

Bill No. 215  
2023

By-law No. A.-\_\_\_\_\_ -\_\_

A by-law to delegate the authority to bind The Corporation of the City of London in defined instances to identified positions within the Civic Administration.

WHEREAS subsection 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the power of a municipality shall be exercised by its council;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting, among other things: accountability and transparency of the municipality and its operations; economic, social and environmental well-being of the municipality; and financial management of the municipality;

AND WHEREAS subsection 23.(1) of the *Municipal Act, 2001* provides that, subject to the limitations found in sections 23.2 and 23.3 of the *Municipal Act, 2001*, S.O. 2001, c. 25, a municipality may delegate its powers and duties to a person or body;

AND WHEREAS Council delegates any authority pursuant to this by-law in accordance with Schedule "G" of By-law No. A.-6151-17 "Council Policy By-law," as amended from time to time;

AND WHEREAS it is desirable to enable Civic Administration to conduct its regular duties efficiently and effectively in accordance with City Council's policies;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The power to bind the Corporation of the City of London granted by the *Municipal Act, 2001* is hereby delegated to the applicable Deputy City Manager or their further delegate in the City's Civic Administration in the instances and subject to the conditions identified in the attached Schedule(s) to this by-law.
2. Without limiting the generality of the foregoing, the person holding the Administrative Position to whom the delegation is made shall be authorized to approve and/or execute the agreements listed in the attached Schedule(s), where, in the absence of this by-law, approval would be required by City Council and execution would be required by the City Clerk and the Mayor.
3. The delegated authority shall be applied in accordance with City Council and corporate policies in effect at the time of the action taken.
4. Executed agreements shall be funded from available Council-approved budgets, as applicable.

5. The respective Deputy City Manager shall prepare a report once annually describing the number of instances that Civic Administration exercised the delegated authority to bind under this by-law.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 25, 2023.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – July 25, 2023  
Second Reading – July 25, 2023  
Third Reading – July 25, 2023

Schedule A - Delegated Authorities in the Environment and Infrastructure Service Area											
Group	Line	Delegated Authority	Fiscal Limit - City contribution	Term Limit	DCM Able to Delegate?	Lowest Possible Delegation	Legal Review Required?	Risk Management Review Required?	Authority to Approve?	Authority to Execute?	Notes
1	-	<b>Approvals or permits with governmental regulatory bodies</b>	-	-	-	-	-	-	-	-	-
1	1	Regulatory applications, amendments and reporting to Federal or Provincial Governments	N/A	N/A	Yes	Director	No	No	Yes	Yes	-
2	-	<b>Approvals or permits with non-governmental regulatory bodies</b>	-	-	-	-	-	-	-	-	-
2	1	Upper Thames River Conservation Authority applications, amendments and reporting	N/A	N/A	Yes	Director	No	No	Yes	Yes	-
3	-	<b>Approvals, permits and agreements with non-regulatory bodies</b>	-	-	-	-	-	-	-	-	-
3	1	Construction and maintenance agreements/permits for work in Rail corridors	N/A	10 years	Yes	Director	No	Yes	Yes	Yes	-
3	2	Construction and maintenance agreements/permits for work in Hydro corridors	N/A	10 years	Yes	Director	No	Yes	Yes	Yes	-
3	3	Construction and maintenance agreements/permits for work in Natural Gas corridors	N/A	10 years	Yes	Director	No	Yes	Yes	Yes	-
3	4	Cost-sharing agreements with utilities	\$6M	N/A	No	-	Yes	Yes	Yes	No	1
3	5	Incentive agreements with utilities	\$6M	N/A	Yes	Director	Yes	Yes	Yes	No	1
3	6	Connection or generation agreements with utilities	\$6M	20 years	No	-	Yes	Yes	Yes	Yes	1
3	7	Utility relocation agreements	N/A	N/A	Yes	Director	No	Yes	Yes	Yes	-
3	8	Alternative Locate Agreements	N/A	5 years	Yes	Director	Yes	Yes	Yes	Yes	-
4	-	<b>Research and Community Partnerships</b>	-	-	-	-	-	-	-	-	-
4	1	Site access agreements for research or pilot testing in City owned facilities.	N/A	5 years	Yes	Director	Yes	Yes	Yes	Yes	2
4	2	Data access and sharing agreements with other organizations	N/A	5 years	Yes	Director	Yes	No	Yes	Yes	-
5	-	<b>Other Agreements</b>	-	-	-	-	-	-	-	-	-
5	1	Confidentiality agreements	N/A	10 years	No	-	Yes	No	Yes	Yes	-
5	2	Site access agreements on private property	N/A	N/A	Yes	Director	Yes	Yes	Yes	Yes	-
<b>Note 1</b>	Authority to execute is only granted for projects utilizing existing, Council-approved budgets.										
<b>Note 2</b>	Includes alterations to existing infrastructure.										