

**Subject: Delegation of Authority Amendment**

**Department: Corporate Services**

**Division: Clerks**

**Report #: CPS-2023-058**

**Meeting Date: 2023-09-11**

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### **Recommendations**

**That report CPS-2023-058, Delegation of Authority, be received;**

**And that Council pass a by-law to amend By-law 2022-075, the Delegation of Authority By-law.**

### **Background and Analysis**

Council passed By-law 2022-075, Delegation of Authority on September 12, 2022 to delegate certain legislative and administrative functions to staff which was amended by Council on July 10, 2023 to incorporate delegated authority provisions to the CAO regarding policy adoption. An office consolidation of By-law 2022-075, as amended, is attached to this report as attachment 1.

### **Municipal Property Assessment Corporation (MPAC)**

Currently the Town and MPAC enter into a number of agreements as noted below which establish service levels for MPAC services, permitted uses of MPAC data and the protection of municipal data by MPAC.

In May of this year, MPAC advised that they were implementing a new Data Sharing and Services Agreement (DSSA) which consolidates and updates these service and licence agreements the Town has with MPAC into one simplified agreement:

- Municipal License Agreement, 2007
- Municipal Connection Terms and Conditions of Use, 2007
- MPAC Terms and Conditions, 2007
- Product Use Sheets (relating to use at Kiosk/website), 2007
- Ontario Parcel Master Agreement, 2007

- Service Level Agreement, 2018

The deadline for signing this agreement is December 23, 2023 and the new agreement will come into effect on January 1, 2024 and will have a four year term with an auto renewal each year thereafter.

Schedule “A” to By-law 2022-075 currently delegates authority to the Treasurer to enter into a municipal license agreement with MPAC. Staff recommend amending Schedule “A” to By-law 2022-075 to incorporate all products and services provided by MPAC to the Town as follows:

<b>Column A</b>	<b>Column B</b>	<b>Column C</b>	<b>Column D</b>	<b>Column E</b>
<b>Delegated Matter</b>	<b>Details</b>	<b>Delegated to (Primary)</b>	<b>Delegated to Secondary</b>	<b>Limitations and Conditions</b>
Municipal Property Assessment Corporation (MPAC)				
MPAC	Data Sharing and Services Agreement	Treasurer	General Manager, Corporate Services	

## Ministry of Transportation

The Authorized Requester Information System (ARIS) is an electronic system provided by the Ministry of Transportation (MTO) to send information to authorized requesters with respect to driver, vehicle and commercial motor carrier records. The Town currently has authorized requester agreements with the MTO which renews on an annual basis, for the verification of employee records and for facilitating the administration of the Town’s parking enforcement program. Staff recommend amending Schedule “A” to By-law 2022-075 to delegate the authority for signing of these and any additional authorized requester agreements with MTO as follows:

Column A	Column B	Column C	Column D	Column E
Delegated Matter	Details	Delegated to (Primary)	Delegated to Secondary	Limitations and Conditions
Ministry of Transportation	Authorized Requester Agreement (ARIS)	General Manager, Corporate Services	Treasurer Clerk	

## Finance

Section 286(5) of the Municipal Act sets out that:

*The municipality may delegate to any person all or any of the powers and duties of the treasurer under this or any other Act with respect to the collection of taxes. Staff are recommending the following additions to the Delegation of Authority By-law:*

## Tax Certificates

Section 352 (1) of the Municipal Act sets out that:

*The treasurer shall, upon the written request of any person, give to that person an itemized statement of all amounts owing for taxes in respect of any separately assessed rateable property as of the day the statement is issued.*

Tax certificates are requested by property owners and solicitors to obtain the tax status for a particular property. Tax certificates are routinely signed by the Supervisor, Customer Service, Revenue and Taxation and staff recommend that this authority be formalized through the Delegation of Authority By-law.

## Minutes of Settlement/Requests for Reconsideration

Minutes of Settlement, and requests for reconsideration are received from the MPAC when the assessment of a property is in dispute. It has been the Town's practice to have these documents signed by the Supervisor, Customer Service, Revenue and Taxation. Staff recommend that this authority be formalized through the Delegation of Authority By-law and that the Treasurer be listed as the secondary delegate.

To formalize these delegations with respect to a variety of routine items within the finance division staff propose that Schedule “A” to By-law 2022-075 be amended as follows:

Column A	Column B	Column C	Column D	Column E
Delegated Matter	Details	Delegated to (Primary)	Delegated to Secondary	Limitations and Conditions
Tax Certificates		Supervisor, Customer Service and Taxation	Treasurer	
Minutes of Settlement/Requests for Reconsideration		Supervisor, Customer Service and Taxation	Treasurer	

## Policies

Town policies regarding taxation and collection are currently under review by staff to ensure compliance with the Municipal Act. Staff will report back to Council with any further amendments to the Delegation of Authority By-law as a result of this review in 2023.

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## Strategic Alignment

### Strategic Plan

Strategic Goal: Future Readiness

Objective: Due Diligence

### Sustainable Neighbourhood Action Plan

Theme: N/A

Strategy: N/A

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### **Notice Provisions**

Not applicable.

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### **Financial Impact**

There is no financial impact regarding the adoption and implementation of the recommendations contained in this report.

Respectfully submitted

Reviewed by

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Town Clerk, Corporate Services

Prepared by

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**Attachment(s):** 1. Office Consolidation By-law 2022-075