

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2024-22

A BY-LAW TO ADOPT A POLICY FOR DELEGATION OF AUTHORITY.

WHEREAS The Municipal Act, 2001 requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

DELEGATION OF AUTHORITY

- 1.1. The authority to approve a matter listed in Column 1 of Schedule "A" is hereby delegated to the person or persons set out opposite such matter in Column 2 of Schedule "A", subject to any conditions or restrictions set out in Column 3.
- 1.2. Where authority to approve a matter is delegated to any person under this bylaw, the Chief Administrative Officer may also exercise that authority.
- 1.3. Despite any provision of this bylaw, a delegate shall not approve any matter or execute any document unless the transaction or activity to which the matter or document relates has been approved by County Council. For greater certainty, a transaction or activity shall be deemed to be approved by County Council where such transaction or activity:
 - a) is included in the annual budget adopted by County Council; or
 - b) is included in a program, project or activity which has been approved by County Council; or
 - c) is reasonably incidental to the authority given to the Chief Administrative Officer or the Directors, as the case may be, to carry out their duties and responsibilities on behalf of the County.
- 1.4. No provision of this bylaw shall be construed as waiving any provision of Bylaw No. 2017-33 (the "Procurement By-law"), as amended from time to time, and the Procurement Bylaw shall continue to apply to the procurement of deliverables on behalf of the County.

GENERAL

- 2.1. Where authority has been given by County Council, or under the Procurement Bylaw, or under this bylaw to any person to approve any matter or execute any document, such authority includes the authority to execute any ancillary documents necessary to give effect to the delegated authority and shall include the authority to amend any document, including extending the term of any agreement, provided such amendment does not result in any additional financial obligation to the County.
- 2.2. The approval of any matter and the execution of any document under this bylaw shall be subject to compliance with any policies adopted by County Council from time to time with respect to the transaction or activity to which the matter or document relates, and to any administrative procedures established by the Chief Administrative Officer.
- 2.3. Where authority has been given by County Council, or under the Procurement Bylaw, or under this bylaw to any person to approve any matter or execute any document, such person may appoint a designate to approve the matter and/or to execute any document on his or her behalf.
- 2.4. The appointment of a designate by a Director shall be subject to the approval of the Chief Administrative Officer.

ADMINISTRATION

- 3.1. Each Director shall maintain a record of each document executed under this bylaw and shall file such record with the Clerk.
- 3.2. At least one original of each executed document shall be retained by the County.
- 3.3. All executed documents shall be delivered to the Clerk for safekeeping unless otherwise directed.

NOW THEREFORE BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN ENACTS AS FOLLOWS:

1. THAT the delegation of Administrative Matters and Legislative Matters listed in Schedule "A" attached hereto be approved.
2. THAT By-law 2008-06 be repealed.

READ a first, second and third time and finally passed this 9th day of May, 2024.

Original signed by;

Darren White, Warden



Original signed by:

Michelle Dunne, Clerk

SCHEDULE "A"

Governance & Administration

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
1	Agreements with Federal or Provincial governments, municipalities, agencies, institutions and community partners for undertakings, program delivery and administration	Director responsible for the program or project to which the matter relates	Approval of the program or project by Council
2	Permits and approvals issued by the County under any legislative authority	Director responsible for the program or project to which the matter relates	-
3	Submission of service and program plans and reports as required by any legislative authority	Director responsible for the program or project to which the matter relates	-
4	Confidentiality agreements	Director responsible for the program or project to which the matter relates	-
5	Memoranda of understanding with housing providers under the <i>Housing Services Act</i>	Director of Community Services or designate	-
6	Leases between the individual tenant and Dufferin County Housing	Director of Community Services or designate	-
7	Agreements respecting the admission of persons to Dufferin Oaks Long Term Care Home	Dufferin Oaks Administrator or designate	-
8	Admission agreements for supportive housing	Dufferin Oaks Administrator, Director of Community Services, or designate	-
9	Minutes of settlement from an insurance/legal claim	Clerk	-

Finance

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
10	Investment transactions	Treasurer	As set out in the County's Investment Policy #3-6-09
11	Approval of timing and structure of debt issues and related activities	Treasurer	As set out in the County's Capital Financing and Debt Policy #3-3-06

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
12	Agreements with Federal or Provincial governments or agencies or any other entity for the provision of funding to the County	Warden and Clerk	-
13	Agreements for the provision of funding by the County	Warden and Clerk	-
14	Applications for any funding or subsidy on behalf of the County and any related documentation, including reporting requirements	Director responsible for the program or project to which the funding relates	-
15	Signing cheques and other financial instruments and agreements respecting banking services	Treasurer and CAO or Clerk	-

Transportation

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
16	Temporary closure of County roads for social, recreational, community, athletic, or cinematographic purposes	Director of Public Works or designate	Compliance with the Road Occupancy Permit, including provision of insurance coverage and security deposit
17	Temporary closure of County roads for railway crossing improvements	Director of Public Works or designate	-
18	Temporary closure of County roads for construction, operational or safety reasons	Director of Public Works or designate	-
19	Issuing oversize load permits under the <i>Highway Traffic Act</i>	Director of Public Works or designate	-
20	Establishing reduced load periods on County roads	Director of Public Works or designate	-
21	Approval of traffic control signal designs and installations under Section 144(31) of the <i>Highway Traffic Act</i>	Director of Public Works or designate	-
22	Approval of the installation of temporary traffic control in support of construction, emergency and safety considerations	Director of Public Works or designate	-

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
23	Designation of parts of County roads as construction zones and setting maximum rates of speed under Section 128 of the <i>Highway Traffic Act</i>	Director of Public Works or designate	-
24	Agreements for access to and from County roads (entrance permits)	Director of Public Works or designate	-
25	Requests for conveyance of lands for highways widenings and reserves as a condition of development approvals	Director of Public Works or designate	-
26	Agreement with property owners for living snow fences	Warden and Clerk	-
27	Adopt-a-Road agreement	Director of Public Works or designate	-
28	Execution of Encroachment Agreements – less than 1 metre encroachment	Warden and Clerk	-
29	Agreements for Winter Maintenance and Boundary Roads	Warden and Clerk	-
30	Vehicle licensing for fleet management	Treasurer; Director of Public Works or designate	-

Planning and Development

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
31	Delegation of authority to give approval of Official Plan Amendments	Councils of Mono and Orangeville	As per By-law 2015-16
32	Delegation of authority to give approval of Plans of Subdivision and Condominium	Councils of lower tier municipalities	As per By-law 2015-15
33	Delegation of authority to give consent under section 54.1 of the <i>Planning Act</i>	Councils of lower tier municipalities	As per By-law 2015-12

Property

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
34	Documents required for the completion of any real estate transaction, including	Clerk	As set out in County's Sale of Land Policy #2-6-10

-	<u>Column 1</u> Delegated Authority	<u>Column 2</u> Delegate	<u>Column 3</u> Conditions/Restrictions
	transfers, easements, undertakings, certificates, acknowledgements, declarations, indemnities and releases		
35	Release of any interest on title in lands and facilities no longer required by the County	Clerk or designate	-
36	Agreements respecting conditions, covenants or indemnities in favour of the County	Clerk	-
37	Conveyances of rights and easements required to service County lands and facilities	Clerk	-
38	Conveyance of easements to local municipalities and utilities over closed highways and reserves	Clerk	-
39	Conveyance of widenings and reserves to the entity having jurisdiction over the abutting highway	Clerk	-
40	Documents required for the purpose of correcting or clarifying title or boundaries	Clerk	-
41	Applications, notices and declarations required under the <i>Expropriations Act</i>	Clerk	-
42	Applications, agreements, and renewals required to obtain authorization to register documents in the electronic land registration system	Clerk	-
43	Transfer, applications, notice and documents required under applicable legislation and the Teranet land registration system to register all County documents, including those that preserve any right, title or interest in lands	Clerk	-

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
44	Consents and waivers of notice relating to registrations in the land titles system	Clerk	-
45	Documents to register liens and discharges on title to real property owned by recipients of social assistance	Clerk	-
46	Execution of land use agreements in the County Forest	Director of Public Works or designate	As per Recreational Use Policy #4-6-01

Purchase of Services

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
47	Agreements for the purchase of services from child care providers, homemakers and domiciliary and emergency hostel providers	Director of Community Services or designate	-
48	Agreements for the purchase of services from physicians, nurses and other health care professionals	Dufferin Oaks Administrator or designate	-
49	Agreements for the purchase of services for clients receiving social assistance	Director of Community Services or designate	-

Building Services

-	Column 1 Delegated Authority	Column 2 Delegate	Column 3 Conditions/Restrictions
50	Appoint and remove inspectors pursuant to section 3(2) of the <i>Building Code Act, 1992, S.O. 1992, c.23</i>	Chief Building Official and Clerk	Certificate of appointment required (secondary sign off – Clerk). Clerk’s certificate required pursuant to <i>Building Code Act, section 3(8)</i>

Where authority to approve a matter is delegated to any person under this by-law, the Chief Administrative Officer may also exercise that authority.