

**The Corporation of the Township of Douro-Dummer**

**By-law Number 2022-14**

**Being a By-law to Delegate Certain Powers of Council  
(Delegation of Powers By-law)  
And repeal By-law 2017-33, as amended**

**Whereas** the Municipal Act, 2001, as amended, requires all municipalities to adopt and maintain policies for the delegation of its powers and duties;

**And Whereas** the Municipal Act 2001, as amended, provides the general power to authorize a municipality to delegate its powers and duties under this or any other Act to a person or body subject to the restrictions set out in Act;

**And Whereas** the Council for The Corporation of the Township of Douro-Dummer deems it appropriate to delegate certain powers to staff in order to provide a more expeditious service to our property owners;

**Now Therefore** The Corporation of the Township of Douro-Dummer hereby enacts as follows:

1. That those duties and powers outlined in Appendix "A" attached hereto and forming part of this by-law are hereby delegated to the respective staff members/positions detailed in Appendix "A".
2. That the conditions as outlined for notice and reporting in relation to the delegation of these powers is hereby adopted.
3. That By-law 20017-33, as amended, be repealed in its entirety.

Passed in open council this 15th day of March, 2022.

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Mayor, J. Murray Jones

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Acting Clerk, Martina Chait-Hartwig

**Appendix "A"**

**By-law Number 2022-14**

Item	Matter	Delegated to:	Delegated Authority; Terms & Reporting Mechanism
1	<p><b>Hire or Dismiss Staff</b> Section 275 of the Municipal Act, 2001, as amended, sets out that council cannot hire or dismiss staff during an election year when certain circumstances exist under Section 275(1).</p>	<p><b>CAO</b> This power is delegated to the CAO when Section 275(1) applies.</p>	<p>The CAO is delegated the authority to hire or dismiss any employee of the municipality, with just cause, when Section 275(1) of the Municipal Act, as amended, applies.</p> <p><b>Required:</b> All members of council and senior management of the municipality shall be immediately notified of the need to hire or dismiss staff and the actions taken to rectify the situation.</p>
2	<p><b>Making Expenditures or incurring any other liability which exceeds \$50,000</b> Section 275 of the Municipal Act, 2001, as amended, sets out that council cannot Making Expenditures or incurring any other liability which exceeds \$50,000 during an election year when certain circumstances exist under Section 275(1).</p>	<p><b>CAO</b> This power is delegated to the CAO when Section 275(1) applies.</p>	<p>The CAO is delegated the authority to making expenditures or incur any other liability which exceeds \$50,000 should it be deemed necessary to continue municipal business when Section 275(1) of the Municipal Act, as amended, applies.</p> <p>The CAO is delegated the authority to approve contracts for projects approved by the Capital Budget and be authorized to assign approved contracts.</p> <p><b>Required:</b> No decisions will be made relative to making expenditures or incurring any other liability which exceeds \$50,000 until consultation with senior management occurs and members of council will be notified of any actions taken.</p>
3	<p><b>Develop, approve and implement administrative policies, procedures and practices in the exercise of authority under section 229 of the Act.</b></p>	<p><b>CAO</b> This power is delegated to the CAO via Section 229 under the Act</p>	<p>The CAO has the Authority under the Act to develop, approve and implement administrative policies, procedures and practices which ensure the efficient and effective operation of the municipality.</p> <p><b>Required:</b> Notice will be provided via the appropriate avenue, Council Meeting, Committee of the Whole or HR Committee.</p>
4	<p><b>Approval of Livestock Damage Claims by Wolves or Bears</b></p>	<p><b>Clerk or designate</b></p>	<p>The Clerk or designate is delegated the authority to approve of the livestock investigators fees at the time of the claim.</p> <p><b>Required:</b> No action is required.</p>

4	<b>Signing Funding Agreements previously approved of by Council</b>	<b>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s)</b>	<p>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s), are delegated the authority to sign agreements to bind the Township with respect to funding initiatives which have been approved by Council or if the Township does not have to commit to a monetary portion to receive the funding with the Federal or Provincial government or an agency of the government with respect to funding commitments for Township initiatives and to any amendment or termination of such agreements.</p> <p><b>Required:</b> None required.</p>
5	<b>Signing Land Transfer Documents previously approved of by Council</b>	<b>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s)</b>	<p>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s), are delegated the authority to sign land transfer documents to bind the Township with respect to the purchasing or selling of land previously approved of by Council.</p> <p><b>Required:</b> Notification will be given to council at the next regular council meeting of the signing of each agreement.</p>
6	<b>Agreements required by Conditions of Severance and/or Minor Variances</b>	<b>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s)</b>	<p>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s) are delegated the authority to sign agreements to bind the Township with respect to any agreements which must be entered into to satisfy conditions imposed upon a severance granted by the Peterborough County Land Division Committee or by a Minor Variance imposed by the Township's Committee of Adjustment, where the minutes of such meetings have been received by Council.</p> <p><b>Required:</b> None required.</p>
7	<b>Acknowledgment and Direction and Discharge of Charge/Mortgage/Lien – Home Improvement Loans</b>	<b>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s)</b>	<p>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s) are delegated the authority to sign Acknowledgement and Direction documents and Discharge of Charge/Mortgage/Lien for old mortgages entered into by the former Township of Douro and former Township of Dummer, when it is associated with the Home Loan Improvement that were provided by under the Home Development Act</p>

			<p>and the required portion of the loan was repaid.</p> <p><b>Required:</b> No action is required.</p>
8	<b>Issuance of Mobile Canteen Licences</b>	<b>Clerk or designate</b>	<p>The Clerk or designate is delegated the authority to issue licenses for mobile canteens under the conditions and requirements of the Mobile Canteen By-law.</p> <p><b>Required:</b> All members of Council and senior management of the municipality shall be notified by email within one (1) week of the issuance of the licence.</p>
9	<b>Lottery Licences</b>	<b>Clerk or designate</b>	<p>The Clerk or designate is delegated the authority to approve of others selling tickets within the Township of Douro-Dummer under Lottery Licences issued by the Province or other Municipalities.</p> <p><b>Required:</b> All members of council shall be notified at the next appropriate council meeting of the approvals granted.</p>
10	<b>Approval of Municipal Act, Section 357 Tax Cancellations</b>	<b>Treasurer</b>	<p>The Treasurer is delegated the authority to approve of applications for tax cancellations under Section 357 of the Act, based on recommendations received from the Municipal Property Assessment Corporation.</p> <p><b>Required:</b> In addition to all required notices under the Act, all members of council shall be notified at the next appropriate council meeting of the approved cancellations.</p>
11	<b>Temporary Closing of Roads</b>	<b>Manager of Public Works/Fire Chief</b>	<p>The Manager of Public Works is delegated the authority to temporarily close any municipal road for the purposes of carrying out necessary road maintenance and construction works or special events.</p> <p>The Manager of Public Works has the authority to delegate the authority, in writing, to temporarily close any municipal road for special events to the Fire Chief.</p> <p><b>Required:</b> All property owners in the area of the closure, all emergency services, and all school bus operators shall be notified a minimum of one (1) week prior to the closure of the road</p>

			with the detail of the closure. In addition, all members of council and senior management of the municipality shall be notified as soon as the need is evident requiring the closure and immediately preceding the public notification.
12	<b>Load Restrictions</b>	<b>Manager of Public Works</b>	<p>The Manager of Public Works, or his their designate, has the authority to determine when load restrictions for Township roads will be in effect under the Regulation of Traffic and Parking By-law, as amended.</p> <p><b>Required:</b> Notification will be given by the posting of signs upon municipal roads where load restrictions are in place and on the Township website.</p>
13	<b>Security at Events</b>	<b>Manager of Recreation Facilities</b>	<p>The Manager of Recreation Facilities is delegated the authority to enter into contracts to provide security personnel at events at any of the Township recreation facilities pursuant to the provisions of the Security for Events policy number R-11.</p> <p><b>Required:</b> No action is required.</p>
14	<b>Rental Contract and/or Agreements for Recreation Facilities</b>	<b>Manager of Recreation Facilities or designate</b>	<p>The Manager of Recreation Facilities is delegated the authority to enter in rental contracts and/or agreements for Community Centres, Rec Centre or Parks in accordance with the fees set by Council.</p> <p><b>Required:</b> No action is required.</p>
15	<b>Minor and Routine Contracts, Agreements and/or Leases</b>	<b>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s)</b>	<p>Any combination of the Mayor, C.A.O., Clerk, Treasurer or designate(s) are delegated the authority to enter into minor and routine contracts, agreements and/or leases for general administration of the Corporation following approved legislation, policies and goals and objectives set by Council and Authority to bind the Corporation when required.</p> <p>Examples: For use or purchase of office equipment; routine software that is previously approved via the budget process, website products; data sharing as related to the County GIS; routine matters related to the Municipal Property Assessment Corporation (MPAC) or Ontario Property Tax Agreement (OPTA) cut-off and CD ordering etc.</p> <p><b>Required:</b> No action is required.</p>

16	<b>Collection of Property taxes and related assessment maintenance</b>	<b>Treasurer, Deputy Treasurer/Tax Collector or the Treasurer's designate</b>	<p>The Treasurer, Deputy Treasurer/Tax Collector or the Treasurer's designate is delegated the authority to:</p> <ul style="list-style-type: none"> <li>- initiate and file notices of assessment appeal, for any property in the Township of Douro-Dummer, with the Assessment Review Board ("the ARB");</li> <li>- withdraw any appeal filed by the Township of Douro-Dummer, should it be determined that it is not in the Township's best interest to proceed;</li> <li>- attend any Mediation or Settlement Conferences on property tax or assessment matter as a party to all appeals whether filed by the Township of Douro-Dummer or another person, entity or agent;</li> <li>- attend before the Assessment Review Board on property tax or assessment matters as a party to all appeals whether filed by the Township of Douro-Dummer or another person, entity or agent;</li> <li>- execute settlement agreements, on behalf of the Township of Douro-Dummer, reached in the course of a taxation or property assessment appeal, mediation or settlement conference.</li> </ul> <p><b>Required:</b> Notification will be given to council at the next regular council meeting of any taken actions regarding</p>
17	<b>Response to completeness of Zoning By-law Amendment Applications</b> Section 34 (10.4) of The Planning Act	<b>Clerk or Planner</b>	<p>The Clerk or Planner or designate are delegated the authority to:</p> <ul style="list-style-type: none"> <li>- Respond to the completeness of applications for Zoning By-law Amendment under Section 34 (10.4) of The Planning Act.</li> </ul> <p><b>Required:</b> Staff will process the Zoning By-law Amendment Application in compliance with Section 34 of The Planning Act and any applicable Township Policy.</p>
18	<b>Head under MFFIPA</b> Municipal Freedom of information and Protection of Privacy Act, R.S.O. 1990, c. M.56	<b>Clerk or Designate</b>	<p>1. For the purposes of the Municipal Freedom of information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended, the powers and duties of the</p>

			<p>head are hereby delegated to the Clerk of the Township of Douro-Dummer.</p> <p>2. In the absence of the Clerk, for the purposes of the Municipal Freedom of information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended, the powers and duties of the head are hereby delegated to the Deputy Clerk of the Township of Douro-Dummer.</p> <p><b>Required:</b> No action is required.</p>
19	<p><b>Designate an Event as Event of Municipal Significance</b> Liquor Licence and Control Act, 2019, S.O. 2019, c. 15, Sched. 22, O. Reg 747/21</p>	<b>CAO, Clerk or Designate</b>	<p>The CAO, Clerk or designate are delegated authority to designate an event as event of municipal significance for purpose of prescribing it as a special event occasion where an application has been made and it demonstrates compliance with all applicable AGCO Regulations; Consultation other Senior Staff with applicable Township approvals for licensing is required.</p> <p><b>Required:</b> Notice to Council and staff shall be provided via email at least one (1) week prior to the date of the event.</p>
20	<p><b>Authority to declare a significant weather event in order to extend the response time to achieve Minimum Maintenance Standards</b> Ontario Regulation 239/02 Minimum Maintenance Standards for Municipal Highways</p>	<b>Manager of Public Works</b>	<p>The Manager of Public Works is delegated the authority to declare a significant weather event under Ontario Regulation 239/02.</p> <p><b>Required:</b> Notice shall be provided to Council and Staff as soon as the decision is made. Notice shall also be placed on the Township website as soon as is practical.</p>