

## **By-Law 2018-121**

### **A By-law of the City of Greater Sudbury Respecting the Appointment of Officials of the City of Greater Sudbury**

**Whereas** the *Municipal Act, 2001* and other statutes of the Province of Ontario require the appointment of officials to occupy positions within municipal government;

**And Whereas** Council of the City of Greater Sudbury wishes to appoint and continue the appointment of such officials and other officials for the City of Greater Sudbury;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

#### Appointment – Chief Administrative Officer

1.-(1) The person named in Schedule "A", Part 1 to this By-law is appointed and confirmed as the Chief Administrative Officer.

(2) The persons named in Schedule "A", Part 2 to this By-law are appointed individually as Acting Chief Administrative Officer in the absence of the Chief Administrative Officer.

#### Appointments – Statutory and Other Requisite Officials

2.-(1) The person or persons holding the employment title identified in Column B in the chart on Schedule "B", Part 1 to this By-law are appointed and confirmed to the position described in Column A on the same line in the said chart, each such position being required by statute or for the administration of the City. Each person appointed is authorized to exercise the rights and fulfil the duties assigned to such role under the applicable legislation identified in Column A and subject to any limitations in Column A in the said chart in Schedule "B" Part 1.

(2) The persons holding the employment title identified in Column B in the chart on Schedule "B", Part 2 to this By-law are designated and confirmed to fulfil the statutory roles identified in Column A on the same line in the said chart in Schedule "B", Part 2.

(3) In the event that more than one person holds the employment title identified in Column B of the chart in either Schedule "B" Part 1 or Schedule "B" Part 2, each such person is appointed to the position in Column A of the chart on Schedule "B" Part 1 or designated and confirmed to fulfil the statutory role identified in Column A of the chart on Schedule "B" Part 2 as the case may be.

(4) The appointment of a person under Schedule "B" Part 1 or Schedule "B" Part 2 shall include any person who is fulfilling the role identified in Column B of the chart, while in an acting or interim role.

### Appointments – Inspectors & Enforcement Officers

3.-(1) The persons named in Schedule "C", Part 1 to this By-law are appointed and confirmed as Inspectors pursuant to the *Building Code Act, 1992*, S.O. 1992, c.23.

(2) The persons named in Schedule "C", Part 2 to this By-law are appointed as Municipal By-Law Enforcement Officers for the City for the by-laws identified in the schedule.

### Appointment – Auditor

4. The persons or firms named in Schedule "D", to this By-law have been appointed and confirmed as auditors for the City to perform the functions and duties identified in section 296 of the *Municipal Act, 2001*, S.O. 2001, c. 25, for the City of Greater Sudbury and its local boards and including the City of Greater Sudbury Trust Funds. The appointment is for the fiscal years identified on the Schedule.

### Duties of Officials

5. The persons appointed pursuant to this By-law shall perform such duties as may from time to time, be determined by an Act of the Legislature of the Province of Ontario, or any by-law or resolution of Council or approved job description.

### Interpretation

6.-(1) Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

(2) References to items in the plural include the singular, as applicable.

(3) The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them.

(4) Headings are inserted for ease of reference only and are not to be used as interpretation aids.

(5) Specific references to laws in this By-law are printed in italic font and are meant to refer to the current laws applicable with the Province of Ontario as at the time this By-law was enacted, as they are amended from time to time.

(6) Any reference to periods of time, stated in numbers of days, shall be deemed applicable on the first business day after a Sunday or Statutory holiday if the expiration of the time period occurs on a Sunday or Statutory holiday.

(7) References to time in this By-law refers to local time and daylight saving time when in effect.

(8) The obligations imposed by this By-law are in addition to obligation otherwise imposed by law or by contract.

(9) This By-law includes the Schedules annexed hereto and the Schedules are declared to form part of this By-law.

#### Severability / Conflict

7.-(1) If any section, subsection, part or parts of this By-law is declared by any court of law to be bad, illegal or ultra vires, such section, subsection, part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

(2) Nothing in this By-law relieves any person from complying with any provision of any Federal or Provincial legislation or any other By-law of the City.

(3) Where a provision of this By-law conflicts with the provisions of another By-law in force in the City, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

#### Repeal

8.-(1) By-law 2017-2 and every by-law amending By-law 2017-2 are hereby repealed.

(2) Where a by-law is repealed by this By-law, the repeal does not:

- (a) revive any by-law not in force or existing at the time of which the repeal takes effect;
- (b) affect the previous operation of any by-law so repealed;
- (c) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the by-law so repealed;
- (d) affect any offence committed against any by-law so repealed or any penalty or forfeiture or punishment incurred in respect thereof; or affect any investigation, legal proceeding or remedy in respect of such privilege, obligation, liability, penalty, forfeiture or punishment.

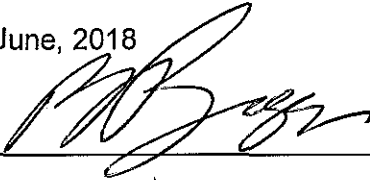
#### Effective Date

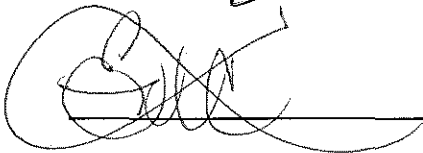
9. This By-law shall come into full force and effect upon passage.

Short Title

10. This By-law may be referred to as the "*Appointments By-law*".

**Read and Passed in Open Council** this 26<sup>th</sup> day of June, 2018

  
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Mayor

  
\_\_\_\_\_  
Clerk

**Schedule "A"**  
to By-law 2018-121 of the City of Greater Sudbury  
**Part 1**

**Appointment – Chief Administrative Officer**

<b>Appointee by City Position Title</b>	<b>Appointee by Name</b>
Chief Administrative Officer	Edward Archer

**Part 2**

**Appointments – Acting Chief Administrative Officer**

<b>Appointee by City Position Title</b>	<b>Appointee by Name</b>
General Manager of Community Development	Catherine Matheson
General Manager of Corporate Services	Kevin Fowke
General Manager of Community Safety	Joseph Nicholls, Acting
General Manager of Growth and Infrastructure	Tony Cecutti

**Schedule "B"**  
to By-law 2018-121 of the City of Greater Sudbury  
**Part 1**

**Appointments – Statutory and Other Requisite Officials**

<b>Column A Statutory Position</b>	<b>Column B Appointee by City Employment Title / Name if only one person appointed</b>
Administrator <i>Ontario Works Act, 1997, S.O.1997, c.25, Sched. A</i>	Director of Social Services
Administrator <i>Long-Term Care Homes Act, 2007, S.O. 2007, c.8</i>	Director of North East Centre of Excellence for Seniors' Health
Auditor General <i>Municipal Act, 2001, S.O. 2001, c. 25</i>	Auditor General
Authorized Representative within the meaning of <i>Canada Shipping Act 2001, S.C. 2001, c. 26</i>	General Manager, Community Safety
Chief Building Official <i>Building Code Act, 1992, S.O. 1992, c.23</i>	Director, Building Services / Chief Building Official
Clerk <i>Municipal Act, 2001, S.O. 2001, c. 25</i>	City Solicitor and Clerk
Deputy Clerk <i>Municipal Act, 2001, S.O. 2001, c. 25 (for all purposes)</i>	Deputy City Solicitor / Deputy City Clerk
	Manager of Clerk's Services / Deputy City Clerk
	Manager of Regulated Services / Deputy City Clerk
Deputy Clerk <i>Municipal Act, 2001, S.O. 2001, c. 25 (for the purpose of solemnizing marriages at Tom Davies Square in the City of Greater Sudbury)</i>	Legislative Compliance Co-ordinator
Deputy Clerk <i>Municipal Act, 2001, S.O. 2001, c. 25 (for the purpose of receiving documents served on the City of Greater Sudbury)</i>	Manager of Financial Planning and Budgeting
	Co-Ordinator, Insurance and Risk Management
	Risk Management Support Assistant

**Schedule "B"**  
to By-law 2018-121 of the City of Greater Sudbury  
**Part 1**

**Appointments – Statutory and Other Requisite Officials**

Deputy Clerk <i>Municipal Act, 2001, S.O. 2001, c. 25</i> (for the purpose of commissioning documents in the course of their duties)	Clerk's Services Assistant
	Citizen Service Centre Representatives (Full Time)
	Director of Citizen Services
	Deputy Chief, Paramedic Services
	Deputy Chief of Emergency Services
	Lead Citizen Service Representatives
	Legislative Compliance Co-ordinator
	Manager, Citizen Service Centres
	Manager of Library and Heritage Resources
	Manager of Regulated Services / Deputy City Clerk
	Manager of 3-1-1 and Customer Service
	311 Training and Quality Assurance Co-ordinator
Deputy Clerk <i>Municipal Act, 2001, S.O. 2001, c. 25</i> (for the purpose of signing Certificates of Consent pursuant to Section 53(42) of the <i>Planning Act</i> , R.S.O. 1990, c.P.13)	Vital Statistics Assistant
	Consent Official / Secretary Treasurer, Committee of Adjustments
Clerk of the Court <i>Provincial Offenses Act</i> , R.S.O. 1990, c. P33 for the functions transferred pursuant to the Transfer Agreement	Senior Planner
	Manager of Regulated Services / Deputy City Clerk
	POA Administration Clerk
	POA Financial / Collections Clerk
	POA Collections Clerk
	POA Court Support Clerk
Fire Chief <i>Fire Protection and Prevention Act</i> , 1997, S.O. 1997, c. 4 and Fire Co-ordinator	Court Clerk / Monitor
	General Manager, Community Safety
Deputy Fire Chief <i>Fire Protection and Prevention Act</i> , 1997, S.O. 1997, c. 4	Deputy Fire Chief
Director of Nursing and Personal Care Long-Term Care Homes Act, 2007, S.O. 2007, c. 8	Manager of Resident Care

**Schedule "B"**  
to By-law 2018-121 of the City of Greater Sudbury  
**Part 1**

**Appointments – Statutory and Other Requisite Officials**

Treasurer <i>Municipal Act, 2001, S.O. 2001, c. 25</i>	Executive Director of Finance, Assets and Fleet
Deputy Treasurer <i>Municipal Act, 2001, S.O. 2001, c. 25</i>	Manager of Accounting / Deputy Treasurer
Deputy Treasurer <i>Municipal Act, 2001, S.O. 2001, c. 25</i> (for the purpose of conducting a tax sale/tender opening)	Purchasing Agent
Deputy Treasurer <i>Municipal Act, 2001, S.O. 2001, c. 25</i> (for the purposes of tax collection, tax registration and public tax sales)	Manager of Taxation
Weed Inspector <i>Weed Control Act, R.S.O. 1990, c. W.5</i>	Manager of Security and By-law Services
Recognized Authority Official MTO Driver Certification Program (in accordance with the Driver Certification Program Agreement between the City and the Ministry of Transportation)	Director of Transit Services
Risk Management Official <i>Clean Water Act, S.O. 2006, c. 22, s. 47(6)</i>	Director of Water/Wastewater Services, where certified as required under the <i>Clean Water Act</i>
Risk Management Official in the absence of / vacancy in the position of designated Risk Management Official	Manager of Water Treatment or Compliance Supervisor or Environmental Compliance Officer - where certified as required under the <i>Clean Water Act</i>
Risk Management Inspector <i>Clean Water Act, S.O. 2006, c. 22, s. 47(6)</i>	Compliance Supervisor
	Environmental Compliance Officer where certified as required under the <i>Clean Water Act</i>



**Schedule "B"**  
to By-law 2018-121 of the City of Greater Sudbury

**Part 2**

**Designations – Statutory and Other Requisite Officials**

<b>Column A Statutory Position</b>	<b>Column B Designatee by City Employment Title</b>
Contact Person <i>Personal Health Information Protection Act, 2004, S.O. 2004, c. 3, Sched A, s. 15</i> (for the purposes of provision of Emergency Medical Services by the City)	Commander of Community Paramedicine and Professional Standards
Contact Person <i>Personal Health Information Protection Act, 2004, S.O. 2004, c. 3, Sched A, s. 15</i> (for the purposes other than the provision of Emergency Medical Services by the City)	Director of North East Centre of Excellence for Seniors' Health
Emergency Management Program Co-ordinator, <i>Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9, s. 10</i>	Deputy Chief of Emergency Services
Emergency Information Officer, <i>Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9, s. 14</i>	Director of Communications and Community Engagement

**Schedule "C"**  
to By-law 2018-121 of the City of Greater Sudbury

**Part 1**

**Appointments – Building Inspectors Pursuant to the  
*Building Code Act, 1992, S.O. 1992, C. 23***

<p>Building Inspectors pursuant to the <i>Building Code Act, 1992, S.O. 1992, c.23</i></p>	<p>Sherri Budgell Jutta Court Melanie Franson Andre Guillot Paul Holland Markku Makitalo Guido Mazza Bill McCaffrey Ed Picco Tony Pileggi Jason Radley Bruno Roy Ryan Russell Rohit Walia Bill Yourth</p>
<p><b>Fire Department Officials</b> appointed as:</p> <p>- Inspectors pursuant to the <i>Building Code Act, 1992, S.O.1992, c.23</i>;</p>	<p>James Battistoni Annette Bisschops Graham Campbell Phil D'Aoust Phillip Doiron Andre Groulx Leslie Hebert George Lalonde Phil Langis Terry Larocque Mike Lindroos Darrel McAloney Gordon Stauffer Chris Stokes Mike Valiquette Doug White Chad Whitmore Luc Willard</p>

**Schedule "C"**  
to By-law 2018-121 of the City of Greater Sudbury

**Part 2**

**Appointments – Municipal By-Law Enforcement Officers**

By-laws to be Enforced	Person Appointed as Municipal By-law Enforcement Officer
<p><b>Municipal By-Law Enforcement Officers</b> for enforcement of all municipal by-laws</p> <p>And the <i>Dog Owners' Liability Act</i>, R.S.O. 1990</p>	<p>Brendan Adair Kyle Anderson Paul Denniston Kristen Demers Grant Dokis Daryl Dumoulin Chad Gauthier Patrick Goulet Scott Greenough Melissa Laalo Gilles Lefebvre Craig Moxam Michel Prevost Troy Rossignol Gerald Sagle Stacy Savard Brittnee Sheridan Philip Smyth Robin Tiplady Jerome Waroux Tina Whitteker</p>
<p><b>Municipal Water / Wastewater By-Law Enforcement Officers</b> for enforcement of:</p> <p>a) <u>By-law 2010-188</u>, as amended, being a By-Law to Prohibit, Regulate and Control Discharges into Bodies of Waters within City Boundaries or into the City Sanitary Sewers, Storm Sewers, Sanitary Sewage Works and All Tributary Sewer Systems and</p> <p>b) <u>By-law 2010-214</u>, as amended, being a By-law of the City of Greater Sudbury Respecting the Supply of Water, the Management and Maintenance of the Waterworks Systems of the City Water</p> <p>c) <u>By-law 2017-217</u>, as amended, being a By-law of the City of Greater Sudbury Respecting the Prevention of Backflow into the Municipal Drinking Water of the City of Greater Sudbury</p>	<p>Dave Brouse Jessica Brunette (on leave) Amanda Desjardins Andre Frappier Lana Haslam</p>

**Schedule "C"**  
to By-law 2018-121 of the City of Greater Sudbury

**Part 2**

**Appointments – Municipal By-Law Enforcement Officers**

<p><b>Municipal Law Enforcement Officers</b> for enforcement of:</p> <ul style="list-style-type: none"> <li>- Sections 4(1)(f), 34, 39 and 40 of <u>By-law 2010-1</u>, as amended, being a By-law to Regulate Traffic and Parking on Roads in the City of Greater Sudbury</li> </ul>	<p>Dave Brouse Jessica Brunette (on leave) Amanda Desjardins Andre Frappier Lana Haslam</p>
<p><b>Fire Department Officials</b> appointed as:</p> <ul style="list-style-type: none"> <li>- Municipal By-Law Enforcement Officers for the Open Air Burning, Fireworks and Fire Services By-laws:</li> </ul>	<p>James Battistoni Annette Bisschops Graham Campbell Phil D'Aoust Phillip Doiron Andre Groulx Leslie Hebert George Lalonde Phil Langis Terry Larocque Mike Lindroos Darrel McAloney Gordon Stauffer Chris Stokes Mike Valiquette Doug White Chad Whitmore Luc Willard</p>

**Schedule "D"**  
to By-law 2018-121 of the City of Greater Sudbury

**Appointments – City Auditors Pursuant to the  
*Municipal Act, 2001 S.O. 2001, C. 25***

Auditors pursuant to Section 296 of the <i>Municipal Act, 2001</i> , S.O. 2001, c. 25, for the City of Greater Sudbury and its local boards and including the City of Greater Sudbury Trust Funds for the City's fiscal years 2016 to 2018 inclusive	KPMG LLP
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