

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 36

BYLAW NO. 2014-34

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 Regional Chair and the Chief Administrative Officer 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 Regional Chair, the authority delegated under this bylaw to the Regional Chair and the Chief Administrative Officer is jointly delegated to the Chief Administrative Officer and the Regional Treasurer.
3. In the absence of the Chief Administrative Officer, the authority delegated under this bylaw to the Chief Administrative Officer is delegated to any person designated as the Acting Chief Administrative Officer.
4. The delegation of Council's authority under this bylaw is subject to the following conditions:
 - a) that the Regional Chair and the Chief Administrative Officer, or in the absence of the Regional Chair, 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 Regional Chair and the Chief Administrative Officer 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; and
 - d) that a report is submitted to Council at the earliest opportunity to advise of the approval of any matters under this bylaw.

ENACTED AND PASSED on May 15, 2014.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair

Authorized by Clause 20, Report 10 of the Committee of the Whole, adopted by Regional Council at its meeting on May 15, 2014.