



POLICY

DELEGATION OF POWERS AND DUTIES

Policy Type:	Governance	Effective Date:	2008-01-21
Department:	Corporate Services	Approval Level:	Council
Division:	Clerk's Office	Policy #:	0004
Section/Facility:	N/A	Revision #:	N/A

1.0 PURPOSE

- 1.1** This policy is made pursuant to sections 23.1 - 23.5 and 270 of the Municipal Act Act, 2001, which stipulates that a municipality is required to adopt policy and maintain policy with respect to the delegation of its powers and duties.
- 1.2** The delegation of some of its powers and duties assists Council in streamlining the decision-making process, and this policy sets out the scope and principles pursuant to which such delegation may occur.

2.0 APPLICATION

- 2.1** This policy applies to the Corporation of the City of Peterborough, its agencies, boards and commissions.

3.0 DEFINITIONS/ACRONYMS (As Required)

Act - Municipal Act, 2001, and/or its regulations.

Administrative Powers - All matters required for the management of the City which do not involve discretionary decision-making.

City - The Corporation of the City of Peterborough, its agencies, boards and commissions.

Legislative Powers - All matters in respect of which Council acts in a legislative or quasi-judicial manner, including enacting by-laws, setting policies and exercising decision-making authority.



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4.0 POLICY STATEMENT(S)

- 4.1 Council is directly accountable to its constituents in the exercise of its legislative and administrative powers. In order to manage the City efficiently, and to respond to issues in a timely fashion, it is appropriate to entrust certain powers and duties to committees and staff, while maintaining accountability and transparency.
- 4.2 All delegation of powers and duties shall be carried out in strict compliance with the Act, and respecting restrictions set forth in the Act.
- 4.3 All delegations shall be effected by by-law.
- 4.4 A delegation of power, duty or function under any by-law to a member of staff includes, in the absence of the staff member, a delegation to a person who is appointed by the CAO, or selected from time to time by the delegate, to act in the capacity of the delegate in the delegate's absence.
- 4.5 Except as provided in section 4.4, or expressly in the delegation by-law, no power, duty or function may be sub-delegated by the delegate.
- 4.6 Legislative powers which are minor in nature may be delegated by Council, subject to the limitations in the Act.
- 4.7 Administrative powers shall generally be delegated to staff, subject to the limitations in the Act.
- 4.8 Any expenditure related to a delegated matter shall have been provided for in the current year's budget, or otherwise authorized by the purchasing by-law.



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5.0 APPENDIX, RELATED POLICIES, PROCEDURES & LINKS

5.1 Pertinent Resources

Municipal Act, 2001
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_01m25_e.htm

Report # CSCLK08-002 Policies Respecting Delegation of Powers, Notice to the Public and Accountability and Transparency
http://www.peterborough.ca/City_Hall/City_Council/2008-01-14_Committee_of_the_Whole.htm?ViewMode=View&DateTime=633359268000000000&PageMode=View

5.2 Related Policies

N/A

5.3 Related Procedures

N/A

5.4 Related Forms

N/A

5.5 Miscellaneous

Report CPFPRS09-021 Authority to Award Project Management Request for Proposals for Peterborough Airport Development Program
<http://eagenda.city.peterborough.on.ca/sirepub/cache/2/qems2x45x0ds4hzubi2lzs55/813407082009042434116.PDF>

Report CPFRAS09-006 Treasurer's Report, 2008 Consolidated Financial Report, 2008 Trust Funds Financial Statement and Five-Year Review
<http://eagenda.city.peterborough.on.ca/sirepub/cache/2/qems2x45x0ds4hzubi2lzs55/660007082009042711648.PDF>

6.0 AMENDMENTS/REVIEWS

Next Review Date	2012-01-21
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Date (yyyy-mm-dd)	Section(s) Amended	Comments
2008-01-21	N/A	Policy approved by Council.
2009-01-21	N/A	Policy reviewed by City Clerk's Office and Policy Office. No changes required.