAT** the Town Clerk be authorized to bring by-laws on the following matters to Council for approval without the submission of a staff report:
 - a) The appointment of animal control officers, parking control officers, municipal law enforcement officers, and fence viewers.
- 1.2 **THAT** the Town Clerk be authorized to make minor housekeeping amendments to existing by-laws that do not alter the meaning or intent in any way.

Chief Administrative Officer

- 2. THAT** the following powers and duties are hereby delegated to the Chief Administrative Officer or their designate:
- a) Authority to execute documents required for the closing of real property transactions as described in 1(a) of this By-law when the Mayor and Town Clerk are not available to execute said documents.
 - b) Authority to approve additional funds to an approved Purchase Order to a maximum limit of \$150,000 in one of the two exceptional circumstances:
 - i. the request is needed to immediately procure an item before a price increase or timeline to order is met
 - ii. there is not sufficient time to request the increase from Council (ie. next meeting date is after the said timeline)
 - c) Authority to approve an increase to the capital budget if the approval of the purchase order in 2.b results in a budget deficit.
 - d) Authority to approve a funding source from reserves if the approval of the increased budget cannot be funded from surplus funds in an existing council approved budget (subject to consultation with the Treasurer)

A summary of all funding withdrawn from reserves and authorized by the CAO under this delegated authority will be reported to Council on an annual basis as part of the year end financial reporting.

- 2.1 THAT** the Chief Administrative Officer be authorized to approve the following matters without the submission of a staff report to Council:
- a) Authority to approve the award of Request of Proposals and Request for Tenders subject to and following the guidelines as set in the Town's Purchasing Policy By-law 2022-0033, when the project has been funded through a current or previous year's budget which has been approved by Council;
 - b) Authority to approve the execution by the Mayor and Clerk of Purchasing Agreements, including any amendments or termination of such agreements, subject to 2.1(a).

Town Treasurer

- 3. THAT** the following powers and duties are hereby delegated to the Town Treasurer or their designate:
- a) Approve and execute any agreements or documents required for the submission of applications to secure grant funding where there is no incremental expenditure or staffing impacts to the corporation, following the steps contained within Finance Standard Operating Procedure 36.4 (Corporate Grant Tracking);
 - b) Approve and execute any agreements or documents required for the submission of applications to secure grant funding, for cases where there is an incremental expenditure or staffing impact to an existing approved capital project – up to a maximum of \$25,000 or 10% whichever is less (as per Capital Budget Governance Policy: CORP-2019-0001, and the steps contained within Finance Standard Operating Procedure 36.4), when the application deadlines do not coincide with the Council reporting cycle, such that Council approval is not possible prior to the application deadline;

- c) Execute any financial reporting requirements associated with the receipt of grant funds, subject to and following completions of all approvals as per the steps contained within Finance Standard Operating Procedure 26.4 (Corporate Grant Tracking);
- d) Authority to represent, negotiate settlement agreements and legally bind the Town of Halton Hills to appeals before the Assessment Review Board;
- e) Authority to add loans from the Retrofit Halton Hills Program onto the applicable Tax Rolls upon the award of such grants by the Director of Climate Change and Asset Management.

Business, Environment and Culture

4. THAT the following power and duties are hereby granted to the Commissioner of Business, Environment and Culture or their designate:

- a) Authority to approve the execution by the Mayor and Clerk of Community Improvement Plan (CIP) agreements, including any amendments or termination of such agreements, if the CIP grant is funded through a current or previous year's budget which has been approved by Council.
- b) Authority to approve the execution by the Mayor and Clerk of agreements for the Nurse Practitioner Program for the Acton Medical & Urgent Care Clinic, including any amendments or termination of such agreements, when the funding has been approved by Council through a current budget year's budget.
- c) Authority to approve the execution by the Mayor and Clerk the following agreements except where a financial commitment from the Town is required in addition to what was previously approved by Council through the current year's budget:
 - i. Licence Agreements, including any amendments or termination of such agreements;
 - ii. Service Agreements, including any amendments or termination of such agreements;
 - iii. Funding requests through the Climate Change Investment Fund where the requests fall within the Fund's eligibility requirements.
 - iv. Municipal Partner Agreements, including any amendments or termination of such agreements.

4.1 THAT the Commissioner of Business, Environment and Culture be authorized to approve the following matters without the submission of a staff report to Council:

- a) Authority to approve the award of Request of Proposals and Request for Tenders subject to and following the guidelines as set in the Town's Purchasing Policy By-law 2022-0033, when the project has been funded through a current or previous year's budget which has been approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk of Purchasing Agreements, including any amendments or termination of such agreements, subject to 4.1(a).

4.2 THAT the Commissioner of Business, Environment and Culture be authorized to bring by-laws on the following matters to Council for approval without the submission of a staff report.

- a) Retrofit Halton Hills Program

Corporate Services

- 5** **THAT** the following powers and duties are hereby granted to the Commissioner of Corporate Services or their designate:
- a) Authority to approve the execution by the Mayor and Clerk of software licensing agreements, including any amendments or termination of such agreements, if the software product to be licensed is funded through a current year's budget which has been approved by Council;
 - b) Authority to approve the execution by the Mayor and Clerk of data acquisition agreements, including any amendments or termination of such agreements, if the data to be acquired is necessary to support a Town program or initiative that is funded through a current year's budget that has been approved by Council;
 - c) Authority to approve the execution by the Mayor and Clerk of website hosting services agreements, including any amendments or termination of such agreements, if the website hosting services is funded through a current year's budget which has been approved by Council;
 - d) Authority to approve the execution by the Mayor and Clerk the following agreements except where a financial commitment from the Town is required in addition to what was previously approved by Council through the current years' budget:
 - i. Licence Agreements, including any amendments or termination of such agreements;
 - ii. Service Agreements, including any amendments or termination of such agreements;
 - iii. Municipal Partner Agreements, including any amendments or termination of such agreements.
 - e) Execute any non-financial reporting requirements associated with the receipt of grant funds for the Corporate Services Department.

- 5.1** **THAT** the Commissioner of Corporate Services be authorized approve the following matters without the submission of a staff report to Council:

- a) Authority to approve the award of Request of Proposals and Request for Tenders subject to and following the guidelines as set in the Town's Purchasing Policy By-law 2022-0033, when the project has been funded through a current or previous year's budget which has been approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk of Purchasing Agreements, including any amendments or termination of such agreements, subject to 5.1(a)

Recreation and Parks

- 6** **THAT** the Commissioner of Recreation and Parks is hereby authorized to approve the execution by the Mayor and Clerk, the following agreements except where a financial commitment from the Town is required in addition to what was previously approved by Council through the current year's budget:
- a) Lease agreements for long term/semi-permanent facility users as reviewed by legal counsel;
 - b) Memorandums of Understanding specific to the Town's Registered User Groups and Agencies;
 - c) License agreements, including any amendments or termination of such

- agreements;
- d) Management agreements, including any amendments or termination of such agreements;
- e) Service agreements, including any amendments or termination of such agreements;
- f) Funding requests through the Community Partnership Program where the requests fall within the Community Partnership eligibility requirements.
- g) Municipal Partnership Agreements, including any amendments or termination of such agreements.

6.1 THAT the Commissioner of Recreation and Parks is hereby authorized to execute any non-financial reporting requirements associated with the receipt of grant funds for the Recreation and Parks department.

6.2 THAT the Commissioner of Recreation and Parks be authorized approve the following matters without the submission of a staff report to Council:

- a) Authority to approve the award of Request of Proposals and Request for Tenders subject to and following the guidelines as set in the Town's Purchasing Policy By-law 2022-0033, when the project has been funded through a current or previous year's budget which has been approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk of Purchasing Agreements, including any amendments or termination of such agreements, subject to 6.2(a)
- c) Authority to provide temporary discount rates for un-used ice times, field permits and other recreation and parks fees.

Planning & Development

7. THAT the following duties and powers are hereby granted to the Commissioner of Planning and Development or their designate:

- a) Execute any non-financial reporting requirements associated with the receipt of grant funds for the Planning & Development department;
- b) Authority to approve the execution by the Mayor and Clerk the following agreements except where a financial commitment from the Town is required in addition to what was previously approved by Council through the current year's budget:
 - i. Licence Agreements, including any amendments or termination of such agreements;
 - ii. Service Agreements, including any amendments or termination of such agreements;
 - iii. Municipal Partner Agreements, including any amendments or termination of such agreements.

7.1 THAT the Commissioner of Planning & Development be authorized to approve without the submission of a staff report:

- a) Well and stream-based Servicing allocation for approved development projects;
- b) Minor Regional modifications to Secondary Plans and Official Plan Amendments.

7.2 THAT the Commissioner of Planning & Development be authorized approve the following matters without the submission of a staff report to Council:

- a) Authority to approve the award of Request for Proposals and Request for Tenders subject to and following the guidelines as set in the Town's Purchasing Policy By-law 2022-0033, when the project has been funded through a current or previous year's budget which has been approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk of Purchasing Agreements, including any amendments or termination of such agreements, subject to 7.2(a).

Transportation & Public Works

8. THAT the following duties and powers are hereby granted to the Commissioner of Transportation and Public Works or their designate:

- a) Authority to approve the execution by the Mayor and Clerk of agreements for the provision of Construction Cost Sharing with other municipalities, including any amendments or termination of such agreements, of which fees for such services are approved as part of the annual budget approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk of agreements for the provision of Boundary Road Maintenance with other municipalities, including any amendments or termination of such agreements, of which fees for such services are approved as part of the annual budget approved by Council;
- c) Authority to approve the execution by the Mayor and Clerk the following agreements except where a financial commitment from the Town is required in addition to what was previously approved by Council through the current year's budget:
 - i. Licence Agreements, including any amendments or termination of such agreements;
 - ii. Service Agreements, including any amendments or termination of such agreements;
 - iii. Municipal Partner Agreements, including any amendments or termination of such agreements.
 - iv. Connecting Link agreements, including any amendments or termination of such agreements.
- d) Execute any non-financial reporting requirements associated with the receipt of grant funds for the Transportation and Public Works department;

8.1 THAT the Commissioner of Transportation and Public Works be authorized to bring by-laws on the following matters to Council for approval without the submission of a staff report:

- a) Approve amendments to the Uniform Traffic Control By-law 1984-0001 for the following schedules:

Schedule 1 – No parking at Anytime – Signs on Display
Schedule 2 – Parking for Restricted Times – Permissive Signs on Display
Schedule 3 – Parking for Restricted Times – Prohibitive Signs on Display
Schedule 6 – No Stopping at Anytime
Schedule 7 – No Stopping for Restricted Times
Schedule 12 – Through Highways – Stop
Schedule 13 – Intersections – Stop Signs
Schedule 23 – Rates of Speed

8.2 THAT the Commissioner of Transportation & Public Works be authorized approve the following matters without the submission of a staff report to Council:

- a) Authority to approve the award of Request of Proposals and Request for Tenders subject to and following the guidelines as set in the Town's Purchasing Policy By-law 2022-0033, when the project has been funded through a current or previous year's budget which has been approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk of Purchasing Agreements, including any amendments or termination of such agreements, subject to 8.2(a).

Fire Services

9. THAT the following duties and powers are hereby granted to the Commissioner and Chief of Fire Services or their designate:

- a) Authority to approve the execution by the Mayor and Clerk of agreements for the provision of fire dispatch services by the Town to municipalities within Halton Region, including any amendments or termination of such agreements, of which fees for such services are approved as part of the annual budget approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk the following agreements except where a financial commitment from the Town is required in addition to what was previously approved by Council through the current year's budget:
 - i. Licence Agreements, including any amendments or termination of such agreements;
 - ii. Service Agreements, including any amendments or termination of such agreements;
 - iii. Municipal Partner Agreements, including any amendments or termination of such agreements.
- c) Execute any non-financial reporting requirements associated with the receipt of grant funds for the Fire Services department.

9.1 THAT the Commissioner of Fire Services be authorized approve the following matters without the submission of a staff report to Council:

- a) Authority to approve the award of Request of Proposals and Request for Tenders subject to and following the guidelines as set in the Town's Purchasing Policy By-law 2022-0033, when the project has been funded through a current or previous year's budget which has been approved by Council;
- b) Authority to approve the execution by the Mayor and Clerk of Purchasing Agreements, including any amendments or termination of such agreements, subject to 9.1(a).

10. NOTWITHSTANDING any portion of this by-law, where it is deemed to be in the best interest of the public and Council, staff will seek approval of Council for any matters that are not strictly regular business practices.

11. All matters approved through this by-law will be reported to Council on a yearly basis through a staff memo.

12. REPEAL – By-law 2022-0027 is hereby repealed in its entirety.

BY-LAW read and passed by the Council for the Town of Halton Hills this 29th day of May, 2023.

MAYOR – ANN LAWLOR

TOWN CLERK – VALERIE PETRYNIAK