



The Corporation of the Municipality of Arran-Elderslie

Staff Report

Report From: Christine Fraser-McDonald, Clerk

Meeting Date: 2021-09-27

Subject: SRCLK.21.15 – Delegation of Powers and Duties Policy

Attachments: Appendix "A" – Delegation of Powers and Duties Policy

Recommendation

Be It Resolved that Council hereby,

1. That Council receives Report SRCLK.21.15 and further directs staff to prepare a by-law for the adoption of this policy at a subsequent Council meeting.

Report Summary

The purpose of this report is to provide clarity and transparency to Council and the Public of the specific delegated authorities of Council to municipal staff. This report will assist Council and the Public in understanding what decisions can be made by Municipal staff supported by the Municipality's Delegation by Council of Powers and Duties Policy.

Background

Section 270 of the Municipal Act, 2001 requires a municipality to adopt a Policy with respect to the delegation and duties. The attached proposed policy would fulfil the requirements of the Municipal Act.

Analysis

In order to ensure the efficient management of the municipality and an ability to respond to issues in a timely manner, Council has the ability to delegate certain powers and duties to municipal officers, employees or agents, while maintaining accountability through this Policy document.

The powers and duties delegated by Council are not considered to be legislative or quasi-judicial and are considered to be administrative or minor in nature and may be subject to such conditions and limits as Council considers appropriate.

The persons to whom Council may delegate certain powers and duties shall be officers, employees or agents of the municipality.

All delegation of powers and duties by Council shall be confirmed by By-law and may be revoked by Council at any time.

This report provides Council and the Public with additional information on how the Delegation of Powers and Duties Policy provides staff with direction and guidance in decision making and the approval process.

The Delegation of Powers and Duties provides tools in order to ensure the efficient management of the Municipality and an ability to respond to issues in a timely manner. These tools, by way of the Delegation of Powers and Duties, allow certain municipal officer(s) or employee(s) to make decisions and may also provide certain approvals based on appropriate Policy, Standards, legislation etc. The Policy also includes for the municipal officer(s), employee(s) to maintain accountability of those decisions and or approvals.

It is important to note that these tools will be implemented in order to ensure efficient management of the municipality. The Delegation of these Powers and Duties are supported by professional and accountable staff at the Municipality, and these decisions and approvals are supported by strong Policies and Procedures and always require the adherence to upper tier policies, engineering standards, legislative requirements, etc. However, staff must identify that some of the provisions of Powers and Duties will result in a process that does not require Council approval or decisions being made in an open session of Council.

Finding a balance while also providing consistency, effectiveness and efficiency in the decision making and approval process is critical and will always be based on a Transparency, Trust and Accountability.

Link to Strategic/Master Plan

n/a

Financial Impacts/Source of Funding

n/a

Approved By: Sylvia Kirkwood, CAO