

By-law 2017-63

A By-law of the City of Greater Sudbury to Amend By-law 2017-5 being a By-law of the City of Greater Sudbury Respecting the Delegation of Authority to Various Officials of the City

Whereas Council for the City of Greater Sudbury deems it advisable to amend By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury;

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

1. By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury, as amended, is hereby amended by repealing the definition of "Executive Leadership Team" and enacting the following definition of "Executive Leadership Team" in its place and stead:

“ "Executive Leadership Team" includes the: Chief Administrative Officer; the General Managers; the Executive Director of Legislative Services; and the Executive Director of Finance, Assets & Fleet; collectively and member of the Executive Leadership Team means any member individually;”.

2. By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury, as amended, is hereby further amended by adding the following section 14A immediately after section 14 and before section 15:

"Condominium Corporation #21

14A. The Chief Administrative Officer, or, in his or her absence, the Director of Asset and Fleet Services, is hereby authorized to attend meetings of the Owners of Units of the Sudbury Standard Condominium Corporation #21 (Centre for Life Condominium Corporation) on behalf of the City, and to vote or take any other action he or she deems desirable at such meetings to protect or promote the interests of the City as unit owner.”.

3. By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury, as amended, is hereby further amended by:

- (a) repealing Schedule "A" and enacting, in its place and stead, Schedule "A" attached hereto as Schedule "A" and forming a part of this By-law;
- (b) repealing Schedule "C" and enacting, in its place and stead, Schedule "C" attached hereto as Schedule "B" and forming a part of this By-law; and

(c) repealing Schedule "E" and enacting, in its place and stead, Schedule "E" attached hereto as Schedule "C" and forming a part of this By-law.

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

Read and Passed in Open Council this 11th day of April, 2017



Mayor



Deputy
Clerk

Community Development Department

Authority

1. The General Manager of Community Development and the Directors of Children and Citizen Services, Leisure Services, Social Services and North East Centre of Excellence for Seniors Health and the Managers of Housing Services and Transit Services are authorized to Execute Standard Form Agreements for the Community Development Department with the provincial or federal governments, school boards, educational institutions, provincial or federal agencies, for profit companies or corporations, community groups or associations, not for profit organizations, boards and service providers, provided such entities are legally able to enter into the types of agreements set out below:

- (a) grants, funding and contribution agreements;
- (b) short and long term rental/lease agreements;
- (c) purchase of service agreements;
- (d) jointly with the Manager of Accounting / Deputy Treasurer, access to special purpose bank accounts;
- (e) general licence agreements;
- (f) clinical and student placements;
- (g) licences of occupation related to booking events to be held at municipal facilities or related to the use of services or facilities within municipal facilities including special promotional activities; and
- (h) interim increases to service agreements.

Leisure Services Section

2. The General Manager of Community Development, the Director of Leisure Services and the Managers of Recreation, Parks Services, Arenas and Community Partnerships individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) the use of City facilities for the use of community groups/associations and for profit companies/organizations;
- (b) the provision of instructors for community programs;
- (c) letters of understanding related to the short term use of City recreational land and facilities for festivals, special events and delivery of recreational programs;
- (d) purchase of service for the operation, management and maintenance of sports and recreation programs, outdoor rinks and community centre;

Schedule "A"
to By-law 2017-5 of the City of Greater Sudbury

Community Development Department

- (e) sports teams, concert promoters and entertainment events;
- (f) advertising for recognition, acknowledgement or other promotional consideration;
- (g) community partnerships.

3. The General Manager of Community Development, the Director of Leisure Services and the Manager of Arenas individually are delegated the authority to Execute Standard Form Agreements, short term rental agreements, licence agreements or licences of occupation related to booking events to be held at the Sudbury Arena, community arenas or the Grace Hartman Amphitheatre, or related to the use of services or facilities within the said locations, including special promotional activities.

4. The Manager of Arenas is authorized to deposit to or write cheques against the special purpose bank account for the Sudbury Arena provided such cheques as written are within the revenues received for any given event and related to City purposes, programs and objectives.

Citizen Services and Library and Heritage Resources Section

5. The General Manager of Community Development, the Director of Children and Citizen Services and the Managers of Citizen Services and Library and Heritage Resources individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the use of City facilities for the use of community groups/associations and for profit companies/organizations.

Children Services Section

6. The General Manager of Community Development, the Director of Children and Citizen Services and the Manager of Children Services individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) purchase of service agreements with community organizations, private home day care agencies, family resource centres, day nursery agencies, nursery schools or other similar providers of childcare services;
- (b) to enter into agreements with school boards, post-secondary institutions and service providers relating to the allocation and advance of Early Learning and Child Care operating and minor capital funding;

Schedule "A"
to By-law 2017-5 of the City of Greater Sudbury

Community Development Department

- (c) purchase of service and service contracts for childcare fee subsidies, operating grants, special purpose funding.

Cemetery Services Section

7. The General Manager of Community Development and the Director of Children and Citizen Services individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) private mausoleum construction; and
- (b) sale of interment rights.

Social Services Section

8. The General Manager of Community Development and the Director of Social Services individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) educational institutions;
- (b) purchase of service agreements with service providers/agencies; and
- (c) purchase of service agreements for the Community Homelessness Prevention Initiative (CHPI).

9. The Director of Social Services is delegated the authority to perform all of the duties and exercise all of the powers prescribed in the *Ontario Works Act, 1997 S.O. 1997, c. 25* with respect to the whole of the City in accordance with such conditions and restrictions as may be prescribed by Council including but not limited to the following powers:

- (a) the provision of emergency housing;
- (b) the provision of counseling, health care services, medical aids or personal services to or on behalf of social assistance recipients;
- (c) the provision of research or other services by social service agencies or organizations;
- (d) letters and/or memoranda of understanding and protocols with government agencies, social service agencies or organizations ; and
- (e) Information Exchange Agreements with all levels of government, social service agencies and/or organizations.

Community Development Department

Housing Services Section

10. The General Manager of Community Development and the Manager of Housing Services individually are delegated the authority to perform all of the duties and exercise all of the powers of the Service Manager as prescribed by *the Housing Services Act, 2011*, S.O. 2011, c. 6 (for purposes this section "the Act"), with respect to the whole of the City in accordance with such conditions and restrictions as may be prescribed by Council including but not limited to the following powers and obligations under the Act:

- (a) to determine eligibility of social housing applicants and perform other functions under Part V of the Act;
- (b) to exercise the remedies listed in the section 85 of the Act when a housing provider has not met one or more of his/her obligations;
- (c) to prescribe training for a director, employee or agent of a housing provider if the housing provider has not met one or more of his/her obligations under the Act;
- (d) to bill a housing provider for any costs incurred performing duties on behalf of the housing provider;
- (e) to change, extend or terminate the appointment of a receiver or receiver and manager appointed under the Act and make a new appointment of the same Person or a different Person; and
- (f) to approve additional subsidy to a housing provider or group of housing providers in the event of Emergency or fiscal difficulties provided the housing provider's request for additional subsidy is within Council approved total social housing budget.

North East Centre of Excellence for Seniors' Health Section

11. The General Manager of Community Development, the Director of North East Centre of Excellence for Seniors Health and the Managers of Resident Care and Administration individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) clinical and student placements;
- (b) purchase of service for agreements with physicians, health care providers and health care agencies;
- (c) service accountability agreements with ministries and agencies on a Provincial and Federal level, and

Schedule "A"
to By-law 2017-5 of the City of Greater Sudbury

Community Development Department

- (d) short and long term lease agreements for space with not for profit and for profit organizations, companies and individuals.

Cheques - Pioneer Manor

12. The General Manager of Community Development, Director, North East Centre of Excellence for Seniors' Health and the Manager of Administration individually are authorized, together with one of the Treasurer, Deputy Treasurer, or Manager of Accounting, to deposit to or write cheques on the special purpose bank account for the Pioneer Manor Trust, for the purposes of residents of Pioneer Manor only.

Transit Section

13. The Recognized Authority Official for the administration of the Driver Training Program and the Driver Certification Program of the Ministry of Transportation is hereby authorized to exercise all the powers authorized under the Programs, to conduct testing for the purpose of upgrading or renewing Drivers' Licenses for City employees within the Growth and Infrastructure Department, Community Development Department, Corporate Services Department and Community Safety Department, to make applications to participate in the Programs, and to Execute on behalf of the City all necessary Agreements with the Ministry of Transportation for the Programs from time to time.

14. The General Manager of Community Development and Director of Transit Services individually are authorized to Execute agreements with third party vendors, to permit the sale and resale of ride cards and monthly transit passes, where the form of the agreement has been approved by the City Solicitor.

15. The General Manager of Community Development and Director of Transit Services individually are authorized to Execute Standard Form Universal Bus Pass agreements with local University and College Student Associations, where the form of the agreement has been approved by the City Solicitor.

Schedule "C"
By-law 2017-5 of the City of Greater Sudbury

Corporate Services Department

Finance, Assets and Fleet Division

Asset Services Section

Land Agreements

1. Each of the General Manager of Corporate Services and the Director of Asset and Fleet Services individually are delegated the authority to Execute Standard Form Agreements, applications and/or documents related to the following:

- (a) assignments of lease;
- (b) easements over City land and the negotiation and acquisition of easements for the City;
- (c) land use permits or similar agreements;
- (d) building permits, demolition permits and other applications under the *Building Controls Act* 1992, S.O. 1992 c.23;
- (e) minor variance zoning and other applications under the *Planning Act*, R.S.O., c.P.13;
- (f) permits, connection permits and similar applications;
- (g) notices, forms agreements and releases under the *Expropriations Act*, R.S.O. 1990, c.E.26;
- (h) encroachment permits, encroachment agreements, release of encroachment agreements and consents to the assignment of existing encroachment agreements, including encroachments on City lands and easements;
- (i) underground pipe crossing agreements and crossing agreements;
- (j) agreements permitting occupation or use of City land related to approved Department programs and objectives with the approval of the responsible General Manager;
- (k) listing agreements, agreements of purchase and sale, and any schedules, notices or amendments thereto, or other similar documents in use by the Ontario Real Estate Association;
- (l) forms, notices, schedules, agreements and any other documents prescribed pursuant to any statute or regulation governing the conveyance of land in the Land Titles or Registry systems in Ontario; and
- (m) covenants to Indemnify the Land Titles Assurance Fund.

Schedule "C"
By-law 2017-5 of the City of Greater Sudbury

Corporate Services Department

Encroachments

2. Each of the Treasurer and the Director of Asset and Fleet Services individually is authorized to approve encroachment permits, Execute and release encroachment agreements, release encroachment agreements and consent to the assignment of existing encroachment agreements.

Energy Initiatives

3. The Coordinator of Energy Initiatives is authorized to Execute grant applications with other government agencies.

Parking Revenue

4. The Treasurer is hereby authorized to enter into parking revenue sharing agreements between the City and Laurentian University, and with all other property owners that issue over 1,000 parking tickets per year.

Electrical Safety Authority

5. The General Manager of Corporate Services is hereby authorized to Execute Continuous Safety Services Agreements with the Electrical Safety Authority.

Finance, Assets and Fleet Division

Finance Section

General Authority

6. Each of the General Manager of Corporate Services and the Treasurer individually is authorized to Execute Standard Form Agreements related to quality performance initiatives and the engagement of the City's external auditors.

7. The Treasurer and the Chief Building Official are jointly authorized to approve all refunds of development charges.

8. Each of the General Manager of Corporate Services, the Treasurer and the Deputy Treasurer individually is delegated the authority to:

- (a) Execute any necessary agreements with the Canada Revenue Agency for the processing of City matters;

Schedule "C"
By-law 2017-5 of the City of Greater Sudbury

Corporate Services Department

- (b) sign official receipts for income tax purposes for the fair market value of donations made to the City or to its local boards, pursuant to the *Income Tax Act*, R.S.C. 1985, c.1;
- (c) Execute agreements on the City's behalf with banks, investment firms, brokers and similar organizations to invest City funds in accordance with the City's Investment Policy;
- (d) Execute grant applications and grant claim forms on behalf of the City; and
- (e) Execute Standard Form Agreements and any schedules, extensions or amendments thereto or similar documentation with banks, or other financial institutions for any banking related services.

Overpayments

9. Each of the Deputy Treasurer and the Coordinator of Accounting individually are delegated the authority to Execute Standard Form Agreements respecting repayment of Child Care Subsidy overpayments.

Insurance Releases, Binding Coverage and Appraisals

10. Each of the Treasurer, the Manager of Financial Planning and Budgeting and the Coordinator of Insurance and Risk Management individually is authorized to perform the following functions:
- (a) to Execute insurance releases and proof of loss forms on behalf of the City when the City's insurer has negotiated the settlement of a claim;
 - (b) to bind coverage during the applicable insurance policy term for any new infrastructure, vehicle or equipment.
 - (c) to retain appraisers in relation to insurance claims or risk management issues.

Bank Statements of Account

11. Each of the Treasurer, Deputy Treasurer and the Coordinator of Accounting and the City's external auditors individually is authorized to receive from the City's bank:
- (a) a statement of the accounts of the City together with all relative vouchers debentures and all unpaid bills lodged for collection by the City;
 - (b) all items returned unpaid and charged to the account of the City; and

Schedule "C"
By-law 2017-5 of the City of Greater Sudbury

Corporate Services Department

- (c) to Execute and deliver to the said bank, the bank's form of verification, settlement of balance and release.

Cheques

12. Each of the Treasurer, Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized, together with the Mayor, or the Deputy Mayor should the Mayor be absent from the City or unavailable due to illness, or where the Mayor's office is vacant, to Execute such cheques, bank promissory notes and other banking documents in the name of the City.

13. Each of the Treasurer, Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized jointly with the Mayor or Deputy Mayor, to deposit to or to write cheques on the Retirement Trust Account.

14. Each of the Treasurer, Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized jointly with the Mayor or Deputy Mayor, to Execute all cheques, notes or other financial documents relating to the City undertakings and as required by the *Ontario Works Act, 1997*, S.O. 1997, c.25.

Deposits

15. Any two of the Treasurer, Deputy Treasurer and the Coordinator of Accounting are jointly authorized to deposit with, deposit with or transfer to the bank designated as the City's bank, for the credit of the City's account or accounts only, cheques and other orders for the payment of money and for that purpose to endorse the same on behalf of the City either in writing or by rubber stamp.

Receipt of Securities and Other Documents

16. Each of the General Manager of Corporate Services, the Executive Director of Finance, Assets and Fleet, the Manager of Accounting / Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized to obtain delivery from the City's bank of all or any stocks, bonds and other securities held by the said bank in safekeeping or otherwise for the account of the City and to give valid and binding receipts therefor.

Corporate Services Department

Utility Bills

17. To ensure that utility bills are paid in a timely fashion thereby avoiding interest costs, the Deputy Treasurer is authorized to pay utility bills processed by the Finance Division in advance of review by the operating departments.

Recovery of Debts

18.-(1) Each of Treasurer and Deputy Treasurer individually is delegated the authority to collect overdue debts owed to the City in accordance with the Accounts Receivable and Collections Policy.

(2) In the exercise of recovering debts, the Treasurer shall use the most efficient combination of staff and external resources and shall consult with the City Solicitor in circumstances where external legal services may be required.

Debt Write-Off

19. The Treasurer is delegated the authority to abandon and write off, in whole or in part, an amount or claim of the City which he deems to be uncollectible, provided such amount or claim, exclusive of interest, in any one instance does not exceed Twenty-five Thousand Dollars (\$25,000) or the monetary jurisdiction of the Superior Court of Justice - Small Claims Court, whichever is greater.

Assessment Appeals

20.-(1) Each of the Treasurer, the Manager of Financial Planning and Budgeting and the Manager of Taxation individually is delegated the authority to commence, maintain and settle proceedings or to appeal decisions of the Assessment Review Board with respect to all property assessment issues subject to instruction as may be issued by Council, from time to time, and in the conduct of such proceedings, the Finance Division shall represent the City and shall use the most efficient combination of staff and external resources as required to represent the interests of the City.

(2) In carrying out the authority delegated hereunder, the Treasurer, the Manager of Financial Planning and Budgeting and the Manager of Taxation is authorized to Execute Minutes of Settlement in respect of property assessment issues

Corporate Services Department

Legislative Services Division

Clerk's Services Section

Use of Facilities - Tom Davies Square

21 Each of the General Manager of Corporate Services and the Executive Director of Legislative Services / City Clerk individually is authorized to approve the use of the interior and exterior concourse of the Tom Davies Square, meeting rooms, or Council Chambers, in accordance with related policies governing such use.

Noise By-law Exemptions

22. Subject to sections 16 and 28 of Schedule "D", each of the General Manager of Corporate Services and the Executive Director Legislative Services / City Clerk individually is authorized to grant exemptions from the application of, or permission under, City and Former Municipality by-laws regulating noise.

Marriages

23. The Executive Director of Legislative Services / City Clerk and Deputy Clerks are authorized to solemnize marriages in accordance with the City's civil marriage solemnization policy.

Municipal Freedom of Information and Protection of Privacy Act

24. In accordance with s.23.1 of the *Municipal Act* and s. 49(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended, the Executive Director of Legislative Services / City Clerk is delegated the powers and duties of the Head.

Clerk of the Court

25. All powers and duties of a clerk of the Ontario Court of Justice Provincial Offences Court have been delegated pursuant to the *Courts of Justice Act*, R.S.O. 1990, c. C.43 to the individuals holding the positions of, or acting as Deputy City Clerk appointed as Clerk of the Court under the Appointments By-law, POA Administration Clerk and/or Clerk/Monitor.

Corporate Services Department

Fines

26. The Executive Director of Legislative Services / City Clerk and the Deputy City Clerk appointed as Clerk of the Court under the Appointments By-law, are jointly authorized to adjust or write off fines in the event of an administrative error.

Agreements

27. Each of the General Manager of Corporate Services and the Executive Director of Legislative Services individually is authorized to Execute Standard Form Agreements related to the following:

- (a) postage and delivery services;
- (b) printing and copying equipment or services;
- (c) corporate security;
- (d) *Provincial Offences Act* operations;
- (e) disclosure agreements with other institutions, or for research purposes, relating to the *Personal Health Information Protection Act, 2004*, S.O. 2004, c. 3, Sched. A and the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56; and
- (f) other agreements related to the corporate-wide administration of the City.

Municipal Elections

28. The Executive Director of Legislative Services / City Clerk is authorized to sign agreements to secure voting locations for municipal elections and any other agreements required to fulfill the duties of the Clerk in a municipal election.

Legislative Services Division
Legal Services Section

General Authority

29.-(1) The City Solicitor and Assistant City Solicitors shall be responsible for providing legal services to the City, Council and Committees of Council.

Schedule "C"
By-law 2017-5 of the City of Greater Sudbury

Corporate Services Department

(2) In addition, legal services may be provided to such local boards or municipal corporations as may be approved or required by Council provided that, in the event of an actual or potential conflict of interest between the City's interests and the interests of another party, legal services shall be provided only to the City.

Litigation

30.-(1) The City Solicitor shall be responsible for the conduct of all litigation before courts and administrative tribunals as set out herein, subject to:

- (a) the delegated authority granted to the Director of Human Resources and Organizational Development in Schedule G;
- (b) assessment appeals before the Assessment Review Board as provided for in Section 19 of this Schedule; and
- (c) such instruction as may be issued by Council from time to time,

(2) In the conduct of such litigation, the City Solicitor shall:

- (a) use the most efficient and effective combination of staff and external legal services as required to represent the interests of the City and
- (b) consult with, and receive instructions from, the appropriate member of the Executive Leadership Team whose Department or Division is associated with such proceedings.

31. The City Solicitor shall have authority to commence, prosecute, defend, settle and abandon legal proceedings that fall within the jurisdiction of the Superior Court of Justice - Small Claims Court.

32. With respect to matters that fall within the jurisdiction of the Superior Court of Justice, the City Solicitor shall have the authority to:

- (a) conduct the defence of all actions or applications;
- (b) commence, prosecute, settle and abandon actions or applications for damages up to Fifty Thousand (\$50,000) Dollars;
- (c) commence, prosecute, settle and abandon legal proceedings for equitable relief where such manner of proceeding is appropriate;
- (d) initiate or defend applications under section 3 of the *Assessment Act*, R.S.O 1990, c. A31; and

Schedule "C"
By-law 2017-5 of the City of Greater Sudbury

Corporate Services Department

- (e) Execute on behalf of the City all forms contemplated by the Rules of Civil Procedure.

33. The City Solicitor shall have the authority to:

- (a) authorize the payment of all expenses related to the conduct of any legal proceeding and the payment of any costs awarded against the City;
- (b) Execute all documents required to conduct any legal proceeding or conclude the settlement thereof including, but not limited to, minutes of settlement, consents, draft orders and releases; and
- (c) take all steps required to enforce orders, decisions, awards and judgments.

Appeals

34. The City Solicitor shall have the authority to appeal decisions of the Superior Court of Justice - Small Claims Court and to take all necessary action in relation to the appeal.

Administrative Tribunals

35. City Solicitor shall have the authority to apply for standing to make applications and take objection to all matters before administrative tribunals.

36. In addition, the City Solicitor shall have the following authority with regard to administrative tribunals:

- (a) commence, conduct, participate in, and settle appeals, including but not limited to planning matters and appeals from decisions of the Committee of Adjustment to the Ontario Municipal Board and similar administrative tribunals;
- (b) Execute all related documentation;
- (c) appeal any decision of an administrative tribunal where the appeal lies to another administrative tribunal; and
- (d) make applications for judicial review of decisions of administrative tribunals.

Emergency or Unforeseen Exceptional Circumstances

37. Where an Emergency or unforeseen exceptional circumstances arise that will not allow for the required authority granting procedures to be followed with respect to any legal matter, the City Solicitor shall have the authority to take the appropriate action and report such action to Council at the earliest opportunity.

Corporate Services Department

Release of Easements

38. The City Solicitor is delegated the authority jointly with the General Manager, Growth and Infrastructure to review, approve and process the release of easements for waterworks and sewage works to the holder in fee simple of the lands that are subject to the easement for nominal consideration where the utility services provided by these works at the location of the easements have been discontinued, subject to any fee imposed by Council.

Lands under the *Land Titles Act* and Interests in Lands

39. The City Solicitor is delegated the authority to:
- (a) make applications under the *Land Titles Act*, R.S.O. 1990, c. L.5, as amended and under related legislation to bring under that Act lands of the City;
 - (b) register easements, transfers, agreements, restrictions, by-laws, orders, liens, mortgages and other documents and interests in land, both owned by the City and not owned by the City, and where applicable, to register discharges or releases in whole or in part when authorized to do so by the applicable department, division or section or where there is no longer an interest by the City.
40. Register mortgages, charges, agreements protecting rights of the City under the Affordable Housing Program, or under similar programs and to register discharges or releases of same, when authorized to do so by the applicable department, division or section or where there is no longer an interest by the City.

Writs of Seizure and Sale

41. The City Solicitor is delegated the authority to subject lands and property to, and release lands and property from, Writs of Seizure and Sale, as the City Solicitor deems appropriate.

Recovery of Debts

42. The City Solicitor is authorized to initiate proceedings to collect funds owed to the City in accordance with the Accounts Receivable and Collections Policy.

Corporate Services Department

External Counsel

43. Each of the Chief Administrative Officer, the General Manager of Corporate Services, the Executive Director of Legislative Services / City Clerk, the City Solicitor and the Director of Human Resources and Organizational Development individually is delegated the exclusive authority to retain external legal counsel required by the City, and the Chief of Police and the City Solicitor individually are assigned the exclusive authority to retain external legal counsel required by the Greater Sudbury Police Services Board.

44. The General Manager for the affected Department, together with the Coordinator of Insurance and Risk Management, are hereby authorized jointly to Execute on behalf of the City, Agreements awarded by or paid for by the City's insurer from time to time for the performance of work on City property or facilities.

Applications for Incorporation

45. The City Solicitor is delegated the authority to consent or object to an application for incorporation for a corporate name where consent is required because the proposed name may involve potential identification or confusion with the City.

Legislative Services Division

Security and By-law Services Section

Corporate Security

46. The authority to give notice pursuant to the *Trespass to Property Act*, R.S.O. 1990, c. T.21, prohibiting entry to all or part of a City property or facility or all City properties or facilities, and the reconsideration of the issuance of such notice when an objection is filed, is delegated to such persons and in such circumstances as is outlined in the City's Trespass Policy from time to time.

Appointment of Municipal By-law Enforcement Officers

47. Each of the General Manager of Corporate Services and the Executive Director of Legislative Services / City Clerk is individually authorized to take the necessary steps to appoint or withdraw the appointment of Persons as municipal by-law enforcement officers.

Corporate Services Department

Spay and Neuter Program

48. Each of the General Manager of Corporate Services and the Executive Director of Legislative Services / City Clerk individually is authorized to Execute Agreements with participating veterinarians for the City's spay and neuter program and is further authorized to amend and terminate such agreements.

Human Resources and Organizational Development Division

General Authority

49. Each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to:

- (a) approve employee administrative policies;
- (b) provide leadership to the Human Resources and Organizational Development Division to meet the present and future needs of the City;
- (c) ensure the City is able to attract, recruit, develop, motivate and retain qualified employees; and
- (d) promote a safe and healthy work environment for City employees.

Litigation

50. Each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to commence, prosecute, defend, settle and abandon legal proceedings that fall within the jurisdiction of the Superior Court of Justice - Small Claims Court in relation to labour and employment matters.

51. With respect to labour and employment matters that fall within the jurisdiction of the Superior Court of Justice, each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to:

- (a) retain external counsel;
- (b) conduct the defence of all actions or applications;
- (c) commence, prosecute, settle and abandon actions or applications for damages up to Fifty Thousand Dollars (\$50,000);
- (d) commence, prosecute, settle and abandon legal proceedings by way of application for equitable relief where such manner of proceeding is appropriate; and

Schedule "C"
By-law 2017-5 of the City of Greater Sudbury

Corporate Services Department

- (e) Execute on behalf of the City all forms contemplated by the Rules of Civil Procedure.

52. In the conduct of litigation under section 48 or 49, the General Manager of Corporate Services or the Director of Human Resources and Organizational Development, as the case may be, shall:

- (a) use the most efficient and effective combination of staff and external legal services as required to represent the interests of the City; and
- (b) consult with, and receive instructions from, the appropriate member of the Executive Leadership Team whose Department or Division is associated with such proceedings.

53. Each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to commence, prosecute, defend, settle and abandon all proceedings, including grievances and arbitrations, affecting the City within the jurisdiction of the *Employment Standards Act*, the *Occupational Health and Safety Act*, the *Human Rights Code*, the *Pay Equity Act*, the *Ontario Labour Relations Act*, the *Hospital Labour Disputes Arbitration Act*, the *Fire Protection and Prevention Act*, the *Ontario Municipal Employees Retirement System Act*, the *Workplace Safety and Insurance Act* and the *Pension Benefits Standards Act* except where damages exceeding Fifty Thousand Dollars (\$50,000) are claimed or ordered against the City.

Collective Agreements

54 The Director of Human Resources and Organizational Development is authorized to Execute all collective bargaining agreements, memoranda of agreements and understanding on behalf of the City provided the terms of the agreement are within the mandate approved by Council.

Purchase of Service Agreements

55. The General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually are delegated the authority to Execute agreements related to the purchase of services related to training and development, employee assistance, intervention and support, employee benefits, compensation and other surveys and other related employment matters.

Corporate Services Department

Information Technology Division

Agreements

56. The General Manager of Corporate Services and the Director of Information Technology individually are delegated the authority to Execute Standard Form Agreements related to software, hardware and business applications and licences relating to information technology.

Schedule "E"
By-law 2017-5 of the City of Greater Sudbury

Economic Development

Tourism Agreements

1. The Chief Administrative Officer, the Director of Economic Development and the Manager of Tourism and Culture individually are delegated the authority to Execute, and authorize payments related to, the following:

- (a) standard form tourism signage agreements; and
- (b) agreements for tourism event support.

Economic Development Agreements

2. The Chief Administrative Officer and the Director of Economic Development individually are delegated the authority to Execute:

- (a) funding agreements and to authorize the payments pursuant to such agreements from the funds transferred to the Greater Sudbury Development Corporation for the purposes of economic development and arts and culture, to a maximum of \$10,000;
- (b) agreements related to the work of the Economic Development Division with provincial and federal ministries and agencies including, but not limited to, Industry Canada, FedNor, Citizenship and Immigration Canada, the Ministry of Northern Development and Mines, the Northern Ontario Heritage Fund Corporation, the Ontario Tourism Marketing Partnership Corporation, Science North, Tourism Northern Ontario, Northeastern Ontario Tourism, the Ontario Ministry of Tourism, the Ontario Ministry of Economic Development, Employment and Infrastructure, and the Ontario Ministry of Citizenship, Immigration and International Trade, or their successor agencies;
- (c) agreements related to the Northern Ontario Export Program formerly known as the Mining Supplies and Services Export Assistance Program, or its successor program, including funding agreements related thereto, and to make payments pursuant thereto;
- (d) agreements related to Ontario's North Economic Development Corporation; and
- (e) agreements related to bids for conferences and sporting events to be held in the City.

Schedule "E"
By-law 2017-5 of the City of Greater Sudbury

Economic Development

Collaboration Agreements

3. The Director of Economic Development is delegated the authority to Execute Standard Form collaboration agreements with parties chosen by the City of Greater Sudbury Development Corporation to be community collaborators, educational collaborators, financial institution collaborators or private sector collaborators, for the purpose of supporting the Regional Business Centre.

Vendor's Permits

4. The Chief Administrative Officer is delegated and authorized to issue and set terms and conditions for vendor permits for the Downtown Market.

Communications and Community Engagement

1. The Chief Administrative Officer, the Director of Communications and Community Engagement and the Manager of Corporate Communications and French Language Services individually are delegated the authority to Execute use of City of Greater Sudbury logo agreements.

2. The Chief Administrative Officer and the Director of Communications and Community Engagement individually are delegated the authority to Execute Standard Form Agreements related to the purchase of service and service contracts for after hours Radio Dispatch and Answering Service for the 3-1-1 Call Centre.