

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 4479

A bylaw of the Corporation of the City of Dawson Creek (the "City") for the appointment of Officers and to provide for the delegation of authority for certain powers, duties and functions.

WHEREAS,

The Council must, by bylaw, establish officers' positions having the responsibilities as set out in Sections 148 and 149 of the *Community Charter*;

AND WHEREAS,

The Council may, by bylaw, establish the position of chief administrative officer in accordance with Section 147 of the *Community Charter*;

AND WHEREAS,

The Council may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees under the authority of the *Community Charter*;

AND WHEREAS,

The Council has deemed it desirable to delegate to its officers and authorized designates, the powers, duties and functions under the *Community Charter* and the *Local Government Act* as set out in this bylaw.

NOW THEREFORE, the Council of the City of Dawson Creek, in open meeting assembled, enacts as follows:

SECTION 1 - TITLE

- 1.1 This bylaw may be cited as "**APPOINTMENT OF OFFICERS AND DELEGATION OF AUTHORITY BYLAW NO. 4479, 2021**".

SECTION 2 - DEFINITIONS

- 2.1 In this bylaw the following words and terms have the following meanings assigned to them:

"Chief Administrative Officer" means the municipal officer appointed as chief administrative officer for the City.

"Chief Financial Officer" means the municipal officer appointed as the Chief Financial Officer for the City.

"Corporate Officer" means the municipal officer appointed as the Corporate Officer for the City.

“Council” means Council for the City.

“Delegate” means a person to whom a power, duty or function has been delegated under this bylaw, including the delegated positions described in Schedule “A”.

“Designated Signing Authorities” has the meaning set out in section 5.1 hereof.

“Manager” means an employee, other than a Statutory Officer, reporting directly to a Senior Manager.

“Senior Manager” means the Chief Financial Officer, the Corporate Officer, the General Manager of the Department of Community Services and the General Manager of the Department of Development Services.

“Statutory Officer” means a person appointed under Section 146 of the *Community Charter* and holding a position described in Section 3.1 of this bylaw, and includes the Statutory Officer’s deputy and any person designated by Council to act in the Statutory Officer’s place.

SECTION 3 – APPOINTMENT OF STATUTORY OFFICERS

- 3.1 The persons holding the following positions with the City are established as Statutory Officers of the City as per the corresponding noted provision of the *Community Charter*:
 - a. Chief Administrative Officer, pursuant to Section 147;
 - b. Corporate Officer, pursuant to Section 148; and
 - c. Chief Financial Officer, pursuant to Section 149.
- 3.2 The selection of the Chief Administrative Officer shall be made by Council.
- 3.3 The selection of the Senior Managers shall be made by the Chief Administrative Officer.
- 3.4 The Chief Administrative Officer may appoint an acting Chief Administrative Officer. In the event of incapacitation of the Chief Administrative Officer, or a vacancy in that position, the selection of the acting Chief Administrative Officer shall be made by Council.

SECTION 4 – POWERS AND DUTIES OF APPOINTED OFFICERS

- 4.1 The Chief Administrative Officer for the City has the following duties, powers and functions:
 - a. those specified in Section 147 of the *Community Charter*, and
 - b. those set out in Part 2 of the Authority and Responsibilities of Council and the Chief Administrative Officer Policy, as amended or replaced from time to time.
- 4.2 The Corporate Officer is the corporate officer for the City, and is assigned responsibility for the corporate administration of the City, including carrying out the powers, duties and functions of the corporate officer as set out in the *Community Charter* and other provisions applicable to the corporate officer in other enactments.

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- 4.3 The Chief Financial Officer is the financial officer for the City, and is assigned the responsibility of financial administration for the City, and carrying out the powers, duties, and functions specified in the *Community Charter* and other provisions applicable to the financial officer in other enactments.
 - 4.4 Where this bylaw delegates a power, duty or function to a named position, the delegation is to the person who holds the position and to any person who is from time to time the deputy of that person.
 - 4.5 Delegates have no authority to further delegate to another person any power, duty or function that has been delegated in this bylaw.
 - 4.6 Nothing in this bylaw shall prevent the appointment of the same person to two or more offices or positions.

SECTION 5 – SIGNING AUTHORIZATION

- 5.1 Except where specifically set out in this bylaw, any contract, agreement, debenture, plan or other document or instrument to be executed or approved by the City shall be executed by any two of the following, which are hereby the designated signing authorities on behalf of the City: the Mayor, Chief Administrative Officer, Corporate Officer, Chief Financial Officer, and their deputies or other persons authorized to act in their position (the “Designated Signing Authorities”).

SECTION 6 - DELEGATION OF PURCHASING AUTHORITY

- 6.1 Council hereby delegates all of the powers, duties and functions of Council to authorize the execution of contracts and/or purchases of goods and services on behalf of the City to the Chief Administrative Officer, Senior Managers, Managers and Supervisors for the provision of goods and services or other City activities, works or services that are ordinary to the business of the City, subject to the limitations on that delegated authority set out in Schedule “B” Spending Thresholds and Authority, and in accordance with the Purchasing Policy.
- 6.2 This section does not delegate authority to enter into any agreement that requires elector approval under section 175 of the *Community Charter*, whether as a result of the stated term of the agreement or any provision for extension or renewal.

SECTION 7 - DELEGATION OF NOTICE PUBLICATIONS

- 7.1 Council hereby delegates to the Corporate Officer the authority to publish notices required under the *Local Government Act* and the *Community Charter*.

SECTION 8 - DELEGATION OF SUBDIVISION AND PROPERTY DEVELOPMENT AGREEMENTS

- 8.1 Council hereby delegates to the General Manager of Development Services and the City Planner the power to negotiate and deliver on behalf of the City, the following agreements for the Mayor's and Corporate Officer's signatures related to subdivision and property development agreements:
- a. Statutory rights-of-way for municipal services;
 - b. Easements for the benefit of or burdening City property; and in the latter case pursuant to notice in accordance with Section 26 of the *Community Charter*;
 - c. Highway reservation agreements;
 - d. Land Title Act, Section 219 covenants;
 - e. Subdivision and development servicing agreements;
 - f. Latecomer charge waiver agreements; and
 - g. Releases and modifications of agreements listed above.

SECTION 9 - DELEGATION TO ENTER INTO AND SIGN AGREEMENTS

- 9.1 Council delegates to the City's Statutory Officers and employees set out in Column 2 of Schedule "A", the authority to enter into and sign agreements identified in the corresponding Column 1 of Schedule "A".

SECTION 10 – AUTHORITY TO RENEW

- 10.2 Council delegates to the Designated Signing Authorities the authority to enter into and sign agreement renewals in accordance with the renewal clause included in the initial agreement.

SECTION 11 – LIQUOR LICENCES

- 11.1 Council hereby delegates authority to the Chief Administrative Officer to approve applications for temporary changes to liquor licences.

SECTION 12 - RECONSIDERATION BY COUNCIL

- 12.1 A person subject to a decision of a Delegate may appeal to have the decision reconsidered by Council as follows:
- a. The person must apply for the reconsideration by Council by delivering their written request outlining their appeal to the Corporate Officer within 30 days after the Delegate's decision is communicated to them.
 - b. The appeal must include the reasons why the person wishes the decision be reconsidered by Council, and may include any supporting materials they consider to be relevant to Council's consideration.
 - c. A reconsideration application must be considered by Council at a Regular Meeting of Council held within 30 days after the date of application for reconsideration is delivered to the Corporate Officer.
 - d. At a reconsideration of a decision, the owner and any other person who is interested in the decision is entitled to be heard by Council.

SECTION 13 – OTHER BYLAWS AND POLICIES DELEGATING AUTHORITY

- 13.1 Schedule “C” to this bylaw sets out a list of some other bylaws containing delegation of Council authority for various matters, and also includes a general description of the powers, duties and functions delegated under each listed bylaw, and the persons to whom the authority has been delegated.
- 13.2 Schedule “C” is included as part of this bylaw for convenience of reference only, and the general description of the bylaws and policies set out in Schedule “C” must not be used to interpret or otherwise affect the bylaws referred to in Schedule “C”. For certainty, the general description of the bylaws and policies set out in Schedule “C” must not be interpreted as limiting the delegation of authority within such bylaws.

SECTION 14 – ADMINISTRATIVE

- 14.1 Appointment of Officers Bylaw No. 4090, 2010 and all amendments made to it are hereby repealed.
- 14.2 Schedule “A” and Schedule “B” are attached to and form part of this bylaw.
- 14.3 If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

READ a first time this 22nd day of March, 2021.

READ a second time this 22nd day of March, 2021.

READ a third time this 22nd day of March, 2021.

3rd READING

RESCINDED this 12th day of April, 2021.

READ a third time this 12th day of April, 2021.

ADOPTED this 26th day of April, 2021.

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4479 cited as "APPOINTMENT OF OFFICERS AND DELEGATION OF AUTHORITY BYLAW NO. 4479, 2021".

Brenda Ginter
Corporate Officer

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

Dale Bumstead - Mayor

Brenda Ginter – Corporate Officer

SCHEDULE "A"
DELEGATION OF AUTHORITY TO ENTER INTO AND SIGN AGREEMENTS

Agreement Type	Delegated Position(s)	Signatures Required
Agreements or other documents relating to functions within the area of responsibility of the Department, with the exception of City Facility Management /Lease Agreements	Senior Manager of the Department	Senior Manager of the Department and one of the Designated Signing Authorities
Agreements or other documents related to borrowing, raising money, banking, grants, taxation, assessment, damage claims and the Municipal Finance Authority	Chief Financial Officer	Chief Financial Officer and one of the Designated Signing Authorities
Employment	Chief Administrative Officer	Chief Administrative Officer and one of the Designated Signing Authorities
Facility Use Agreements	Manager or Senior Manager	Manager or Senior Manager
Grant Funding Applications and Grant Funding Agreements	Senior Manager	Senior Manager
Lease Agreements where a specific fee has been approved by Council through a resolution or bylaw, with the exception of City Facility Management /Lease Agreements	Senior Manager	Any two of the Designated Signing Authorities
Notice of Award	Manager or Senior Manager	Manager or Senior Manager
Servicing agreements and consulting contracts in accordance with the levels identified within Schedule "B" Spending Thresholds and Authority and in accordance to the Purchasing Policy	General Manager of Development Services	General Manager of Development Services and one of the Designated Signing Authorities
Procurement Agreements	As per Schedule "B" Spending Thresholds and Authority, and in accordance to the Purchasing Policy	Any two of the Designated Signing Authorities

SCHEDULE "B"
SPENDING THRESHOLDS AND AUTHORITY

In accordance with the Purchasing Policy and the City’s Financial Plan, the following will be used for determining the spending thresholds, minimum level of purchasing approval required, and pricing support to be used prior to initiating a purchasing transaction on behalf of the City:

1. GOODS AND SERVICES

Value	Approval Required	Pricing Support
Less than \$500	Supervisor or Manager	Ensure best value for the City
\$500 to \$2,499	Manager	3 verbal quotes Purchase Order Required
\$2,500 to \$24,999	Manager	3 written quotes Purchase Order Required
\$25,000 to \$74,999	Senior Manager	3 written quotes Purchase Order Required
\$75,000 to \$249,999	Senior Manager	Open procurement
\$250,000+	Council	Open procurement

2. CONSTRUCTION

Value	Approval Required	Pricing Support
\$0 to \$4,999	Supervisor or Manager	3 verbal quotes Purchase Order Required
\$5,000 to \$99,999	Manager	3 written quotes Purchase Order Required
\$100,000 to \$199,000	Senior Manager	3 written quotes Purchase Order Required
\$200,000 to \$249,999	Senior Manager	Open procurement
\$250,000+	Council	Open procurement

3. EMERGENCIES

The authority to approve any expenditure on behalf of Council that is necessary for the proper functioning of the Corporation or for purchases required in an emergency situation shall be granted to the Chief Administrative Officer. Emergency Purchases are defined within the Purchasing Policy. If the expenditure is for an emergency:

- a) The expenditure must be reported to Council at a Regular Meeting; and
- b) The Financial Plan must be amended to include the expenditure and the funding source for the expenditure as soon as practicable.

4. LACK OF RESPONSES

If no quotations are received in response to a posted Request for Quotations, staff are authorized to obtain 3 written quotations from suppliers and proceed with the purchase that is within budget allotment and ensures the best value for the City.

SCHEDULE “C”
OTHER BYLAWS AND POLICIES DELEGATING AUTHORITY
 (for convenience of reference only)

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Delegated Position(s)	Bylaw	Delegated Authority
Building Inspector, City Planner, Development Services Manager, General Manager of Development Services	Zoning Bylaw	To issue tickets and notices.
Bylaw Enforcement Officer	Bylaw Enforcement Bylaw	To enter any property to ascertain bylaw compliance, issue tickets and notices.
Bylaw Enforcement Officer	Noise Control Bylaw	To enforce the provisions of the Noise Control Bylaw, by means of the Bylaw Notice Enforcement Bylaw or the Municipal Ticket Information Bylaw.
Bylaw Enforcement Officer and Building Inspector	Sign Regulation Bylaw	To enforce the provisions of the Sign Regulation Bylaw; and To enter any property to ascertain bylaw compliance, issue, or refuse to issue, a sign permit.
Screening Officer (Chief Bylaw Enforcement Officer)	Bylaw Enforcement Bylaw	Authorized to cancel a Bylaw Notice when satisfied that one or more of the specified reasons exist and a compliance agreement is not appropriate or available.
Chief Financial Officer	Water Rates and Regulations Bylaw	To receive, review and approve on a case by case basis any applications made for a rebate of water fees directly associated with an in-home water intensive medical treatment.
Chief Financial Officer	Sewer Rates and Regulations Bylaw	To receive, review and approve on a case by case basis any applications made for a rebate of water fees directly associated with an in-home water intensive medical treatment.
Corporate Officer	Records Management Bylaw	To manage and maintain the Records Management Program

SCHEDULE “C”
OTHER BYLAWS AND POLICIES DELEGATING AUTHORITY
 (for convenience of reference only)

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Delegated Position(s)	Bylaw	Delegated Authority
CAO appoints Chief Licence Inspector, Licence Inspector or Assistant Licence Inspector	Annual Business Licence & Regulation Bylaw	To classify each application for business licence; to grant, issue or transfer a licence; to enter premises where a licence has been granted; to suspend any licence for any period that is in contravention; and to enforce all regulations within the bylaw.
General Manager of Development Services	Land Use Procedures Bylaw	Issue and amend Development Permits, except when negative comments are received during the notification period.
General Manager of Development Services	Subdivision and Development Servicing Bylaw	The power to impose requirements in respect of a parcel being subdivided or developed; and The power to require security as determined in accordance with the guidelines included within this bylaw.
General Manager of Development Services	Solid Waste and Recyclable Material Regulation Bylaw	To administer the waste disposal and recycling service, either through City labour and equipment or through a third party contractor; and To receive, review, and approve, on a case by case basis, any application made for a fee waiver for a second cart directly associated with a waste intensive in home medical treatment.
General Manager of Development Services	Water Conservation Measures Bylaw	To authorize and issue a permit to water a new lawn and new landscaping when Water Conservations Measures are in force; and To revoke the permit or refuse to issue an extension.

SCHEDULE "C"
OTHER BYLAWS AND POLICIES DELEGATING AUTHORITY
 (for convenience of reference only)
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Delegated Position(s)	Policy	Delegated Authority
Chief Administrative Officer	Code of Conduct – Employee Policies	Authorized to waive the policy regarding employment of relatives where it is essential to do so to meet operational needs and when they are satisfied that sufficient safeguards are in place to ensure that the Corporation’s interests are no compromised.
Mayor	Proclamations	Authorized to proclaim and sign all Proclamations that are requested by a local representative of the organization
Designated Signing Authorities	Sewage Discharge Station	Authorized to enter into a trucked waste discharge agreement with the user once specified criteria is met.
Community Services Manager	Special Events Policy	To issue, or refuse to issue, a permit subject to the terms and conditions included without limitation as to the activity or activities regulated or prohibited by Parks Bylaw and their duration, insurance, indemnification and any other matter deemed necessary.