

CITY OF PITT MEADOWS
OFFICERS AND DELEGATION OF AUTHORITY BYLAW No. 2682, 2015

A Bylaw of the City of Pitt Meadows to provide for the appointment of Officers and to
prescribe the powers, duties and responsibilities of such Officers including the
Delegation of Authority

WHEREAS the City of Pitt Meadows must by bylaw, under Section 146 of the *Community Charter*, establish officers' positions having responsibility under Sections 148 and 149 of the *Community Charter*;

AND WHEREAS the City of Pitt Meadows may, by bylaw, confer on an officer position the chief administrative responsibility for the City under Section 147, of the *Community Charter*;

AND WHEREAS pursuant to Section 154 of the *Community Charter*, Council, may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees;

AND WHEREAS Council wishes to delegate to its officers and employees certain powers, duties and functions;

NOW, THEREFORE, the Council of City of Pitt Meadows, in open meeting assembled, ENACTS AS FOLLOWS:

Citation

1. Bylaw No. 2682 may be cited as the "Officers and Delegation of Authority Bylaw No. 2682, 2015".

Interpretation

2. Schedule "A" contains definitions of terms used in this bylaw.
3. Except as otherwise defined in this bylaw, words or phrases herein shall be construed in accordance with their meanings under the *Community Charter*, *Local Government Act*, and *Interpretation Act*, as the context and circumstances may require. A reference to a statute refers to a statute of the Province of British Columbia, and a reference to any statute, regulation or bylaw refers to that enactment, as amended or replaced from time to time.
4. Words in the singular include the plural and gender specific terms include both genders and corporations. Headings in this bylaw are for convenience only and must not be construed as defining, or in any way limiting the scope or intent of this bylaw.

5. A reference to a statute in this Bylaw refers to a statute of British Columbia and a reference to any enactment refers to that enactment as it may be amended or replaced from time to time. Headings in this Bylaw are for convenience only and do not define or limit its scope or intent. If any part of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

Establishment of Statutory Officer Positions

6. The persons holding the following positions with the City are established as Statutory Officers of the City under Section 146 and the following provisions of the *Community Charter*:
 - a. Chief Administrative Officer, pursuant to Section 147;
 - b. Manager of Legislative Services/City Clerk, pursuant to Section 148; and
 - c. Director of Finance & Facilities, pursuant to Section 149.
7. The selection of the Chief Administrative Officer shall be made by Council.
8. The selection of the Director of Finance and Facilities and Manager of Legislative Services shall be made by the Chief Administrative Officer.
9. The selection of the Acting Chief Administrative Officer shall be made by the Chief Administrative Officer. In the event of incapacitation of the Chief Administrative Officer or vacancy in that position, the selection of the Acting Chief Administrative Officer shall be made by Council.

Powers and Duties of the Chief Administrative Officer

10. The Chief Administrative Officer for the City has the following duties, powers and functions:
 - a. carrying out the powers, duties and functions specified in Section 147 of the *Community Charter* and other provisions applicable to the Chief Administrative Officer in other enactments;
 - b. selecting Statutory Officers and department heads and coordinating, motivating, directing and supervising these key officials and prescribing their duties and responsibilities;
 - c. determining compensation of non-union employees in accordance with the corporate policies and budgets established by Council;
 - d. appointing, promoting, disciplining, suspending or terminating any employee of the City, subject to any contract of employment or collective agreement in force, other than Statutory Officers;
 - e. subject to Council approval, negotiating all collective agreements;
 - f. developing and recommending for Council approval, policies dealing with non-administrative matters as directed by Council, and may initiate such policies for consideration by Council;

- g. implementing all Council approved policies and directives;
- h. developing, approving, and implementing policies, procedures and practices dealing with administrative matters;
- i. preparing and submitting to Council budgets for capital and operating programs annually or more frequently as directed by Council. In the event Council does not adopt an operating budget for the new calendar year by December 31st of the previous year, the CAO, during the period of January 1 of the new calendar year and the date on which Council adopts the five year financial plan for the new calendar year, is hereby empowered to authorize operating expenditures based on the previously approved five year financial plan bylaw.
- j. preparing and submitting such reports and recommendations as may be required by Council;
- k. hiring and retaining legal counsel on behalf of the City;
- l. taking whatever legal actions or measures deemed necessary in response to an emergency;
- m. the authority to assign additional responsibilities to an officer, including acting on behalf of another officer in his/her absence;
- n. the authority to assign to other appointed officers and employees of the City any powers, duties or functions assigned to the Chief Administrative Officer under this bylaw to achieve more efficient and effective administration of the City's affairs;
- o. designating a deputy to act in his or her absence when the Chief Administrative Officer is absent.

Powers and Duties of the Manager of Legislative Services

11. The Manager of Legislative Services/City Clerk, is the corporate officer for the City, and is assigned responsibility for the corporate administration of the City, including carrying out the powers, duties and functions of the corporate officer as set out in Section 148 of the Community Charter and other provisions applicable to the corporate officer in other enactments.

Powers and Duties of the Director of Finance and Facilities

12. The Director of Finance and Facilities, is the financial officer for the City, and is assigned the responsibility of financial administration for the City, and carrying out the powers, duties, and functions specified in Section 149 of the *Community Charter* and other provisions applicable to the financial officer in other enactments.

Delegation of Persons Holding Statutory Officer Positions

13. Where this bylaw delegates a power, duty or function to a named position, the delegation is to the person who holds the position and to any person who is from time to time the deputy of that person.

No delegation by Persons Holding Statutory Officer Position

14. A person to whom a power, duty or function has been delegated under this bylaw has no authority to further delegate to another person any power, duty or function that has been delegated in this bylaw.

Suspension and Termination of Statutory Officers

15. Suspension of a Statutory Officer shall be in accordance with Section 151 of the *Community Charter*.
16. Termination of employment of any Statutory Officer shall be made in accordance with Section 152 of the *Community Charter*.

Appointment to Two or More Positions

17. Nothing in this Bylaw shall prevent the appointment of the same person to two or more offices or positions.

Signing Authorization

18. Except for specific provisions in this Bylaw, any contract, agreement, debenture, plan or other document or instrument to be executed or approved by the City shall be executed by the Mayor and Corporate Officer.

Power to Enter and Inspect Property

19. Without limiting the authority of an officer or an employee of the City under any other bylaw, an officer or employee of the City appointed to enforce one or more bylaws of the City are hereby authorised to enter, at all reasonable times, on any property subject to the regulations of the Council, to ascertain whether the regulations are being observed.

Delegation of Purchasing Authority

20. Council hereby delegates all of the powers, duties and functions of Council to authorize the execution of contracts and/or purchases of goods and services on behalf of the City to the Chief Administrative Officer and Department Heads for the provision of goods and services or other City activities, works or services that are ordinary to the business of the City, subject to the limitations on that delegated authority set out in Schedule B of this bylaw and in the City's Purchasing and Procurement policy as adopted by Council and amended from time to time.

This section does not authorize the execution of any agreement that requires elector approval under section 175 of the *Community Charter*, whether as a result of the stated term of the agreement or any provision for extension or renewal.

Repeal

21. Bylaw No. 2464, 2010, cited as “Officers and Delegation of Authority Bylaw No. 2464, 2010”, and any and all amendments, are hereby repealed.

READ a FIRST, SECOND and THIRD time the 7th day of April, 2015.

ADOPTED the 21st day of April, 2015.

“original signed by John Becker”

Mayor

“original signed by Kelly Kenney”

Corporate Officer

City of Pitt Meadows
Officer Designation and Delegation Bylaw
No. 2682, 2015

SCHEDULE "A"

Definitions

In this Bylaw:

"City" means the City of Pitt Meadows

"Chief Administrative Officer" means the chief administrative officer of the City under the *Community Charter*, Section 147.

"Council" means Council for the City.

"Department Director" for the purposes of this bylaw includes the following positions:

Chief Administrative Officer
Director of Human Resources, Information Technology and Communications
Director of Operations and Development Services
Director of Finance and Facilities
Fire Chief/Director of Fire Services

"Department Manager" for the purposes of this bylaw includes the following positions:

Manager of Legislative Services
Manager of Financial Planning and Accounting
Operations Superintendent
Manager of Development Services
IT Coordinator
Assistant Fire Chief

"Director of Finance & Facilities" means the financial officer under the *Community Charter*, Section 149.

"Emergency" means a situation which may endanger the health and/or safety of any City Employee or member of the public and/or which may jeopardize City property and/or assets OR property and/or assets of members of the public.

"Employee" means a person who is employed by the City other than a Statutory Officer.

"Manager of Legislative Services" also known as the "City Clerk" means the corporate officer under the *Community Charter*, Section 148.

“Statutory Officer” means a person appointed under Section 146 of the *Community Charter* and holding a position described in Section 6 of this Bylaw, and includes the Statutory Officer’s deputy and any person designated by Council to act in the Statutory Officer’s place.

City of Pitt Meadows
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SCHEDULE "B"

This schedule refers to the approvals required for various procurement levels. Other than in emergencies, budget approval is required before procurement begins.

Acquisition Dollar Amount Approval Threshold

Once municipal Council through the Business Plan and Budget process has approved funds for the purchase of goods and services the following thresholds apply.

Value of Purchase or Contract*	Commitment Authority
Less than \$5,000	Individuals designated by Department Directors.
\$5,000 to \$25,000	Department Managers for low bid purchases. Approval of Department Directors for all non-low bid purchases.
Greater than \$25,000 to \$50,000	Approval of Department Directors.
Greater than \$50,000 to \$200,000	Approval of the Chief Administrative Officer
Greater than \$200,000	Approval of the Chief Administrative Officer for all low bid purchases. Recommendation to award to be approved by City Council for all non-low bid purchases.

* Although the value of most contracts can be defined by the cost to the City to acquire a specific good or service, occasionally there is a need to consider the total value of the rights and privileges embedded in a contract in favour of the successful supplier i.e. bus bench advertising; towing services in order to determine appropriate approval levels.