



Office Consolidation

The Corporation of the Town of Orangeville

Delegation of Authority

By-law 2022-075

Amended By:

By-law Number

2023-056

Date Amended:

July 10, 2023

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The Corporation of the Town of Orangeville

By-law Number 2022-075

A by-law to delegate certain powers and duties under the Municipal Act, 2001, S.O. 2001, c. 25, and to repeal By-laws 1985-083, 2004-064, 2006-026, 2007-04, 2007-106, 2008-035, 2008-038, 2011-078, 2017-018, 2019-001, 2019-054

Whereas section 23.1 and 23.2 of the Municipal Act, 2001, S.O. 2001, c.25 (the Act) authorizes a municipality to delegate its powers and duties to a person or body, subject to certain restrictions;

And Whereas section 224(d) of the Act states it is the role of Council to ensure that administrative practices and procedures are in place to implement the decisions of Council;

And Whereas section 227 of the Act states it is the role of officers and employees of the municipality to; (a) implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions; and (b) carry out other duties under this or any other Act and other duties assigned by the municipality;

And Whereas the Council of the Corporation of the Town of Orangeville has identified certain routine administrative functions to be delegated to staff to improve daily business efficiencies while continuing to adhere to the principles of accountability and transparency;

And Whereas section 275 of the Act restricts the action that may be taken by a Council after nomination day until the new Council takes office;

Now therefore be it resolved that Council for The Corporation of the Town of Orangeville hereby enacts as follows:

SECTION 1 – DEFINITIONS

1.1 In this By-law:

“Act” means the Municipal Act , 2001, S.O. 2001, c. 25, as amended;

“Approval” includes authority to sign for approval, execute an agreement, contract, waiver, application and any ancillary documents thereto;

“Clerk” means Clerk or Deputy Clerk;

“Mayor” means Mayor or Deputy Mayor;

“Restricted Act Period” means the first day during the election for a new council on which it can be determined that one of the following applies to the new council that will take office following the election:

1. If the new council will have the same number of members as the outgoing council, the new council will include less than three-quarters of the members of the outgoing council.
2. If the new council will have more members than the outgoing council, the new council will include less than three-quarters of the members of the outgoing council or, if the new council will include at least three-quarters of the members of the outgoing council, three-quarters of the members of the outgoing council will not constitute, at a minimum, a majority of the members of the new council.
3. If the new council will have fewer members than the outgoing council, less than three-quarters of the members of the new council will have been members of the outgoing council or, if at least three-quarters of the members of the new council will have been members of the outgoing council, three-quarters of the members of the new council will not constitute, at a minimum, a majority of the members of the outgoing council.

“Town” means the Corporation of the Town of Orangeville;

“Treasurer” means Treasurer or Deputy Treasurer;

SECTION 2 – GENERAL ADMINISTRATION

- 2.1 The Short Title of this By-law is the “Delegation of Authority By-law”.

SECTION 3 – NATURE AND SCOPE OF DELEGATION OF POWERS AND DUTIES

- 3.1 That Council hereby delegates approval of the powers and duties set out in Column A to those officers, employees, committees and tribunals listed in Column C and Column D subject to any limitations and conditions in Column E as set out in Schedule “A” to this By-law.
- 3.2 Notwithstanding Section 3.1, Council retains the authority to make or reconsider, at any time and without notice, revocation of any delegated power that has been delegated pursuant to this By-law.
- 3.3 That Council hereby delegates approval of the powers and duties set out in Column A to the Chief Administrative Officer subject to any limitations and conditions outlined in Column E as set out in Schedule “A” to this By-law.
- 3.4 Where a title to a position identified in this By-law no longer exists or is modified, the powers and duties may be exercised by a person deemed to have the responsibilities of the original position until such time as an amending by-law is adopted by Council.

- 3.5 Any delegated authority provided in this by-law includes the authority to execute any documents ancillary thereto and includes:
- (a) termination of an agreement or contract in accordance with the provisions contained in the agreement or contract;
 - (b) extension or renewal of an agreement or contract in accordance with the renewal or extension provisions contained in the agreement or contract provided the remaining provisions of the agreement or contract remain unchanged;
 - (c) the extension of a grant agreement where the Town is the recipient of grant funds.
- 3.6 All policies approved by the CAO to date remain in full force and effect until such time as they are revoked or replaced by Council or by the CAO in accordance with the Delegation of Authority By-law.
(By-law 2023-056)

4. SEVERABILITY

- 4.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of Council of the Town that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

5. INTERPRETATION

- 5.1 In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.
- 5.2 The Schedule appended to this By-law is incorporated into and form part of this By-law.

6. AMENDMENTS AND REPEAL

- 6.1 That By-law 2004-061 be amended to delete section 4 and section 5
- 6.2 That By-law 2012-104 be amended to delete section 3.3.5.
- 6.3 The following by-laws are hereby repealed:
- 1985-083
 - 2004-064
 - 2006-026
 - 2007-041
 - 2007-106
 - 2008-035
 - 2008-038

2011-078

2017-018

2019-001

2019-054

Read three times and finally passed this 12th day of September, 2022

Signed by Sandy Brown, Mayor

Signed by Carolina Khan, Clerk

Schedule A

Column A	Column B	Column C	Column D	Column E
Delegated Matter	Details	Delegated to (Primary)	Delegated to (Secondary)	Limitations and Conditions
Planning Matters				
Site Plan Approval	Section 41, Planning Act	General Manager, Infrastructure Services	Manager of Planning	
Official Plan Amendments	Deem applications complete or incomplete	General Manager, Infrastructure Services	Manager of Planning	
Zoning By-Law Amendments	Deem applications complete or incomplete	General Manager, Infrastructure Services	Manager of Planning	
Plan of Subdivision	Deem applications complete or incomplete	General Manager, Infrastructure Services	Manager of Planning	
Plan of Condominium	Deem applications complete or incomplete	General Manager, Infrastructure Services	Manager of Planning	
Issue Notice of Complete Application		General Manager, Infrastructure Services	Manager of Planning	
Final Plans of Subdivision	Approve and Sign	General Manager, Infrastructure Services	Manager of Planning	

Final Plan of Condominium	Approve and Sign	General Manager, Infrastructure Services	Manager of Planning	
Condominium Descriptions	Exempt the description or any part of the description for the creation of a condominium corporation from provisions of the Planning Act	General Manager, Infrastructure Services	Manager of Planning	
Agreements				
Site Plan		Mayor and Clerk		
Transfer Payment		Treasurer and Clerk and, where required by the entity issuing a Transfer Payment or Grant the Mayor and the Clerk or the Mayor and the Treasurer, as applicable.	General Manager, Corporate Services	
Grants		Treasurer and Clerk and, where required by the entity issuing a Transfer Payment or Grant the Mayor and the Clerk or the Mayor and the Treasurer, as applicable.	General Manager, Corporate Services	Provided the grant funding is for a project included in the Town's approved budget or where all expenses to be incurred by the Town is entirely paid through the grant funding to be received
Utility Box Art Display Program	Artwork Display	Manager, Economic Development	General Manager, Community Services	

Summer Company Program	Summer Student Grant with the province	Manager, Economic Development	General Manager, Community Services	
Fees				
Minor Variance	Waive fees for a minor variance application when it is required to correct an oversight on the part of the Town, or to serve a greater neighbourhood or public interest	General Manager, Infrastructure Services	Manager of Planning	
Highways				
Temporary Highway Closure	Construction and maintenance work	General Manager, Infrastructure Services	Manager, Transportation and Development	Submission of Commercial General Liability Insurance in the amount of two million dollars naming the Town as an additional insured.
Temporary Highway Closure	Community Events, Special Events and Film Productions	General Manager, Infrastructure Services	Manager, Transportation and Development	Obtaining the applicable permit from the Town.
Road Tolls	A temporary closure of a highway for a toll is permitted for a fundraising activity for a qualified charitable organization in accordance with the Safe Streets Act.	General Manager, Infrastructure Services	Manager, Transportation and Development	<p>Safe Streets Act Toll Road Criteria:</p> <ol style="list-style-type: none"> 1. The toll is being conducted by a charitable organization registered under the Income Tax Act (Canada) on a roadway where the maximum speed limit is 50 kilometres per hour. 2. Submission of Commercial General Liability Insurance in the amount of two million dollars naming the

				Town as an additional insured.
Temporary Removal of Parking Restrictions	Construction and maintenance work	General Manager, Infrastructure Services	Transportation and Development Technologist	
Sidewalks	Charity walks and rides that do not involve a temporary highway closure	General Manager, Infrastructure Services	Manager, Transportation and Development	Submission of Commercial General Liability Insurance in the amount of two million dollars naming the Town as an additional insured.
Permits/Licences				
Lottery Licence	A licence to conduct lottery events	Clerk, Assistant Clerk, Licensing and Council Services Assistant	General Manager, Corporate Services	Order in Council 1413/08 also the Lottery Licensing Policy Manual issued by the AGCO
Liquor Licence	File objection where Town staff have identified concerns	Clerk	General Manager, Corporate Services	Objection to be confirmed by Council at next available Council meeting
Special Occasion Permit	Municipally Significant Event	Clerk	General Manager, Corporate Services	1. On Town Property and obtaining the applicable permit from the Town or; 2. For a Town run event
Road Occupancy Permit	To control, regulate and monitor work being done by others on Town municipal right-of-ways.	General Manager, Infrastructure Services	Manager, Transportation and Development	Submission of Commercial General Liability Insurance in the amount of two million dollars naming the Town as an additional insured.
Municipal Property Assessment Corporation	Municipal Licence Agreement	Treasurer	General Manager, Corporate Services	

Records				
Retention Periods	To establish and amend retention periods for the records of the corporation	Clerk	General Manager, Corporate Services	To be established in accordance with current Ontario Municipal Records Management System (TOMRMS) retention schedule
Freedom of Information	To act as the Head of the Municipality for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.	Clerk	General Manager, Corporate Services	
Reports				
Annual Accessibility Audit	Filing of Report states staff must have authority to bind the corporation	General Manager, Community Services	Manager, Recreation and Events	
Human Resource Matters				
Collective Agreement Negotiations and Minutes of Settlement	To negotiate collective agreements	Treasurer, to validate financial information and to Manager, Human Resources together with applicable General Manager		To include clause that the document is subject to approval by Council
Finance				
Cheques		Mayor and Treasurer		

Restricted Acts in the Year of a Municipal Election				
Contracts	Approve additional costs and authorize payment	CAO		<ol style="list-style-type: none"> 1. Contract must have been previously approved by Council (included in the approved budget) 2. Additional costs are not in excess of 25% of the approved budget. 3. During the first quarter in the year following the municipal election the CAO shall report to Council on any exercise of this delegated authority.
Administration				
Policy/Administration <i>(By-law 2023-056)</i>	Administrative Policies	CAO	N/A	<ul style="list-style-type: none"> - Administrative policies that do not have a financial impact and - deemed by CAO to not be of interest to Council - Conditional on submitting an annual report to Council on exercise of this authority
Changes to reporting and supervisory structures <i>(By-law 2023-056)</i>	Establish and approve reporting and supervisory structures	CAO	N/A	Changes contained within a department