

Municipality of Lakeshore – Report to Council

Legal and Legislative Services

Legislative Services



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Legislative Services

Date: July 6, 2023

Subject: Delegation of Authority By-law

Recommendation

Direct the Clerk to read By-law 63-2023 during the Consideration of By-laws, as presented at the July 18, 2023 Council meeting.

Background

Section 23.1 of the *Municipal Act*, S.O. 2001, c.25, authorizes a municipality to delegate its powers and duties. It is recommended and standard practice in Ontario for councils to delegate authority to its employees for the purpose of providing responsible, accountable, good and efficient government.

Council has in the past delegated authority in an *ad hoc* manner by authorizing various senior employees to accomplish tasks, as is evident by various by-laws and policies. The recent change to the Municipality's organizational structure has realigned many functions and associated delegations of authority which need to be addressed.

The Division Leader – Legislative Affairs (Clerk) is recommending that a single comprehensive Delegation of Authority by-law be passed by Council to provide clarity and transparency.

Comments

The Corporate Leader – Strategic and Legal Affairs and the Division Leader – Legislative Services consulted with all departments during the development of the Delegation of Authority By-law. Legal advice was provided to the Chief Administrative Officer who has approved the authorities granted by this By-law.

In addition to the consolidation of delegated authorities as outlined in the proposed by-law, Administration also included one additional delegation of authority for the approval of community festival liquor licence applications (designations of "municipally-significant event" or letters of non-objection). This authority would be delegated to the Clerk.

Financial Impacts

There are no financial implications resulting from the recommendations. Any financial authorities identified in the proposed Delegation of Authority By-law are currently in practice and are limited to the annual budget approved by Council.

Report Approval Details

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| Document Title: | Delegation of Authority By-law.docx |
| Attachments: | |
| Final Approval Date: | Jul 13, 2023 |

This report and all of its attachments were approved and signed as outlined below:

Prepared by Brianna Coughlin

Approved by Justin Rousseau and Truper McBride