

Bill No. 426
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;
- (b) a Service Area Lead;
- (c) any officer of the Corporation required to be appointed by statute; and
- (d) 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, will be as set out in the *Municipal Act, 2001*, as amended from time to time, and such other duties required under any other Act and as assigned by the Council, the Corporation and or the employee's manager.

Continuation of Powers

3 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 or until the discontinuance of such office or position or until their rights, privileges, authority or powers are revoked under the City's by-laws or until the cessation of their employment. 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 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

4. 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 for each Service Area shall be those named in the second column of the Table.

Table

Service Areas	Service Area Leads
City Manager's Office	City Manager

Environmental and Engineering Services	Managing Director, Environmental and Engineering Services & City Engineer
Development & Compliance Services	Managing Director, Development and 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, Neighbourhood, Children and Fire Services
Housing & Social Services	Managing Director, Housing and 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

5. In respect of the statutory duties of the City Clerk, 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

6. The role and responsibility of the City Clerk, will be as set out in the *Municipal Act, 2001*, as amended from time to time.

7. 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 in accordance with the Corporation's by-laws and policies.

Deputy City Clerk

8. 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 the *Municipal Act, 2001* as amended from time to time and any other Act.

Delegation

9. 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

10. In respect of the statutory duties of the City Treasurer, 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

11. The role and responsibility of the City Treasurer will be as set out in the *Municipal Act, 2001*, as amended from time to time.

Deputy City Treasurer

12. 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 the *Municipal Act, 2001 as amended from time to time*.

Delegation

13. 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

14. 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

15. The appointed office of City Manager is continued.

Role and Responsibility

16. The role and responsibility of the City Manager, will be as set out for a Chief Administrative Officer under the *Municipal Act, 2001*, as amended from time to time and performing such other duties as are assigned by the Council, 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) acting within the purpose of any and all executive limitations issued by Council.

Specific Duties and Executive Limitations

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

- (a) Appointed Officers - report to the Council any change in status of an appointed officer, including any terms and conditions related thereto, consistent with any applicable Council or Administrative 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 and Administration;
- (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 - consider 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 Policies and Programs - direct the formulation and implementation of corporate policies and programs;
- (g) 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;
- (h) Employees - have authority over and direction of all employees of the Corporation except those appointed under statute to the extent only of their statutory powers and duties as statutory officers;
- (i) Employment Oversight - within the terms of collective bargaining agreements and the

human resources policies of Council and Administration, oversee and authorize the Service Area Leads in exercising their responsibilities in the appointment, employment, suspension, or dismissal of employees;

- (j) 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;
- (k) 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;
- (l) Liaison with Public Sector Entities - direct administrative liaison with the local agencies, boards and commissions, other municipalities, and the provincial and federal governments;
- (m) Organizational Structure – undertake, where appropriate, 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.
- (n) Performance Appraisal - ensure that an annual performance appraisal of those positions having a direct reporting relationship to the City Manager are conducted;
- (o) Reports and Information - ensure that reports and information requested by Council or, in the City Manager'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;
- (p) 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;
- (q) Statutory Officers – ensure that appointed officers with statutory duties in respect of the Corporation carry out those duties in a proper manner;
- (r) Strategic Plan - assist Council in the development and maintenance of a strategic plan for the Corporation which is reflective of the priority that the Council places on the economic well-being of the community.

Limitation

18. 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

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

Acting City Manager

20. The City Manager shall have the authority to designate a Service Area Lead to act as City Manager during any absence of the City Manager for any reason.

SENIOR LEADERSHIP TEAM**Composition**

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

Role and Responsibility

22. 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 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

23. 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

24. 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**

25. By-law A-43, and all of its amendments, is hereby repealed.

Commencement

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

PASSED in Open Council on October 30, 2012

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – October 30, 2012
Second Reading – October 30, 2012
Third Reading – October 30, 2012