

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2018-51

To delegate certain
powers and duties during a recess of Regional Council

WHEREAS Section 23.1 of the *Municipal Act, 2001*, as amended (the “Act”), authorizes a municipality to delegate its powers and duties under the Act or any other Act to a person or body, subject to certain restrictions;

AND WHEREAS Council deems it appropriate to delegate certain powers and duties during any period, in any year, when regular meetings of Council are suspended either over the summer months or for any other reason, including during any period where the acts of Council are restricted under Section 275 of the Act;

AND WHEREAS such delegation shall be subject to certain conditions as set out in this bylaw;

NOW THEREFORE the Council of The Regional Municipality of York hereby enacts as follows:

1. During any period, in any year, where regular Council meetings are suspended for any reason, Council hereby delegates to the Chief Administrative Officer and Regional Treasurer the authority to:
 - (a) award and execute contracts and other forms of commitment where such matters are not otherwise currently delegated by Council;
 - (b) approve the acquisition or disposal of real property, including leases and other interests in real property; and
 - (c) approve the exercise of the Region’s rights and remedies at law including termination of contracts and settlement of claims, appeals and other matters before the courts or administrative tribunals.

2. In the absence of the Chief Administrative Officer or Regional Treasurer, the authority delegated under this bylaw to the Chief Administrative Officer and Regional Treasurer is delegated to any person designated to act on their behalf.

3. The delegation of Council's authority under this bylaw is subject to the following conditions:
 - (a) that the Chief Administrative Officer and the Regional Treasurer are satisfied that the exercise of the authority is required to prevent interruption of service delivery or to avoid incurring unnecessary costs;
 - (b) that a memorandum outlining the necessity of any approval is submitted to the Chief Administrative Officer and Regional Treasurer by the Commissioner requesting the approval;
 - (c) that any contracts or documentation are subject to the review and approval of Legal Services as to form and content;
 - (d) that a report is submitted to Council at the earliest opportunity to advise of the approval of any matters under this bylaw; and
 - (e) despite the provisions of the Purchasing Bylaw (2017-30), the requirements set out in this bylaw shall apply to the approval of purchases by the Chief Administrative Officer during a Council recess pursuant to section 7.15 of the Purchasing Bylaw.

4. Bylaw No. 2014-34 is hereby repealed.

ENACTED AND PASSED on June 28, 2018.

CHRISTOPHER RAYNOR

Regional Clerk

WAYNE EMMERSON

Regional Chair