

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 18

BYLAW NO. 2014-18

Execution of Documents Bylaw

The Council of The Regional Municipality of York hereby enacts as follows:

1. DEFINITIONS

1.1 In this bylaw:

“**Board of Health**” means The Regional Municipality of York, acting in its capacity as a board of health established under the *Health Protection and Promotion Act*;

“**Chief Administrative Officer**” means the Chief Administrative Officer of The Regional Municipality of York;

“**Commissioner**” means any officer or employee of the Region who is designated as the head of a Regional department;

“**deliverables**” means goods, services and construction;

“**document**” means any written instrument in paper or electronic form which, when duly executed, will have or is intended to have the effect of binding the Region but does not include any cheques, bank drafts, debentures or other financial instruments;

“**Region**” means The Regional Municipality of York;

“**Regional Chair**” means the Regional Chair of The Regional Municipality of York;

“**Regional Clerk**” means the Regional Clerk of The Regional Municipality of York;

“**Regional Solicitor**” means the Regional Solicitor of The Regional Municipality of York; and

“**signing officer**” means a person appointed pursuant to this bylaw to execute any document on behalf of the Region.

2. APPOINTMENT OF SIGNING OFFICERS

2.1 The Regional Chair and Regional Clerk are hereby appointed signing officers of the Region and may jointly execute any document on behalf of the Region.

2.2 The Regional Chair is hereby appointed the signing officer of the Board of Health and may execute any document on behalf of the Board.

2.3 The Chief Administrative Officer is hereby appointed a signing officer in respect of any document listed in Column 1 of Schedule A to this bylaw.

2.4 Any document listed in Column 1 of Schedule A to this bylaw may be executed by the person holding the position set out opposite such document in Column 2 of Schedule A, and that person is hereby appointed a signing officer for such purpose.

2.5 Where any person is authorized to execute any document pursuant to this bylaw, such person may appoint a designate to execute such document on his or her behalf.

2.6 The appointment of a designate by a Commissioner or the Regional Solicitor shall be subject to the approval of the Chief Administrative Officer.

3. SCOPE OF AUTHORITY

3.1 Despite any provision of this bylaw, a signing officer shall not execute any document unless the transaction or activity to which the document relates has been approved by Regional Council. For greater certainty, a transaction or activity shall be deemed to be approved by Regional Council where such transaction or activity:

- a) is included in the annual budget adopted by Regional Council;

- b) is included in a program, project or activity which has been approved by Regional Council; or
- c) is reasonably incidental to the authority given to the Chief Administrative Officer, the Commissioners or the Regional Solicitor, as the case may be, to carry out their duties and responsibilities on behalf of the Region.

3.2 No provision of this bylaw shall be construed as waiving any provision of Bylaw No. 2014-17 (the "Purchasing Bylaw"), as amended from time to time, and the said bylaw shall continue to apply to the procurement of deliverables on behalf of the Region.

3.3 Where authority has been given by Regional Council or under the Purchasing Bylaw to any person to execute any document, such authority includes the authority to execute any ancillary documents necessary to give effect to the document and shall include the authority to amend the original document, including extending the term of any agreement, provided such amendment does not result in any additional financial obligation to the Region.

3.4 Where a signing officer is authorized to execute any document pursuant to this bylaw, such authority includes the authority to execute any ancillary documents necessary to give effect to the document and shall include the authority to amend the original document, including extending the term of any agreement, provided such amendment does not result in any additional financial obligation to the Region.

3.5 The execution of any document pursuant to this bylaw shall be subject to compliance with any policies adopted by Regional Council from time to time with respect to the transaction or activity to which the document relates, and to any administrative procedures established by the Chief Administrative Officer.

4. ADMINISTRATION

4.1 Each signing officer shall obtain the approval of the Regional Solicitor or his or her designate prior to executing any document pursuant to this bylaw.

4.2 Each Commissioner shall maintain a record of each document executed pursuant to this bylaw and shall file such record with the Regional Clerk.

4.3 At least one original of each executed document shall be retained by the Region.

4.4 All executed documents shall be delivered to the Regional Clerk for safekeeping unless otherwise directed.

5. SCHEDULE

5.1 Schedule A attached shall form part of this bylaw.

6. REPEAL

6.1 Bylaw Nos. 2009-49 and 2011-58 are hereby repealed.

ENACTED AND PASSED this 20th day of February, 2014.

Denis Kelly

Regional Clerk

Bill Fisch

Regional Chair

Schedule A

Column 1 DOCUMENT	Column 2 SIGNING OFFICER
<p>1. Funding agreements</p> <p>1.1 applications for any funding or subsidy on behalf of the Region</p> <p>1.2 agreements with Federal or Provincial governments or agencies or any other entity for the provision of funding to the Region</p> <p>1.3 agreements for the provision of funding by the Region</p> <p>1.4 documents required in support of funding applications or as a condition of receipt of funds, including reporting requirements</p>	<p>Commissioner responsible for the program or project to which the funding relates</p>
<p>2. Facilities</p> <p>2.1 agreements for the occupancy of lands and facilities for Regional purposes, including public meetings, staff training and workshops (excluding leases)</p>	<p>Commissioner responsible for the program requiring the facility</p>
<p>2.2 agreements respecting utilities, telecommunications and other services required to service Regional lands and facilities</p> <p>2.3 agreements permitting the occupancy of Regional lands and facilities by third parties (excluding leases)</p>	<p>Commissioner responsible for the Regional infrastructure or facility to which the agreement relates</p>
<p>3. Purchase of services</p> <p>3.1 agreements for the purchase of services from child care providers, homemakers and domiciliary and emergency hostel providers</p> <p>3.2 agreements for the purchase of services from physicians, nurses and other health care professionals</p> <p>3.3 agreements for the purchase of services for clients receiving social assistance</p> <p>3.4 agreements for the purchase of services from agencies receiving funding from the Region</p>	<p>Commissioner responsible for the program or project to which the service relates</p>

Column 1 DOCUMENT	Column 2 SIGNING OFFICER
4. Real estate matters	
4.1 agreements for the acquisition of land (excluding leases), provided that the value does not exceed \$100,000.00	Chief Administrative Officer and Commissioner of Corporate Services
4.2 agreements for the disposal of land (excluding leases), provided that the value does not exceed \$100,000.00	Chief Administrative Officer
4.3 conveyance of rights and easements required to service Regional lands and facilities	Commissioner of Corporate Services
4.4 conveyance of easements to local municipalities and utilities over closed highways and .3m reserves	
4.5 conveyance of widenings and .3m reserves to the entity having jurisdiction over the abutting highway	
4.6 documents required to revert surplus waterworks sites to local municipalities	
4.7 agreements permitting the Region access to or encroachment on lands for Regional purposes	Commissioner responsible for the Regional infrastructure to which the agreement relates
4.8 agreements permitting Regional infrastructure to cross railways, highways and pipelines	
4.9 agreements permitting access to or encroachment on Regional lands and facilities by third parties	
4.10 documents required for the completion of any real estate transaction, including transfers, easements, undertakings, certificates, acknowledgments, declarations, indemnities and releases	Regional Solicitor or Commissioner of Corporate Services
4.11 release of any interest in lands no longer required by the Region	
4.12 agreements respecting conditions, covenants or indemnities in favour of the Region	
4.13 documents required in connection with the transfer or assumption of Regional lands, infrastructure and facilities	

Column 1 DOCUMENT	Column 2 SIGNING OFFICER
4.14 documents required for the purpose of correcting or clarifying title or boundaries 4.15 Applications, notices and declarations required under the <i>Expropriations Act</i>	Commissioner of Corporate Services
5. Land registration 5.1 applications, agreements and renewals required to obtain authorization to register documents in the electronic land registration system 5.2 transfers, applications, notices and documents required under applicable legislation and the Teraview land registration system to register all Regional documents, including those that preserve any right, title or interest in lands	Regional Solicitor or Commissioner of Corporate Services
5.3 consents and waivers of notice relating to registrations in the land titles system	Commissioner of Corporate Services
5.4 documents to register liens and discharges on title to real property owned by recipients of social assistance	Commissioner of Community and Health Services
6. Administration 6.1 agreements for the exchange or release of information under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> or the <i>Personal Health Information Protection Act, 2004</i> 6.2 agreements with Federal or Provincial governments, municipalities or agencies for Regional undertakings, program delivery and administration 6.3 submission of service and program plans and activity reports as required by any legislative authority 6.4 agreements with institutions and community partners under approved programs 6.5 confidentiality agreements	Commissioner responsible for the program or project to which the matter relates

<p>6.6 release of agreements where Regional conditions have been fulfilled or the agreement is no longer required</p> <p>6.7 acknowledgement of the status or term of any agreement to which the Region is a party</p> <p>6.8 applications for permits, approvals or licences with respect to any Regional undertaking</p> <p>6.9 permits and approvals issued by the Region under any legislative authority</p> <p>6.10 development agreements with municipalities for Regional undertakings</p>	<p align="center">Commissioner responsible for the program or project to which the matter relates</p>
<p>6.11 lodging house licences</p> <p>6.12 memoranda of understanding with housing providers under the <i>Social Housing Reform Act, 2000</i></p> <p>6.13 agreements respecting the admission of persons to long-term care facilities</p> <p>6.14 admission agreements for supportive housing</p> <p>6.15 admission agreements for long term care and seniors' day programs</p>	<p align="center">Commissioner of Community and Health Services</p>
<p>7. Planning and development</p> <p>7.1 subdivision and site plan agreements and documents required to satisfy any conditions of such agreements</p> <p>7.2 agreements required as a condition of development approvals</p> <p>7.3 documents required to clear conditions of development approvals</p>	<p align="center">Commissioner responsible for the program or project to which the matter relates</p>
<p>7.4 agreements permitting deferral of development charges in accordance with Bylaw No. 2012-36</p>	<p align="center">Chief Administrative Officer and Commissioner of Finance</p>
<p>8. Regional roads</p> <p>8.1 temporary closure of Regional roads for construction or special events</p> <p>8.2 access agreements to and from Regional roads</p> <p>8.3 railway crossing relocation agreements</p>	<p align="center">Commissioner of Transportation and Community Planning</p>

<p>9. Claims</p> <p>9.1 originating documents for claims on behalf of the Region for amounts up to \$500,000.00</p> <p>9.2 settlement documents for uninsured claims up to \$500,000.00, including settlements under the <i>Expropriations Act</i></p> <p>9.3 releases, indemnities, minutes of settlement and other documents required for the settlement of claims</p>	<p>Regional Solicitor</p>
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