

Bill No. 273
2014

By-law No. A.- _____

A By-law to authorize the Managing Director, Housing, Social Services and Dearness Home or designate to execute documents re: the Dearness Home with the Local Health Integration Networks (LHIN) or with Her Majesty The Queen in Right of Ontario (Minister of Health and Long-Term Care) and to repeal by-laws A.- 6741-310 and A.-6251-286 and to delete section Section 3 of By-law A.-6938-114 and section 2 of By-law A.- 6555-212.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, 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 section 23.1 of the *Municipal Act, 2001* authorizes a municipality to delegate its powers and duties under this or any other Act to a person or body subject to the restrictions set out in Part II of the *Municipal Act, 2001*;

AND WHEREAS The Corporation of the City of London (the "City") has established and maintains a municipal long-term care home under the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8;

AND WHEREAS the City operates an Adult Day Program under the *Home Care and Community Services Act, 1994*, S.O. 1994, c. 26;

AND WHEREAS the City has entered into Service Accountability Agreements with the South West Local Health Integration Network (LHIN) with respect to both the long-term care home and the adult day program;

AND WHEREAS the "Delegation of Powers and Duties Policy", Schedule "G" to By-law A.-6151-17 sets out the guidelines that apply when London City Council delegates its powers and duties;

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

1. Subject to paragraph 2 below, the City's Managing Director, Housing, Social Services and Dearness Home, or his or her written designate, with respect to the City's long-term care home and the City's Adult Day Program, is hereby delegated the authority to:
 - (a) approve and execute documents required by LHIN under agreements with LHIN (including reports, acknowledgements, amendments to the Service Accountability Agreement, and Project Funding Agreements as defined in a Service Accountability Agreement, but excluding Service Accountability Agreements); and
 - (b) act as the City Representative for purposes of any Project Funding Agreement as defined in a Service Accountability Agreement, and for such purposes is delegated the authority to bind the City; and
 - (c) approve and execute documents required under agreements with Her Majesty The Queen in Right of Ontario as represented by the Minister of Health and Long-Term Care (including reports, acknowledgements, amendments to the agreement, but excluding agreements).
2. The authority delegated in paragraph 1 is subject to the following conditions: that the document to be executed does not require additional funding beyond that provided for in the City's current budget; that the document does not provide for an indemnity to be given by the City; to the extent that any agreement provides for confidentiality the agreement must conform

to applicable Ontario Legislation; and that the delegate provides an annual report to Council regarding any such documents executed or declarations made.

3. The power or duty delegated may be exercised by both the delegate and the municipality.
4. By-law A.-6741-310 and By-law A.-6251-286 are hereby repealed.
5. Section 3 of By-law A.-6938-114 and section 2 of By-law A.-6555-212 are hereby deleted.
6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 10, 2014.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First reading – June 10, 2014
Second reading – June 10, 2014
Third reading – June 10, 2014