

SCHEDULE “A” – Delegation of Powers and Duties

Office of the Chief Administrative Officer

| <u>Chief Administrative Officer</u> | | |
|--|----------------------------------|--|
| Delegation | Delegate | Conditions/Restrictions |
| Entering into agreements necessary to complete capital projects including but not limited to acquiring or disposing of easements provided value of consideration does not exceed \$100,000, pursuant to the <i>Municipal Act, 2001, SO. 2001, C.25</i> , as amended. | Chief Administrative Officer | Terms and conditions of such agreements and related documents must be acceptable to City solicitor. |
| Develop, approve, and implement administrative policies, procedures, and practices, including but not limited to Human Resources, pursuant to the <i>Municipal Act, 2001, SO. 2001, C.25</i> , as amended. | Chief Administrative Officer | In consultation with Manager of Human Resources and/or delegation to appropriate department director, pursuant to City policies. |
| <u>Economic Development & Tourism Services</u> | | |
| Delegation | Delegate | Conditions/Restrictions |
| Provide commentary, feedback, and information to provincial and federal governments regarding legislative/regulatory changes. | Manager of Strategic Initiatives | Commentary, feedback, and information provided to provincial and federal governments is to be from a staff opinion and not on behalf of the Mayor and Council. |
| Execute agreements for pop-up patios, pursuant to the Encroachment By-law. | Economic Development Officer | Consult with Planning and By-law Enforcement Services regarding the variance process. Report to Council. |

| | | |
|---|--|--------------------------------|
| Amend the Filming Policy for procedural purposes, pursuant to the Filming Policy/By-law. | City Clerk or designate | |
| Issue film permits, approve exemptions to the Noise By-law for projects with a film permit, and execute any related documents resulting from the administration of the Filming Policy, pursuant to the Filming Policy/By-law and the Noise By-law. | City Clerk or designate | |
| Negotiate with film permit applicants the price of rates and fees for any good or service not identified in the Rates and Fees By-law, pursuant to the Filming Policy/By-law and the Rates and Fees By-law. | Director, Corporate Services/Treasurer or designate | |
| Approve temporary road closures, intermittent traffic control, and traffic sign alteration, removal or control as requested by film permit applicants, pursuant to the Filming Policy/By-law. | Director of Public Works or designate | |
| Approve permits for fireworks displays and discharging of fireworks, as well as variances to the Open Air Burning and Recreational Fires By-law and Discharge of Firearms By-law, as requested by film permit applicants, pursuant to the Filming Policy/By-law and other applicable by-laws. | Fire Chief/Director of Community Safety and Enforcement or designate | |
| <u>Planning Division</u> | | |
| Delegation | Delegate | Conditions/Restrictions |
| Draft Condominium Approval, pursuant to the <i>Planning Act, R.S.O. 1990, c. P. 13.</i> | Chief Planner or designate | |
| Draft Condominium Exemption, pursuant to the <i>Planning Act, R.S.O. 1990, c. P. 13.</i> | Chief Planner or designate | |

| | | |
|---|----------------------------|--|
| Part Lot Control, pursuant to the <i>Planning Act, R.S.O. 1990, c. P. 13.</i> | Chief Planner or designate | Subsequent By-law to Council |
| Approve Site Plan Control Agreements, pursuant to the <i>Planning Act, R.S.O. 1990, c. P. 13.</i> | Chief Planner or designate | |
| Amendments to Site Plan Agreements, pursuant to the <i>Planning Act, R.S.O. 1990, c. P. 13.</i> | Chief Planner or designate | |
| Approve Development Agreements, pursuant to the <i>Planning Act, R.S.O. 1990, c. P. 13.</i> | Chief Planner or designate | |
| Removal of a Holding Provision when all conditions have been fulfilled, pursuant to the <i>Planning Act, R.S.O. 1990, c. P. 13.</i> | Chief Planner or designate | Subsequent By-law to Council for the removal |

Building Division

| Delegation | Delegate | Conditions/Restrictions |
|---|-------------------------|--|
| Authority to enter into limiting distance agreements, pursuant to the <i>Building Code Act, 1992, S.O 1992, c. 23.</i> | Chief Building Official | Agreements acceptable to City Solicitor. |
| Authority to enter into conditional building permit agreements, pursuant to the Building Code Act, 1992, S.O 1992, c. 23. | Chief Building Official | Agreements acceptable to City Solicitor. |

City Clerk

| Delegation | Delegate | Conditions/Restrictions |
|--|-----------------|---|
| Signing authority for agreements under by-law and/or pursuant to tender awards, pursuant to the <i>Municipal Act, 2001, S.O. 2001, C.25, as amended.</i> | City Clerk | All agreements authorized by municipal by-law; affix corporate seal; two signatures required. |

| | | |
|---|------------|---|
| | | Note: Deputy Mayor in absence of Mayor; Deputy Clerk or Chief Administrative Officer in absence of Clerk. |
| Approve the execution and/or amendment of agreements or grant applications with the Government of Canada; the Government of Ontario; an agency of the Government of Ontario or the Government of Canada; or other grantor organizations providing funding to municipalities with respect to funding commitments for City initiatives, programs or operations. | City Clerk | Subject to any City funding requirements. Applications may be made so long as the grant will not require additional expenses not already approved by Council. The grant must be at no cost to the City or funded through a current year's operating or capital budget, which has been approved by Council. Reporting to Council will be done to provide notification of a received grant. |
| Returning Officer responsible for administration of all municipal general elections and all by-elections, pursuant to the <i>Municipal Elections Act, 1996, S.O. 1996, c. 32.</i> | City Clerk | Prepare and update forms and written procedures for all components of conducting an election. |
| Designate an event as an event of municipal significance for the purpose of prescribing it as a special event occasion where an application has been made, pursuant to the <i>Liquor License Act R.S.O. 1990, c. L. 19.</i> | City Clerk | Compliance with all applicable Alcohol and Gaming Commission (AGCO) regulations. Consultation with applicable City and/or Regional approvals for licensing. |
| Issuance of "Letters of No Objection" for temporary liquor licence extensions, pursuant to the <i>Liquor License Act R.S.O. 1990, c. L. 19.</i> | City Clerk | Consultation with applicable City departments. |
| Liquor Licence Municipal Clearance (Wet/Dry Status), pursuant to the <i>Liquor License Act R.S.O. 1990, c. L. 19.</i> | City Clerk | Issue subject to municipal clearance by agencies/departments as per AGCO regulations. |
| Issuance of "Tag Day" approvals for non-profit organizations, pursuant to the <i>Income Tax Act (Canada).</i> | City Clerk | |
| Issuance of Lottery Licenses, pursuant to the <i>Criminal Code (Canada) Order in Council 1413/08 Gaming Control Act, 1992</i> | City Clerk | Compliance with all applicable AGCO regulations and Lottery Licensing Policy Manual (LLPM) |

| | | |
|---|--------------------|--|
| Records management oversight, pursuant to the <i>Municipal Act, 2001, S.O. 2001, C. 25</i> , as amended. | City Clerk | |
| All powers and duties under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> , pursuant to <i>Municipal Freedom of Information and Protection of Privacy Act</i> . | City Clerk | Associated policy. |
| By virtue of office: Division Registrar, Commissioner of Oaths, and Licensing of Marriage, pursuant to the <i>Commissioner for Taking Affidavits Act, R.S.O. 1990, c. C. 17</i> , the <i>Marriage Act, R.S.O. 1990, c. V.4</i> , and the <i>Vital Statistics Act, R.S.O. 1990, c. V.4</i> . | City Clerk | |
| Marriage Officiant, pursuant to the <i>Marriage Act, R.S.O. 1990, c. V.4</i> . | City Clerk and CAO | |
| Municipal Licensing, pursuant to all applicable by-laws and policies. | City Clerk | Subject to all applicable by-laws and policies; consultation with applicable departmental authorities. |
| Approval of proclamations | City Clerk | Initial proclamation subject to council approval. |

Corporate Services

| <u>Human Resources</u> | | |
|--|--------------------------------------|--|
| Delegation | Delegate | Conditions/Restrictions |
| Negotiate and execute employment grants, including related documentation. | Chief Human Resources Officer (CHRO) | Consultation with appropriate department director. |
| Negotiate and execute contracts of employment (full-time and/or temporary), including related documentation, pursuant to the <i>Ontario Human Rights Code, AODA, MFIPPA, Pay Equity Act, and Employment Standards Act.</i> | CHRO or designate | Subject to an identified funding source. |
| Negotiate collective agreements and prepare and send Memoranda of Agreements pertaining to collective bargaining negotiations, provided that such memoranda are conditional upon Council approval, pursuant to the <i>Labour Relations Act.</i> | CHRO or designate | Subject to an identified funding source. In collaboration with the CAO, Director of Corporate Services/ Treasurer, and legal representation. |
| Administer and execute all documentation and remit payments related to pay and payroll deductions (including but not limited to Canada Pension Plan (CPP), Employment Insurance (EI), Employer Health Tax (EHT), Long-term Disability (LTD), Ontario Municipal Employees Retirement System (OMERS) and other documentation and remittances to government agencies, unions and/or employees such as T4 tax preparation and pay equity adjustments, and others by way of court ordered deductions, pursuant to the <i>Pay Equity Act, Employment Standards Act, Canada Income Tax Act, Pension Benefits Act, Canada Pension Plan, Employment Insurance Act, Employer Health Tax Act, Workers' Compensation Act, and Ontario Municipal Employees Retirement System Act.</i> | CHRO or designate | Subject to an identified funding source. |

| | | |
|--|-------------------|---|
| Negotiation and execute minutes of settlement of any labour relations matter (union or non-union), including related documentation, pursuant to the <i>Labour Relations Act</i> . | CHRO or designate | Subject to an identified funding source. In collaboration with the CAO, Director of the impacted department and legal. |
| Administer and execute all documentation and remit payments related to benefits that include but are not limited to health, dental, short-term disability (STD), LTD, workplace safety and insurance boards (WSIB), OMERS and execute all associated documentation, pursuant to the <i>Workplace Safety and Insurance Act, Pension Benefits Act, Workers Compensation Act, and Ontario Municipal Employees Retirement System Act</i> . | CHRO or designate | Subject to an identified funding source. |

Financial Services

| Delegation | Delegate | Conditions/Restrictions |
|---|---|--|
| Execute agreements required for the delivery of bank and investment services to the City and related trust accounts, including agreements for purchasing cards and related electronic services but excluding credit and financing facilities such as debentures, mortgages, loans and lines of credit, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws. | Director, Corporate Services/Treasurer or Designate | |
| Transfer funds between City and related trust bank accounts and/or investments accounts to fulfill financial obligations, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws. | Director, Corporate Services/Treasurer or Designate | |
| Execute contracts on behalf of the City for future utility commodity purchases up to two years in advance to a maximum of 2/3 of historical volumes, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws. | Director, Corporate Services/Treasurer or Designate | Decision to purchase must be documented and based on a third-party recommendation. |

| | | |
|---|--|---|
| Approve the write-off of an amount owing to the city and refunds disbursed from the City $\leq 0.1\%$ of the Tax Levy, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws. | Director, Corporate Services/Treasurer or Designate | |
| Implement a general insurance program, including the negotiation and execution of insurance agreements with person(s) or agencies that provide services under the general insurance program, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws. | Director, Corporate Services/Treasurer or Designate. | |
| Negotiate and settle claims against the municipality, pursuant to the <i>Municipal Act, 2001, S.O. 2001, C.25</i> , as amended, and all applicable policies and by-laws. | Director, Corporate Services/Treasurer | Consultation with insurance adjuster and appropriate department director and City's claims administration policy. |
| Address potential development charge complaints for projects who have substantiative proof to be initiated prior to the passing of by-law 7278/100/24, who could not obtain their permit before said passing due to municipal reviews or delays. | Director, Corporate Services/Treasurer | For projects with a site plan amendment or zoning by-law amendment application, the rate freeze permitted by s. 26(2) of the <i>Development Charges Act, 1997</i> will apply in lieu of staff relief. |

Recreation Division

| Delegation | Delegate | Conditions/Restrictions |
|---|---|--|
| Issue and process permits at City recreation facilities, including but not limited to ice rentals, sports fields, parks, pavilions, and community/meeting rooms. | Manager, Recreation or Designate(s) | Follow Council approval allocation for priority users (youth, minor sports, schools, and locals first) |
| Execute recreation licensing agreements with user groups and stakeholders. | Supervisor, Recreation and Marina or Designate | |
| Approve temporary road closures for municipally-run events or events of municipal significance including, but not limited to, Canada Day, Canal Days, and the Santa Claus Parade | Director, Public Works or Manager of Operations | Road closure plan reviewed and approved by By-law. Third party events requesting road closures will be brought in a report to Council for approval unless otherwise delegated. |
| Approve variances or exemptions to the Noise By-law for municipally-run events or events of municipal significance including, but not limited to, Canada Day, Canal Days, and the Santa Claus Parade. | Manager of By-Law Services | Event plan reviewed and approved by By-law. Third party events requesting a variance will be brought in a report to Council for approval unless otherwise delegated. |

| | | |
|--|-----------------------------------|--------------------------------|
| | | |
| Facilitate the disposition of abandoned boats from marina slips or storage facility. | Manager, Recreation or Designate | Consult with City Solicitor. |
| <u>Information Technology Division</u> | | |
| Delegation | Delegate | Conditions/Restrictions |
| Execute agreements related to data sharing and/or licensing with third parties | Manager of Information Technology | |

Community Safety and Enforcement

| <u>Fire and Emergency Services Division</u> | | |
|--|---|--|
| Delegation | Delegate | Conditions/Restrictions |
| Enter into Fire Service Agreements for provision of fire protection services to lands located outside Port Colborne or receive services from a fire department located out of Port Colborne. | Fire Chief/Director of Community Safety and Enforcement | Agreement acceptable to City Solicitor. Report to Council. |
| Activate an emergency plan and implement municipal emergency control group notification. | CEMC | Decision to be made in accordance with City Emergency Plan. Mayor and CAO advised as soon as possible. |
| Enter into agreements for mutual or automatic aid management operations or emergency response outside scope of Emergency response such as but not limited to chemical, biological, radiological, nuclear, high yield explosive, Hazmat, confined space, high angle rescue. | Fire Chief/Director of Community Safety and Enforcement | Agreement acceptable to City Solicitor. Report to Council. |
| Execute agreements for emergency management and emergency response for services such as Red Cross, Transit, Niagara Region Police, Ontario Provincial Police, etc. | Fire Chief/Director of Community Safety and Enforcement | Agreement acceptable to City Solicitor. Report to Council. |
| Process and issue permits pertaining to fireworks displays and discharging of fireworks, pursuant to the Fireworks By-law. | Fire Chief/Director of Community Safety and Enforcement | |
| Designate Fire Routes once satisfied requirements have been complied with and submit to By-law for approval. | Fire Chief/Director of Community Safety and Enforcement | Council to approve designation by-law. Council pre-approval not required. |

| | | |
|--|---|---|
| Authority to take all proper measures for prevention, control and extinguishment of fires and protection of life and property and shall exercise all powers mandated by legislation, pursuant to the <i>Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4.</i> | Fire Chief/Director of Community Safety and Enforcement | |
| Approval and signing authority to execute agreements and documents to provide fire and public safety training, facility and equipment rentals, and other related fees for services to external clients. | Fire Chief/Director of Community Safety and Enforcement | |
| Ability to review and rescind bills issued by the Fire Service. | Fire Chief/Director of Community Safety and Enforcement | |
| <u>By-law Enforcement Services</u> | | |
| Delegation | Delegate | Conditions/Restrictions |
| Approve temporary noise variances, pursuant to the Noise By-law. | City Clerk/Manager of By-law Services/Fire Chief/Director of Community Safety and Enforcement | Temporary nature. |
| Approve minor variances to the Sign By-law including but not limited to extensions and minor technical non-compliance, pursuant to the Sign By-law. | Chief Building Official | Consult with By-law Enforcement Services and variance process. Report to Council. |
| Enter into Encroachment Agreements on road allowances and over easements with private property owners. | Chief Planner | Consult with By-law Enforcement Services and Director of Public Works. Agreements acceptable to City Clerk. Conditional but not limited to obtaining survey, covenants to protect the City. Once satisfied, submit by-law for Council approval. |

| | | |
|---|--|---|
| Authority to amend the schedules that regulate stopping prohibition, stop controlled intersections, parking prohibition, limited parking restrictions, parking meter zones, commercial vehicle load permits, loading prohibitions, yield signs, prohibited turns, one-way highways, and speed limits on highways under the jurisdiction of the City of Port Colborne. | Director of Public Works | Consult with By-law Enforcement Services. |
| Appeal of parking ticket. | Screening Officer | |
| Appeal of screening review. | Hearing Officer | |
| Appoint a Hearing Officer, pursuant to the Inter-municipal agreement. | CAO/Director of Community Safety and Enforcement | |
| Appoint a Municipal Law Enforcement Officer. | Director of Community Safety and Enforcement | Report to Council. |
| Appoint a Property Standards Officer. | Director of Community Safety and Enforcement | Report to Council. |
| Negotiate and settle claims against the city within insurance deductible limit | City Clerk | Consult with Director of Community Safety and Enforcement/Manager of By-law Services. |
| Authority to appoint temporary staff parking enforcement | Director of Community Safety and Enforcement | |

Public Works

| <u>Road and Transportation Services</u> | | |
|---|--------------------------|--|
| Delegation | Delegate | Conditions/Restrictions |
| Designate construction zones where municipal permit involves construction or repair of a highway or works near a highway, including authority to designate a lower rate of speed for vehicles traveling in construction zones, pursuant to the <i>Highway Traffic Act, R.S.O. 1990, c. H.8.</i> | Director of Public Works | Consultation with Planning Division |
| Agreements, including cost sharing agreements between the City of Port Colborne and local area municipalities in Niagara Region, regarding road construction and/or road maintenance. | Director of Public Works | |
| Temporary reduction or lifting of load limits on highway, including designation of alternate routes where applicable. | Director of Public Works | Consultation with Fire Chief/Director of Community Safety and Enforcement and Manager of By-law Enforcement Services |
| Authority to declare a significant weather event in order to extend the response time to achieve Minimum Maintenance Standards, pursuant to <i>Ontario Regulation 239/02 – Minimum Maintenance Standards for Municipal Highways.</i> | Director of Public Works | |
| Authority to sign agreements with Railway Authorities for cost sharing or warning systems and maintenance at level railway crossings. | Director of Public Works | |
| Authority to provide reciprocal assistance to Public Works Departments in other local area municipalities, pursuant to the Mutual Aid Agreement between local area municipalities and the Niagara Region. | Director of Public Works | |

| | | |
|---|--|--------------------------------|
| Approve temporary road closures, intermittent traffic control, and traffic sign alteration, removal, or control. | Director of Public Works | |
| Authorization to close municipal parks due to seasonal restrictions, inclement weather, and emergencies which could affect the health and well-being of the community. | Director of Public Works | |
| Authorization to control and manage each cemetery under the jurisdiction of the City of Port Colborne, pursuant to the City Cemetery By-law and the <i>Cemeteries Act</i> . | Director of Public Works/ Manager of Operations | |
| <u>Water and Wastewater</u> | | |
| Delegation | Delegate | Conditions/Restrictions |
| Authority to sign applications with the Ministry of Environment, Conservation, & Parks, pursuant to the <i>Ontario Water Resources Act</i> . | Director of Public Works | |
| Authority to provide reciprocal assistance to Public Works Departments in other local area municipalities, pursuant to the Memorandum of Understanding between local area municipalities and Niagara Region. | Director of Public Works | |
| Authority to designate the Overall Responsible Operator (ORO) and the Drinking Water Quality Management System Representative for the City's water distribution system, pursuant to the City of Port Colborne DWQMS Operational Plan and the <i>Safe Drinking Water Act</i> , O. Reg. 170-03. | Director of Public Works | |