



Policy Title: Delegation of Powers and Duties Policy

Policy Number: A09-POLICY-0003

Policy Type: Council Policy
Policy Owner (Department, Contact): Corporate Services, City Clerk
Approval Authority: Council

Administration			
Effective Date:	2024-05-01	Last Review Date:	2024-05-01
Related Policy(ies):	A09-POLICY-0001 (Corporate Policy Development Policy)		
Related By-Law(s):	None		
Procedural Document:	None		

1. Policy Statement

This policy establishes the guidelines for City Council when considering delegating some of its powers and duties to a person or body.

2. Purpose

Section 227 of the Municipal Act, 2001 states that it is the role of the officers and employees of the municipality to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.

Section 270(1) of the Municipal Act, 2001 further states that a municipality shall adopt and maintain policies concerning the following matters:

- Its sale and other disposition of land.
- Its hiring of employees.
- Its procurement of goods and services.
- The circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.

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- The manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.
- The delegation of its powers and duties.

This Policy has been developed to support these legislative requirements.

3. Scope

This policy shall apply to City Council.

4. Definitions

None

5. The Policy

5.1. Applicable Legislation

Section 23.1 of the Municipal Act, 2001 expanded the right of authority for City Council to delegate some of its powers and duties to a person or body.

It should be noted that the intent of Section 23.1 of the Municipal Act, 2001 was to help streamline City Council's decision-making process and enable it to focus on larger issues in a more strategic manner. Delegation of powers and duties could also be used to enhance community engagement on local issues.

5.2. Powers that may be Delegated

Any delegation of a power or duty shall be in accordance with the Municipal Act, 2001, S.O. 2001 c.25 and any other applicable legislation.

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5.3. Process for Delegation

Any delegation of a power or duty shall be by by-law.

5.4. Public Engagement

Prior to delegating any power or duty, City Council may consult with the public when, in its opinion, public consultation is appropriate, unless it is required to do so by law.

5.5. Factors that City Council may Consider

When delegating a power or duty, City Council may consider, without limitation to, any of the following matters:

- 5.5.1. The term of the delegation;
- 5.5.2. The conditions or restrictions, if any, on City Council's power to revoke the delegation;
- 5.5.3. The conditions or restrictions, if any, to be imposed on the delegate;
- 5.5.4. Whether the power or duty to be delegated will be exercised only by the delegate or by both the delegate and the municipality;
- 5.5.5. Whether the delegation is consistent with the municipality's policies under section 270 of the Municipal Act, 2001;
- 5.5.6. The importance and complexity of the power or duty to be delegated and whether the delegate has the requisite qualifications and expertise to exercise the delegated powers and duties.

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Legislative History	
Date	Description
2024-05-01	Enacted Policy presented to Council - Staff Report QW-2024-00034 Adopted under Motion No. 24-240