



Township of East Zorra-Tavistock

Human Resources Manual

Title: Delegation Policy	
Section: Personnel Policies	Number: 2.08
Version: 1.2	Review Frequency: as required
Approved by: Council	Approval Date: 2007-12-19
Application: General organizational structure of the Township. Applies to all employees.	
Notes: Required by Municipal Act, 2001, Section 270(1) 2012-05-16 added Drainage Re-Apportionment Delegation 2015-12-16 added Committee Roster Maintenance Delegation, as well as Delegation to appoint Fence Viewers and Livestock Valuers, to the Clerk	

Excerpt from the Municipal Act

- 270. (1)** A municipality shall adopt and maintain policies with respect to the following matters:
6. The delegation of its powers and duties.

Statement of Principle

1. To establish a policy in regards to the delegation of powers and duties for routine and/or administrative matters. By delegating powers and duties, Council's decision making process can be streamlined and Council is able to focus on the larger issues in a more strategic manner and allow the public access to a streamlined process to achieving certain routine administrative matters.

Purpose

2. The Municipal Act, 2001, as amended, (the Act) requires that all municipalities adopt and maintain a policy with respect to the delegation of its powers and duties. The purpose of this policy is to provide guidance for the delivery of the municipality's activities and services in accordance with the principles outlined herein. This policy has been developed to comply with the provisions of Section 270 of the Act.

Types of matters to be delegated and process

3. At the discretion of Council, within the perimeters of the Municipal Act, Council shall by resolution, policy or by-law approve the delegation of a power or duty. Such delegation shall be limited to administrative or routine operational matters.
4. The power or duty delegated shall be limited to the specific power or duty stated in the resolution, policy or by-law. The corporate body or staff position to which the power or duty has been delegated shall be stated when the delegation is approved.
5. The person or body delegated the power or duty may, at their discretion, prior to exercising the power or duty, submit a report to Council requesting Council to consider the matter.
6. Council may, at anytime deemed appropriate, amend or repeal the delegated authority.
7. Schedule "A" attached hereto shall constitute those powers that are delegated.
8. Schedule "A" may be updated as follows:
 - a. by amendment to this policy; or
 - b. if the delegation of power or authority is created by another policy, resolution or by-law adopted by Council, Schedule "A" may be updated without formal amendment to this policy.

Delegated Authority	Relevant Authority	Rationale	Comments
Approval of minor variances where a consent is involved to the County Land Division Committee	Current Practice	Reduce the length of time for an applicant to obtain necessary approvals by reducing administration for the applicant, staff and the public. (i.e. one public meeting)	
Approval for Special Occasion Permit clearance letters to the Clerk, Chief Building Official and Fire Chief	Current Practice	Considered a routine operational matter	No ongoing reporting to Council. If the Clerk deems the request to be controversial in nature, the approval may be referred to Council for consideration
Approval for Community Festival requests (Events of Municipal Significance) delegated to the Clerk	Delegation Policy	Administrative matter, will streamline approvals process	Clerk to report approved events to Council
Approval of Site Plans to the Chief Administrative Officer	By-law #2008-13	Review of Site Plan considered a technical expertise	In practice, the following positions also review site plan documents: PW Manager, Chief Building Official, Planner, Fire Chief, Engineer, others as required
Authority for the Township Road System to the Public Works Manager	By-law Number 2004-18 and 2005-46	Considered a routine operational matters	
Authority for the issuance, administration, and enforcement of lotteries to the Clerk and persons designated by the Clerk.	By-law #52-89	Considered a routine administrative matter	

Delegated Authority	Relevant Authority	Rationale	Comments
Authority to enforce By-laws to the By-law Compliance Manager	Current Practice and various By-laws	Considered a routine administrative matter	
Authority to handle Freedom of Information & Protection of Privacy matters to the Clerk	Current Practice	Considered a routine administrative matter	
Authority to issue building permits to the Chief Building Official	Ontario Building Code	Considered a routine administrative matter	
Authority to the Public Works Manager or designate to close a municipal road	By-law #2003-4	Considered an operational matter	
Authority for the Mayor and Clerk to sign certain documents- Development Agreements, Easement Agreements, Severance Agreements, Site Plan Control Agreements, release or exchange of security lots, Subdivision Agreements, etc.	Current Practice	Considered a routine administrative matter	
Declaration of a situation under Regulation 555/06 to the Highway Traffic Act to the Public Works Manager	Policy	Considered an operational matter	
Authority for the Chief Administrative Officer as set out in By-law #2000-39	By-law #2000-39	Considered administrative and operational matters for the efficient operation of the Township	

Delegated Authority	Relevant Authority	Rationale	Comments
Authority to approve Drainage Re-assessment Agreements as per Section 65(2) of the Drainage Act delegated to the Drainage Superintendent and Clerk; The Drainage Superintendent and Clerk authorized to sign the agreement	Municipal Act Section 23.1 Delegation Policy	Administrative matter, will Streamline approval process, only applies when properties owners agree to the re-assessment; both Drainage Superintendent and Clerk must concur	Contested reassessments would require a recommendation from a Drainage Engineer and Council approval
Authority delegated to the Clerk to maintain the membership roster for the following Township Committees: • Hickson Recreation Committee • Hickson Trail Committee • Innerkip Parks and Recreation Committee	Delegation Policy	Administrative matter; More efficient for staff to maintain the member roster, especially when Committee membership may change from time to time. Noted Committees remain responsible to recruit their own members.	Delegation only provided for Committees without a set number of members on their roster, and where there is no set term for the appointment of the member to the respective Committee. Maintaining the Committee roster will ensure that the Township is more aware of the members active on a respective Committee.
Authority delegated to the Clerk to appoint Fence Viewer(s) as per Section 2 of the Line Fences Act, and to appoint Livestock Valuator(s) as per Section 4 of the Protection of Livestock and Poultry from Dogs Act.	Municipal Act Section 23.1 Delegation Policy	Administrative matter, will streamline process of finding, appointing and training appropriate candidates for these positions.	Positions are required to perform respective duties very infrequently, often less than one required action per year.