

**BY-LAW NO. 94-2020**

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO DELEGATE AUTHORITY TO STAFF.**

**WHEREAS** Section 5 (3) of the Municipal Act 2001 S.O. Chapter 25 as amended states that the powers of a municipality shall be exercised by by-law;

**AND WHEREAS** Section 23.1 of the Municipal Act 2001 S.O. Chapter 25 as amended authorize a municipality to delegate its powers and duties to a person or body;

**AND WHEREAS** Section 11(1) of the Municipal Act, 2001 S.O. 2001, c.25 as amended authorizes a municipality to provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** it is deemed expedient to delegate certain authority to senior staff;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. **THAT** Council delegates its authority to staff in accordance with Schedule A.
2. **THAT** this By-Law will come into effect on the day of its passing.
3. **THAT** By-law No. 59-2019 shall be and is hereby repealed.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF NOVEMBER, 2020.

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Doug Black, Mayor

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Stacey Blair, Clerk

## **SCHEDULE "A" TO BY-LAW 59-2019**

### **A. DELEGATED AUTHORITY TO THE CAO**

The CAO has authority to approve the following without Council approval:

1. The CAO has authority to take action, where necessary, on certain restrictions listed in Section 275 (3) of the Municipal Act, 2001 during a "lame duck" period:
  - The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal;
  - The hiring or dismissal of any employee of the municipality; and
  - Making any expenditure or incurring any other liability which exceeds \$50,000.

\*\*\* The CAO will consult with the Municipal Solicitor and/or Treasurer, where appropriate, prior to exercising that delegated authority; and the CAO will advise Council in writing prior to exercising that delegated authority.

2. Tender/quote awards  
- within budget, over \$30,000 and offered to the lowest bidder

\*\*\* Tenders that will be awarded prior to the finalization of the budget will require pre-budget approval.

3. Salary / Hourly pay scale increases
4. Award Requests for Proposals that are within budget up to \$100,000 in value
5. Hiring Full-Time Employees
  - within budget
6. Approve operational policies for the Corporation
7. The CAO to appoint Building Inspectors under Section 3 (2) of the Ontario Building Code

### **B. DELEGATED AUTHORITY TO DEPARTMENT HEADS / MANAGERS**

Department Heads / Managers have the authority to approve the following without Council approval:

1. Road closures, toll bridges and parking bans
  - for all annual ongoing festivals & events
  - for road use
  - toll bridges

- tag days
  - adding new road closures for existing events
  - for construction purposes
2. Hiring Summer Students
    - within budget
    - approve step commencement
  3. Hiring Part-time Employees
    - within budget
    - approve step commencement
  4. Release final securities for development agreements based on recommendations from the respective Department Heads/Managers.
  5. Tenders/quote awards
    - within budget, less than \$30,000 and offered to the lowest bidder

\*\*\*Tenders that will be awarded prior to the finalization of the budget will require pre-budget approval.
  6. Installation of municipal signage – non-legal e.g. “No Loitering” and temporary signs for festivals and events.
  7. Designation of Community Festivals / Events for LCBO sale permits and for events required to be deemed “municipally significant” e.g. Canada Day, Wine’d Around Downtown, Poker Run for Guide Dogs

\*\*\*Designations for new events will require Council approval and once approved by Council, authority is delegated to the Department Head for ongoing annual events.
  8. Issuance of excavation permits by the Director of Public Works
  9. Issuance of blasting permits by the Director of Public Works

## **C. SPECIFIED STAFF AUTHORITIES**

1. The Treasurer to adjust mileage rates for Council and staff upon an annual review of the Canada Revenue Agency’s lower mileage amount (rate over 5,000 km).
2. The Treasurer to make adjustments to tax and water accounts and write-off other receivables as uncollectible up to \$10,000.
3. The Treasurer to make all allowable tax adjustments under the Municipal Act including Section 354 after an unsuccessful tax sale

4. The Director of Development Services to enter into agreements related to DP1, DP1A and DP2 applications on behalf of the Town.
5. The Director of Development Services to submit comments to the County of Lanark on behalf of the Town for consent applications that meet the intent and policies of the Town's Official Plan and Development Permit By-law with a requirement for annual reporting to Council.
6. The Director of Development Services to undertake initial review of Part Lot Control applications and bring forward the necessary by-laws for Council approval.
7. The Clerk to exercise the powers and duties as head under the *Municipal Freedom of Information and Protection of Privacy Act* (section 3, subsection 49(1)).
8. The Director of Development Services to approve the clearance of subdivision conditions upon receiving input from the Chief Building Official and Public Works staff.
9. The Treasurer has the authority to sign and execute minutes of settlement between the Municipality and the Municipal Property Assessment Corporation and/or the Assessment Review Board.
10. With the Mayor, the Clerk to enter into encroachment agreements on behalf of the Town.
11. The Treasurer to transfer funds between Town accounts to maximize interest earned.
12. With the Mayor, the Clerk to enter into new agreements that are operational in nature including, but not limited to, Pro-Shop Agreement, Agreement with National Defense Canada for the H.M.C.S. Carlplace Bell, Daycare Funding Agreement with the County, etc. or extensions to existing agreements.
13. With the Mayor, the Clerk to enter into contracts with various Federal, Provincial or other agencies i.e. Trillium Foundation for grant purposes.
14. The Clerk to issue one (1) day exemptions from the Refreshment Vehicle By-law for Annual special events