

**THE CORPORATION OF THE TOWNSHIP OF TAY**

**BY-LAW 2016-16**

**A By-law to Delegate Routine or Minor Powers and Duties of Council of the Township of Tay to Officers and Staff of the Corporation of the Township of Tay**

**WHEREAS** Section 270 of the *Municipal Act*, 2001 provides the authority for Council to delegate routine or minor powers and duties to staff; and

**AND WHEREAS** Council adopted a policy for the delegation of routine or minor powers and duties to staff; and

**AND WHEREAS** the *Planning Act*, R.S.O. 1990, Section 41.(13), provides that where the Council of a municipality has designated a site plan control area, the Council may by By-law delegate to either a Committee or an appointed officer any of the Council's powers or authority for Site Plan Control;

**AND WHEREAS** it is deemed appropriate to delegate routine or minor powers and duties to employees to enhance the efficiency of the decision making and administrative processes;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENACTS AND BE IT ENACTED AS FOLLOWS:**

1. That the Council of the Corporation of the Township of Tay hereby delegates the routine or minor powers and duties to employees or their chosen delegates as described in Scheduled "A" hereto and forming part of this By-law.
2. That employees of the Corporation of the Township of Tay are hereby delegated the powers and duties in accordance with the "Delegation of Powers & Duties Policy".
3. That the Council of the Corporation of the Township of Tay hereby has sole discretion to request staff to report on specific matters prior to final approval.
4. That the delegated powers and duties may be amended or revoked from time to time by the Council of the Corporation of the Township of Tay by resolution or By-law, as required, to reflect Council's transparency and accountability requirements.
5. That By-laws 2007-102, 2008-68, 2011-20, 2013-66 be hereby repealed.
6. That this by-law shall come into force and effect on the final passage thereof.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29<sup>TH</sup> DAY OF FEBRUARY, 2016.**

**THE CORPORATION OF THE TOWNSHIP OF TAY**

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**MAYOR, Scott Warnock**

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**CLERK, Alison Thomas**

**Schedule A to By-law 2016-16**  
**Delegated Municipal Powers & Duties**

Delegate (incl. designate)	Delegated Powers & Duties	Criteria/Conditions
Chief Administrative Officer		
	Insurance – Settlement of Small Insurance Claims	Authority to handle claims for amounts less than \$5,000 Annual report to Council if any claims approved
	Insurance – Third Party Claims	Authority to pursue and settle with third parties for the recovery of Township property damage claims.
	Staffing Authority	Responsible for determining department head positions, in consultation with Council. Responsible for all other positions, in consultation with the department head. Authority for the classification of positions below the level of department head.
	Recruitment – Moving Expenses	Authority to pay for moving expenses for a recruited employee with an upset limit of \$5,000.
	Inclement Weather	Authority to close non-essential departments in the event of inclement weather in consultation with the Mayor.
	Letters of Support	Issuance of letters of support for community festivals, outdoor events, third party grants that do not require a municipal financial contribution
	Termination of Contracts	Authority to terminate, or approve the termination of contracts for default, poor or non-performance
	Grant Applications – Approved Programs	Authority to sign grant applications submitted by the Township for existing approved programs where funding is either not required or is available within existing budgets
Clerk		
	Municipal Freedom of Information & Protection of Privacy Act – All related powers & dues as 'Head'	Administration of the Municipal Freedom of Information & Protection of Privacy Act and for decisions made thereunder.
	Real Estate Related Activities	Authorized to sign documents associated with real estate transactions as follows: * negotiate, enter into, sign agreements related to the acquisition or disposal of real estate. Each agreement shall contain a condition that the acquisition or disposal is subject to Council approval * authority to execute encroachment or private road agreements that do not result in financial obligations on the municipality

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<b>Delegate (incl. designate)</b>	<b>Delegated Powers &amp; Duties</b>	<b>Criteria/Conditions</b>
Clerk		
	Correcting or Quit Claim Deeds	Authority to issue and sign correcting or quit claim deeds to clear defects in title of property.
Director of Finance		
	Sign Minutes of Settlement and represent the municipality in regards to property assessment appeals at the Assessment Review Board	Authority to review and sign-off settlements and participate in the hearing process where appropriate.
	Accounts Receivable	Authority to write-off of interest in accordance with Council approved annual operating budget.
	Penalty/Interest	Authority to write-off penalty/interest (one time) where customer has a good payment history
Director of Planning & Development		
	Sign Permit Application – Issuance and/or Denial	Authority to administer the Sign by-law including the signing of documents to issue or deny a Sign Permit Application, or to revoke a Sign Permit.
	Site Plan Control	Authority to approve the following classes of site plan approval: <ul style="list-style-type: none"> <li>a. Additions to existing buildings or minor changes to previously approved plans and drawings</li> <li>b. New townhouse development</li> <li>c. New multi-storey residential building under 3 storey's in height (15 metres)</li> <li>d. New Industrial Development with a gross floor area under 500 square metres ;</li> <li>e. New institutional developments, provided that the development does not front onto a Provincial Highway, Arterial Road or Collector Road as designated in the Township's Official Plan, and that the gross floor area does not exceed 500 square metres.</li> <li>f. New commercial developments with a gross floor area of under 500 square metres.</li> </ul>
	Part Lot Control/Deeming By-law	Authority to issue final approval of applications for of Part Lot Control and Deeming By-law that are located with a Plan of Subdivision.

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Director of Planning & Development		
	Deeming Complete Applications	Authority to deem a complete application under Sections 22 (Official Plan Amendment), 34 (Rezoning), 53 (Consent) and the other sections requiring the submission of an application
	Subdivision and condominium approval	Authority to issue final plan approval and to approve minor amendments to conditions of draft plan approval for subdivisions and condominiums. Minor amendments are amendments that do not increase the total number of lots, blocks or units granted draft plan approval and do not alter the intent of Council's draft plan approval. It includes minor changes to lot or block boundaries and wording revisions to conditions requested by public agencies.
	Extensions to Draft Plan Approval	Authority to issue two draft plan extensions totalling no more than four (4) years to an existing Council approved draft plan. Request for a third extension must be brought forward to Council for consideration
	Consent for alterations for Ontario Heritage Act designated properties	Authority to approve alterations to designated property, in consultation with the Municipal Heritage Committee
	Minor Variances	Authority to execute agreements that fulfil conditions imposed by the Committee of Adjustment in relation to an approved Minor Variance application
Director of Public Works		
	Temporary Road Closures for road work and repairs	
	Temporary Road Closures for ceremonial events, parades and community celebrations	Report to Council in monthly report as to the event, the affected roads and time of closure
	Rental & User Fee Exemptions	Authority to grant rental and fee exemptions in accordance with the municipality's Rental & User Fee Policy, limited to fees not exceeding \$500 per request

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<b>Delegate (incl. designate)</b>	<b>Delegated Powers &amp; Duties</b>	<b>Criteria/Conditions</b>
Fire Chief		
	Fire Risk and Safety Management Plans	Authority to approve and comment
	Noise By-law Exemptions	Special and annual events, report to Council in monthly report
	Amendments to the Emergency Response Plan and Emergency Management Program	Authority to: * make revisions and amendments to the Emergency Response Plan and Emergency Management Program as required * to negotiate and execute agreements between the municipality and other municipalities, agencies, or organizations to supplement specialized emergency planning, response or recovery services.