

Bill No. 360  
2012

By-law No. A-

A by-law respecting the Civic Administration.

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

**SHORT TITLE  
CIVIC ADMINISTRATION BY-LAW**

**INTERPRETATION**

**Definitions**

1. In this By-law:

"appointed officer" shall mean:

- (a) the City Manager and Deputy City Manager;
- (b) the Lead of a Service Area;
- (c) the Chief and Deputy Chiefs of the Fire Service;
- (d) any officer of the Corporation required to be appointed by statute; and
- (e) any officer of the Corporation appointed by by-law.

"change in status", in reference to an appointed officer, includes: resignation; retirement; absence, whether with or without leave; suspension; demotion; transfer to other duties; and dismissal, whether with or without cause and whether with or without notice.

"Corporation" shall mean The Corporation of the City of London.

"Council" shall mean the Municipal Council of the Corporation.

"Senior Leadership Team" shall mean the Senior Leadership Team contained under section 20 of this By-law.

"Service Area Leads" shall mean the Service Area Leads contained under section 3 of this By-law.

"Service Areas" shall mean the Service Areas contained under section 3 of this By-law.

**CIVIC ADMINISTRATION**

**Administration's Role and Responsibility**

2. The role and responsibility of the officers and employees of the Corporation, having regard to section 227 of the *Municipal Act, 2001*, is to:

- (i) implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- (ii) undertake research and provide advice to Council on the policies and programs of the Corporation; and
- (iii) carry out other duties required under any Act and other duties assigned by the Council.

**Continuation of Powers**

2.1 All persons holding administrative offices or positions who are delegated rights, privileges, authority or powers under a by-law of the City shall continue in such office or such delegated position in the performance of those duties until provision shall have been made for the appointment and qualification of their successors in accordance with the City's by-laws or until the discontinuance of such office or position in the City's by-laws or until their rights, privileges, authority or powers are revoked under the City's by-laws. Upon the revocation of the rights, privileges, authority and powers of a person holding administrative office or a delegated employee, the powers conferred and the duties imposed upon any officer or employee in the City by the by-laws of the City shall be thereafter exercised and discharged by the officer or employee designated by the City Council or by the City Manager from time to time in accordance with the applicable legislation.

### Service Areas

3. The Civic Administration of the Corporation shall be composed of the Service Areas named in the first column of the following Table and the Service Area Leads named in the second column of the Table.

**Table**

<b>Service Areas</b>	<b>Service Area Leads</b>
City Manager's Office	City Manager
Engineering	Managing Director, Engineering & City Engineer
Development & Compliance Services	Managing Director, Development & Compliance Services & Chief Building Official
Planning	Managing Director, Planning & City Planner
Parks and Recreation	Managing Director, Parks and Recreation
Neighbourhood, Children and Fire Services	Managing Director, Neighbourhoods, Children Services
Housing & Social Services	Managing Director, Housing & Social Services
Legal & Corporate Services	Managing Director, Corporate Services & City Solicitor
Finance & Corporate Services	Managing Director, Corporate Services & City Treasurer and Chief Financial Officer
Human Resources & Corporate Services	Managing Director, Corporate Services & Chief Human Resources Officer

### CITY CLERK

#### City Clerk

4. The City Clerk shall be directly responsible and accountable to Council and is to exercise the powers and perform the duties which, from time to time, are lawfully assigned to or vested in the position by statute or by Council.

#### Role and Responsibility

5. The role and responsibility of the City Clerk, having regard to section 228 of the *Municipal Act, 2001*, includes:

- (a) to record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- (b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- (c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the Council;
- (d) to perform the other duties required under this Act or under any other Act; and
- (e) to perform such other duties as are assigned by the Corporation.

6. In addition to all duties imposed upon the City Clerk under section 228 of the *Municipal Act, 2001* and any other statutes, and by any by-law of the Council, the City Clerk shall have full charge and control of and be fully responsible for the general control and management of the City Clerk's Office for the Corporation.

#### Deputy City Clerk

7. The City Clerk may be assisted by a Deputy City Clerk who has all the powers and duties of the City Clerk having regard to section 228(2) of the *Municipal Act, 2001* and any other Act.

#### City Clerk retains powers and duties

8. The City Clerk may continue to exercise the delegated powers and duties, despite the delegation of his/her powers and duties in accordance with the *Municipal Act, 2001*.

### CITY TREASURER

#### City Treasurer

9. The City Treasurer shall be directly responsible and accountable to Council and is to exercise the powers and perform the duties which, from time to time, are lawfully assigned to or vested in the position by Council or by statute. The City Treasurer is responsible for handling all of the financial affairs of the Corporation on behalf of and in the manner directed by Council.

### **Role and Responsibility**

10. The role and responsibility of the City Treasurer having regard to section 286 of the *Municipal Act, 2001*, includes:

- (a) collecting money payable to the Corporation and issuing receipts for those payments;
- (b) depositing all money received on behalf of the Corporation in a financial institution designated by the Corporation;
- (c) paying all debts of the Corporation and other expenditures authorized by the Corporation
- (d) maintaining accurate records and accounts of the financial affairs of the Corporation;
- (e) providing the council with such information with respect to the financial affairs of the Corporation as it requires or requests;
- (f) ensuring investments of the Corporation are made in compliance with the regulations made under section 418.

### **Deputy City Treasurer**

11. The City Treasurer may be assisted by a Deputy City Treasurer who has all the powers and duties of the City Treasurer having regard to section 286 (2) of the *Municipal Act, 2001*.

### **Delegation**

12. The City Treasurer may continue to exercise the delegated powers and duties, despite the delegation of his/her powers and duties in accordance with the *Municipal Act, 2001*.

## **CITY SOLICITOR**

### **City Solicitor**

13. The City Solicitor and the Corporation's Solicitors under the City Solicitor's direction shall be responsible for the provision of legal services, in accordance with Council Policy 13(1) - Legal Services and Accounts Policy, to the Corporation, Council, Committees and Civic Administration including its officers, employees and agents and for that purpose shall report and be accountable to Council. In addition, the City Solicitor may provide such legal services from time to time to such local boards as may be approved by Council and for that purpose may report to such local board provided that, in the event of any conflict or potential conflict between the Corporation's interest and the interest of such local board, the City Solicitor shall provide legal services only to the Corporation.

## **CITY MANAGER**

### **Office Continued**

14. The appointed office of City Manager is continued.

### **Role and Responsibility**

15. The role and responsibility of the City Manager, having regard to Section 229 of the *Municipal Act, 2001*, is to:

- (a) exercise general control and management of the affairs of the Corporation for the purpose of ensuring the efficient and effective operation of the Corporation;
- (b) perform such other duties as are assigned by the Corporation, including:
  - (i) serving as head of the Civic Administration;
  - (ii) being directly responsible and accountable to Council and exercising the powers and performing the duties which, from time to time, are lawfully assigned to or vested in the position by Council;
  - (iii) providing organizational leadership to staff and is responsible for the efficient and effective delivery of services;
  - (iv) providing leadership in achieving economical, efficient and effective utilization of municipal resources;
  - (v) providing input, on behalf of the Civic Administration, with respect to Council's goals, objectives and strategies; and
  - (vi) acting within the purpose of any and all executive limitations issued by Council.

### Specific Duties and Executive Limitations

16. Without restricting the generality of section 15 of this by-law, the City Manager shall:

- (a) Appointed Officers - recommend to the Council any change in status of an appointed officer, including any terms and conditions related thereto, consistent with any applicable Council policy;
- (b) Business Affairs - administer the business affairs of the Corporation and to that end lead and direct the Service Area Leads in carrying out the responsibilities of the Corporation, in accordance with the policies and plans approved and established by Council;
- (c) Collective Bargaining - coordinate and direct collective bargaining with all employees and recommend to Council agreements concerning wages, salaries, fringe benefits, and working conditions, and upon approval by Council, direct the administration of such agreements;
- (d) Coordination of Recommendations - coordinate and direct, where appropriate, the compilation, consideration, preparation, and presentation of recommendations to Council for its adoption, and propose by-laws and resolutions to give effect to such recommendations as are adopted by Council;
- (e) Senior Leadership Team - coordinate Senior Leadership Team input into corporate matters, including all corporate issues that may have an impact on Service Areas and local agencies, boards and commissions;
- (f) Corporate Plan - assist Council in the development and maintenance of a corporate plan for the Corporation;
- (g) Corporate Policies and Programs - direct the formulation and implementation of corporate policies and programs;
- (h) Council and Committee Meetings - attend or designate someone to attend on his or her behalf:
  - (i) all meetings of Council, and
  - (ii) any meeting of a standing committee of Council if required,with the right to speak in accordance with the Council Procedure By-law;
- (i) Employees - have authority over and direction of all employees of the Corporation except those statutory officers to the extent only of their statutory powers and duties as statutory officers;
- (j) Employment Oversight - within the terms of collective bargaining agreements and the human resources policies of Council, oversee and authorize the Service Area Leads in exercising their responsibilities in the appointment, employment, suspension, or dismissal of employees;
- (k) General Financial Control - direct general financial control of Service Areas, the presentation to Council of the annual operating and capital budgets and the subsequent administration and control of the Corporation's affairs according to the budgets approved by Council;
- (l) Input by Public Sector Entities - seek the input of local agencies, boards and commissions with respect to proposed policies, initiatives and matters that impact those local agencies, boards and commissions;
- (m) Liaison with Public Sector Entities - direct administrative liaison with the local agencies, boards and commissions, other municipalities, and the provincial and federal governments;
- (n) Organizational Structure - undertake appropriate and timely reviews of the Corporation's organizational and Service Areas structure with the Senior Leadership Team, or the Service Areas Leads, as the case may be, and implement any changes that would, in the City Manager's opinion, improve the effectiveness or the efficiency of the structure, except for the establishment or amalgamation of Service Areas, which would require Council approval.

- (o) Performance Appraisal - ensure that an annual performance appraisal of those positions having a direct reporting relationship to the City Manager are conducted using a meaningful method;
- (p) Reports and Information - ensure that reports and information requested by Council or, in the Chief Administrative Office's opinion, could be of assistance to Council are obtained or prepared and submitted to Council with a recommended course of action, where appropriate and, where appropriate, identification of suitable alternatives;
- (q) Status Reports - direct the presentation to Council, at appropriate intervals, of reports with respect to finances, works and projects, indicating the progress in terms of the programs of Council and any matter that, in the City Manager's opinion, should be reported to Council;

#### **Limitation**

17. Nothing in this by-law authorizes or empowers the City Manager to exercise or encroach upon the authorities or powers of the Mayor as Chief Executive Officer of the Corporation, Council or upon the statutory powers and duties of statutory officers of the Corporation.

#### **Delegation**

18. The City Manager may delegate, in writing, his/her powers and duties to any officer or employee of the Corporation and shall continue to exercise the delegated duties, despite the delegation of his/her powers.

#### **Vacancy**

19. When a vacancy occurs with respect to the City Manager, or the City Manager is incapable through illness, absence, or other reasons from performing the duties of his/her position, the Council may appoint an individual to hold the office of City Manager on an acting basis.

### **SENIOR LEADERSHIP TEAM**

#### **Composition**

20. The Senior Leadership Team shall include the City Manager and Service Area Leads contained under Section 3 of this By-law.

#### **Role and Responsibility**

21. The role and responsibility of the Senior Leadership Team is to:

- (a) advise and assist the City Manager in carrying out his or her duties and responsibilities;
- (b) ensure representation from each Service Area concerning the effects or implications of corporate or Service Area matters;
- (c) achieve efficient and effective cooperation and coordination of all Service Areas; and
- (d) carry out such other duties assigned by the City Manager or Council.

#### **Chair**

22. The City Manager shall continue to be the chair of the Senior Leadership Team, with the authority to designate another member of the Senior Leadership Team, from time to time, to act as chair.

#### **Delegation**

23.. When a vacancy occurs with respect to the chair, or the chair is absent or unable to carry on the chair's duties for any reason, the remaining members of the Senior Leadership Team may appoint one of them to carry on the duties of the chair.

## MISCELLANEOUS

### Repeal

24. By-law A-39, and all of its amendments, is hereby repealed.

### Commencement

25. This by-law comes into force on the day it is passed.

PASSED in Open Council on August 28, 2012

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – August 28, 2012  
Second Reading – August 28, 2012  
Third Reading – August 28, 2012