

Type of Decision									
Meeting Date	Friday, January 9, 2015				Report Date	Tuesday, January-06-15			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed

General Authorization - Report #09/01/15/1003

Subject:

A by-law delegating Council authority to the Head of Council and/or the Clerk/CAO depending on the documents to expedite Council pre-approved business.

RECOMMENDATION:

That Council adopt the by-law facilitating the conduct of business. The by-law delegates authority to execute routine documents, contracts etc. which have previously been authorized by Council, direction provided to staff.

Resolution

BE IT RESOLVED THAT By-Law 2015-03 being a by-law to to authorize the Head of Council and/or the Clerk/CAO to execute agreements, contracts, or other documents which are routine in nature and are required to finalize a previous action taken by Council or direction given by Council be read a first time short and passed.

BACKGROUND/EXECUTIVE SUMMARY:

From the by-law...

“**BEING** a by-law to authorize the Head of Council and/or the Clerk/CAO to execute agreements, contracts, or other documents which are routine in nature and are required to finalize a previous action taken by Council or direction given by Council.

WHEREAS under the *Municipal Act*, S.O. 2001, c. 25, Section 8, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS there are any number of routine contracts, agreements, documents and consents which must be signed in any given year which in the past have been implemented by individual by-laws;

AND WHEREAS Council considers it expedient that, a general authorizing by-law be enacted to delegate this authority and to facilitate the administration of municipal business

specifically where the execution of documents would otherwise have to be held over until the next meeting of Council;

AND WHEREAS the subject matter of each document eligible for this process has been considered and approved by Council;

NOW THEREFORE the Council of the Corporation of the United Townships of Head, Clara & Maria does hereby enact as follows:

1. **THAT** the Head of Council and/or the Clerk/CAO are hereby authorized to execute agreements, contracts, or other documents and consents which are routine in nature and are required to finalize a previous action taken by Council through direction to staff and to affix the Corporate Seal to it.
2. **THAT** the agreements, contracts or other documents and consents include, but are not limited to:
 - a. Contracts awarding tenders where the awarding of such tender has been approved by resolution of Council or as per the procurement by-law where Council specific approval is not required;
 - b. Contracts for public utilities such as agreements with Bell Canada and/or Hydro One for routine service or installation on municipal property;
 - c. Standard agreements to provide for consulting, auditing, legal and/or engineering services where the approval to engage such a consultant for compensation and for particular works has previously been approved by Council;
 - d. Employment Contracts;
 - e. MNR Wildfire Protection Agreements;
 - f. Grant Applications;
 - g. Agreements required to be entered into as a condition of approval of a land severance or zoning amendment approved by the County of Renfrew Planning Department or the Ontario Municipal Board; and
 - h. Any other routine agreement/contract which does not require a specific authorizing by-law but of which Council has prior knowledge and has given prior approval.
3. **THAT** all other agreements which are not routine in nature; do not simply finalize prior decisions of Council; or those requiring individual authorizing by-laws will continue to be authorized under separate by-law;
4. **THAT** Council retains the right to inspect each and every contract, agreement, document or consent prior to signing should it so choose;
5. **THAT** an inventory be created listing all agreements, contracts or other documents and consents executed under the authority of this by-law, be presented annually to Council as evidence of controllership;

THAT this by-law come into force and take effect on the date of its final passing;”

Options/Discussion:

Council could consider not passing this by-law. This would likely result in the need for more frequent special meetings to meet provincial deadlines for signatures on grant applications and other such agreements.

Financial Considerations/Budget Impact:

None

Policy Impact:

As per municipal practise since 2007.

Others Consulted:

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk