

DELEGATION OF AUTHORITY

Date Issued: July 14, 2015

Mandated by: Administration

Current Revision: December 22, 2016

Cross-reference: City Manager's Bylaw C29-95

Next Review Diarized: January 1, 2018

Responsibility: City Manager

PURPOSE

To guide the delegation of powers and duties outlined within the *Municipal Government Act* (MGA), other Provincial Acts, the City Manager's Bylaw, various City bylaws, and Council resolutions.

POLICY

The City Manager may delegate powers and duties in order to support efficient management of municipal operations and ensure appropriate accountability and reporting.

DEFINITIONS

CFO – shall mean the Chief Financial Officer employed with the City of Fort Saskatchewan

City – shall mean the City of Fort Saskatchewan

City Manager – shall mean the Chief Administrative Officer (CAO) pursuant to the MGA

Conflict of Interest – shall mean a person who has a personal interest which would conflict with their obligation of employment

Council – shall mean the municipal Council of the City of Fort Saskatchewan

Delegation of Authority – shall mean specific delegations as approved by the City Manager

GM – shall mean the General Managers employed with the City of Fort Saskatchewan

MGA – shall mean the *Municipal Government Act* for Alberta

GUIDING PRINCIPLES

1. The City Manager is granted specific authority in the administration of the municipal organization directly from Council, through the MGA and City Manager's Bylaw;
2. The authority within the City Manager's Bylaw includes the discretion of the City Manager to delegate authority throughout the organization. Authority is provided by this Policy and the attached noted delegations;
3. No person is authorized to make any decisions or sign any document if it creates an obligation or undertaking on behalf of the City unless:
 - a) the person has authority as set out in the attached Delegation of Authority; or
 - b) the person has sub-delegated or temporary authority;
4. Delegations are included in the attached Appendices 1, 2, and 3. Any temporary or sub-delegations of authority shall be documented using the Sub-Delegation of Authority form (Appendix 4);
5. There are other City documents which provide delegated authority and/or direction to employees such as position descriptions, legislation, etc. This Policy is intended to supplement those documents where delegation is unclear or delegation is more formally required;
6. All delegations and functions made by the City Manager prior to the date of this instrument are revoked.

EXERCISE OF DELEGATIONS

1. Unless otherwise specified, authority is delegated to a position as opposed to a person;
2. Unless otherwise specified, authority delegated to a position extends to any person acting in the position;
3. A delegation of authority to an individual also confers authority on that individual's supervisor, unless a required qualification or certification is not held by the supervisor;
4. A designated individual will not exercise any delegated authority if, in doing so, will create a conflict of interest, or the designated individual will personally benefit;
5. A designated individual will be aware of, adhere to, and refer to all relevant City policies and procedures, as well as external legislative requirements when receiving and exercising delegated authority;

6. Notwithstanding a delegation of authority, individuals shall bring any matter to the attention of the City Manager or General Managers if they believe the matter to:
 - a. be unusually high risk;
 - b. bring the activities of the City under scrutiny or disrepute; or
 - c. if it involves controversial matters;
7. Powers, duties or functions may be further delegated to an employee within the supervisory authority of that designated individual;
8. The General Managers are hereby delegated authority as outlined in Appendix 1 titled "General Manager Delegation";
9. The Chief Financial Officer is hereby delegated authority as outlined in Appendix 2 titled "Chief Financial Officer Delegation"; and
10. Delegation of authority is hereby delegated to City employees as outlined in Appendix 3 titled "Delegation of Authority".

AUTHORITY/RESPONSIBILITY TO IMPLEMENT

The City Manager is responsible for the implementation and compliance of this Policy.

ATTACHMENTS:

Appendix 1: General Manager Delegation
Appendix 2: Chief Financial Officer Delegation
Appendix 3: Delegation of Authority
Appendix 4: Sub-Delegation Form



City Manager

 CITY OF FORT SASKATCHEWAN ALBERTA	GENERAL MANAGER DELEGATION December 22, 2016
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Preamble

Pursuant to the *Municipal Government Act* (MGA), City Manager's Bylaw and other relevant City of Fort Saskatchewan (City) bylaws/resolutions, the City Manager hereby:

1. Revokes all delegations and functions made by the City Manager to the General Managers prior to the date of this instrument; and
2. Subject to the limitations set out in this instrument and to compliance with any decision of the City Manager or Council, delegates to the General Managers of the City, or to the person acting in the position of General Manager during the period of any vacancy in the office, all powers and functions as described hereafter.

References to the MGA in this Policy or Delegation, refer to any other enactment, bylaw, resolution, policy or procedure and shall include all amendments and any successor thereto.

Limitations on Delegation

Functions delegated to the General Managers do not include:

1. Those functions within the Act which shall not be delegated;
2. Delegation of responsibilities of the City Manager when the General Manager is appointed as Acting City Manager, unless such appointment is made by Council;
3. The release of any employees within the Office of the City Manager, while appointed as Acting City Manager, unless such appointment is made by Council;
4. Altering any delegations within the "Delegation of Authority" document dated December 22, 2016, without approval of the City Manager.

Delegated Authority

Delegation to the General Managers is as follows:

1. Delegate and authorize further delegations of any matter delegated to the General Manager to any City employee in their perspective Division;
2. Establish administrative procedures for the Division which are consistent with corporate policies;
3. Hire, appoint, or suspend any Director in the Division after consultation with the City Manager and Director, People Services;

 The logo of the City of Fort Saskatchewan, Alberta, featuring a red horse and a blue shield with a crown on top, surrounded by the text 'CITY OF FORT SASKATCHEWAN ALBERTA'.	GENERAL MANAGER DELEGATION December 22, 2016
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4. With the concurrence of the City Manager, establish the structure of the Division including creating, eliminating, merging or dividing departments within the Division;
5. Prepare and submit to the City Manager such reports, including recommendations where appropriate, and answer such inquiries as required by the City Manager;
6. Attend Council meetings, Council Committee meetings and meetings of such other boards, authorities and other bodies as might be required by the City Manager;
7. Exercise any powers as delegated by the City Manager.

 CITY OF FORT SASKATCHEWAN ALBERTA	CHIEF FINANCIAL OFFICER DELEGATION December 22, 2016
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Preamble

Pursuant to the *Municipal Government Act* (MGA), City Manager's Bylaw and other relevant City of Fort Saskatchewan (City) bylaws/resolutions, the City Manager hereby:

1. Revokes all delegations and functions made by the City Manager to the Chief Financial Officer (CFO) prior to the date of this instrument; and
2. Subject to the limitations set out in this instrument and to compliance with any decision of the City Manager or Council, delegates to the CFO, or to the person acting in the position of CFO during the period of any vacancy in the office, all powers and functions as described hereafter.

References to the MGA in this Policy or Delegation, refer to any other enactment, bylaw, resolution, policy or procedure and shall include all amendments and any successor thereto.

Limitations on Delegation

Functions delegated to the CFO do not include:

- a) Those functions within the Act which shall not be delegated;
- b) Delegation of responsibilities of the City Manager;
- c) Altering any delegations within the "Delegation of Authority" document dated December 22, 2016, without approval of the City Manager.

Delegated Authority

Delegation to the CFO is as follows:

1. Delegate and authorize further delegations;
2. Establish administrative procedures for the Financial Services Department which are consistent with corporate policies;

3. Hire, appoint, or suspend any employee in the Financial Services Department after consultation with the General Manager, Corporate Services and Director, People Services;
4. With the concurrence of the General Manager, Corporate Services, establish the structure of the Financial Services Department;
5. Prepare annually the overall City Budget for consideration by the City Manager and Council;
6. Monitor and report to the General Manager, Corporate Services as required or directed by the General Manager, Corporate Services on the overall operating and capital budgets approved by Council, and report on variances between budgeted and actual expenditures;
7. Prepare and submit to the General Manager, Corporate Services such reports, including recommendations where appropriate, and answer such inquiries as required by the City Manager;
8. Attend Council and Council Committee meetings and meetings of such other boards, authorities and other bodies, as might be required by the General Manager, Corporate Services;
9. Ensure any amounts are paid which the City is legally required to pay pursuant to an Order or Judgment of Court, board or other tribunal having jurisdiction over an action, claim or demand against or by the City;
10. Prepare the annual financial statements and the financial information return of the City in accordance with the Act; and
11. Exercise any further powers as delegated by the City Manager.

	DELEGATION OF AUTHORITY December 22, 2016
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Preamble

The City Manager/Chief Administrative Officer (CAO) may exercise all of the powers, duties and functions of a designated officer within the *Municipal Government Act* (MGA), unless designated officers have been established by Council. The City Manager Bylaw C29-95 appoints the CAO as Designated Officer in relation to any statute or bylaw which permits or requires the City of Fort Saskatchewan (City) to appoint a designated officer. Bylaw C29-95 also provides the CAO authority to delegate any of the designated officer powers, duties, or functions to any employee of the City.

Accordingly, this document specifically delegates duties of the CAO to various City employees.

Delegation of Authority

The CAO of the City hereby delegates as follows:

Power, Duty, or Function	Delegated To	Authorizing Legislation
Temporary road closure May temporarily close in whole or in part of a road at any time that a construction or maintenance project on or adjacent to the road may create a hazard	Director, Infrastructure Management	MGA 25
Acquiring land for roads Sign certificates for acquiring lands for roads	Director, Infrastructure Management	MGA 62(2)
Consolidation of bylaws Consolidate one or more of the bylaws of the City	Director, Legislative Services	MGA 69 Bylaw C5-13
Bylaw requiring statement of disclosure File and submit Councillors' statements	Director, Legislative Services	MGA 171
Meeting through electronic communications Be in attendance at the meeting	Director, Legislative Services	MGA 199(1)(b)
List of Councillors Send list of Councillors to the Minister within 5 days after the term of Councillors begin	Director, Legislative Services	MGA 208(1)(e)

	DELEGATION OF AUTHORITY December 22, 2016
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Corporate Seal Keep custody of the City's corporate seal	Director, Legislative Services	MGA 208(1)(f)
Signing or authorization of municipal documents Sign Council meeting minutes with the person presiding at the meeting	Director, Legislative Services	MGA 213(1)(b)
Signing or authorization of municipal documents Sign Council committee meeting minutes with the person presiding at the meeting	Director, Legislative Services	MGA 213(2)(b)
Signing or authorization of municipal documents Sign bylaws with the Mayor	Director, Legislative Services	MGA 213(3)(b)
Signing or authorization of municipal documents Sign cheques and other negotiable instruments with the Mayor	Chief Financial Officer	MGA 213(4)(b)
Signing or authorization of municipal documents Sign agreements and contracts	Director, Legislative Services	MGA 213(4)(b) Bylaw C29-95 (9)
Report on sufficiency of petition Declaration of sufficiency of petition	Director, Legislative Services	MGA Section 226(1)
Municipal accounts Open or close accounts that hold the money of the City	Chief Financial Officer	MGA 270
Auditors Appointment of municipal auditors	By Council Resolution: PricewaterhouseCoopers LLP	MGA 280(1)(d) Council Resolution: #177-16 Nov 8/16
Access to information by auditors Provide information, reports, or explanations to the City auditor	Chief Financial Officer	MGA 283(2)

	DELEGATION OF AUTHORITY December 22, 2016
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Appointment of Assessor Appointment of municipal assessors	By Council Resolution: <u>Municipal</u> : CRASC <u>General</u> : Mike Krim Home Base Assessment <u>Industrial</u> : Larry Horne IMAC	MGA 284(1)(d) Council resolutions: #207-94 Sept 26/94, #138-03 Jun 24, 2003 #34-14 Feb 25, 2014
Contents of assessment notice Contact information for Designated Officer on tax notice	Director, Legislative Services	MGA 309(1)(d)
Contents of tax notice Receive filed tax complaints	Director, Legislative Services	MGA 334(1)(e)
Certification of date of sending tax notice Certify the date of sending tax notices	Chief Financial Officer	MGA 336(1)
Application of tax payment Decide to which taxable property or business owned by the taxpayer the payment is to be applied if a person does not indicate to which taxable property or business a tax payment is to be applied	Chief Financial Officer	MGA 343(2)
Tax certificates Issuance of tax certificates	Chief Financial Officer	MGA 350
Right to possession Enter and obtain possession of a parcel of land	Chief Financial Officer	MGA 420(2)
Right to possession Enter and take possession of a designated manufactured home	Chief Financial Officer	MGA 436.11(2)
Bidding and buying Bid for or buy a designated manufactured home on behalf of the municipality	Chief Financial Officer	MGA 436.21(2)
Right to issue distress warrant Prepare and issue distress warrants and seize goods pursuant to the distress warrants	Chief Financial Officer	MGA 439(1)

	DELEGATION OF AUTHORITY December 22, 2016
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Right to issue distress warrant Prepare and issue distress warrants and seize goods pursuant to distress warrants on behalf of the municipality	Chief Financial Officer	MGA 439(1)
Assessment Review Board Clerk Act as the clerk of the Assessment Review Board	Director, Legislative Services	Section 455(1)
Assessment Review Board Receive complaints and set the date, time and location for a hearing	Director, Legislative Services	MGA 461(1)(2)
Assessment Review Board Provide copy of complaint to municipality, and notify the municipality, complainant, and any other assessed person affected of the date, time and location for a hearing. In the case of a Composite Assessment Review Board, also provide the above information to the Minister	Director, Legislative Services	MGA 462(1)(2)
Notice of decision of Assessment Review Board Send the Assessment Review Board's written decision and reasons, including any dissenting reasons, to the persons notified of the hearing under MGA 462(1)(b) or (2)(b), as the case may be	Director, Legislative Services	Section 469
Decision admissible on assessment appeal Certify an assessment review board decision as being a true copy of the original decision	Director, Legislative Services	MGA 483
Municipal inspections and enforcement Carry out an inspection, remedy, enforcement or action.	• Municipal Enforcement Officer • Fire Chief • Director, Planning & Development • Safety Codes Personnel	MGA 542(1), 645, 646 • Bylaw C6-86 • Fire Services Bylaw C14-16 • LUB 2.12.1 & Safety Codes Act
Inspecting meters Enter on any land or structure to inspect and test a meter suspected of being tampered with	Director, Infrastructure Management	MGA 544(1)

	DELEGATION OF AUTHORITY December 22, 2016
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Order to remedy contraventions Authority to enforce and remedy a contravention of an enactment or bylaw	• Municipal Enforcement Officer • Fire Chief • Director, Planning & Development • Safety Codes Personnel	MGA 545(1) Bylaw Enforcement Bylaw C6-86
Order to remedy dangers and unsightly property Authority to enforce and remedy a situation where a structure, excavation or hole is dangerous to public safety or property, because of its unsightly condition, is detrimental to the surrounding area	Municipal Enforcement Officer	MGA 546(1)
Requirements for advertising Certify that something has been advertised in accordance with this section is proof, in the absence of evidence to the contrary, of the matters set out in the certificate	Director, Legislative Services	MGA 606(7)
Certified copies Authority to certify a bylaw, resolution, assessment roll, tax roll, assessment or tax notice, decision of an Assessment Review Board or record of the City as a true copy of the original document	Director, Legislative Services	MGA 482, 483, 525 MGA 612(1)
Subdivision Authority Act as Subdivision Authority	Director, Planning & Development	MGA 623(1) Subdivision Authority Bylaw C12-11
Development Authority Act as Development Authority	Director, Planning & Development	MGA 624(2) Development Authority Bylaw C13-11

	DELEGATION OF AUTHORITY December 22, 2016
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Signature evidence Sign on behalf of the Subdivision Authority or Development Authority an order, decision, approval, notice or other thing made by that authority	Director, Planning & Development	MGA 630(1)(2)
Signature evidence Sign on behalf of the Subdivision & Development Appeal Board an order, decision, approval, notice or other thing made by that Authority	Director, Legislative Services	MGA 630(1)(2)
Area redevelopment plans Perform any function with respect to the imposition and collection of a redevelopment levy	• Director, Planning & Development • Director, Project Management	MGA 634(d)
Removal of designation as municipal reserve Notify the Registrar that the provisions under Division 9, Use and Disposal of Reserve Land, have been complied with and request the Registrar to remove the designation of Municipal Reserve, Community Services Reserve or Municipal and School Reserve	Director, Planning & Development	Section 675(1)
Liaison with RCMP Provide liaison between the City and the Commanding Officer of the RCMP Detachment for Fort Saskatchewan	Director, Protective Services	City Manager Bylaw C-29-95 7(k)
Municipal Inspectors Appoint weed inspectors	General Managers	Weed Control Act 7(1)
FOIP Designated Head Designated as FOIP Head for the City	City Manager	FOIP Act 95(a) FOIP Bylaw C14-99 (4)
FOIP Responsibilities Carry out responsibilities pertaining to the <i>Freedom of Information and Protection of Privacy Act and Regulations</i>	Director, Legislative Services	FOIP Act 85(1) FOIP Regulations FOIP Bylaw C14-99

	DELEGATION OF AUTHORITY December 22, 2016
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Director of Emergency Management (DEM) Perform the duties and functions of the DEM, and to appoint a Deputy DEM	GM, Community & Protective Services	Emergency Management Bylaw C4-15 4(d)
School Playground Grant Program Administer the program	GM, Infrastructure and Planning	Council Policy & Procedure FIN-019-C
Signing of Councillor Expenses Review and sign off on Councillors' expenses	Director, Legislative Services	Council Procedure GOV-009-C
Signing of Mayor Expenses Review and sign off on the Mayor's expenses	Chief Financial Officer	Council Procedure GOV-009-C
Council Committees Support to Council Committees is hereby allocated as follows: • Assessment Review Board - Director, Legislative Services • Board/Committee Application Review Committee - Director, Legislative Services • City Manager's Evaluation Committee - People Services Director • Family & Community Services Board - FCSS Director • Fort Saskatchewan Policing Committee - Protective Services Director • Subdivision & Development Appeal Board - Director, Legislative Services • Inter-Municipal Relations Committee – General Manager, Infrastructure & Planning		City Manager Bylaw C29-95 (8)
Representation on Regional Organizations Represent the City on the following organizations: • Capital Region Assessment Services Commission - Director, Legislative Services • NR CAER Board - Fire Chief • Alberta Capital Region Wastewater Commission - Infrastructure Management Director • Alberta's Industrial Heartland Association - Economic Development Director • Athabasca Landing Trail Steering Committee - Infrastructure Management Director • Capital Region Board – General Manager, Infrastructure & Planning • Capital Region Northeast Water Services Commission - Infrastructure Management Director • Capital Waste Minimization Advisory Committee - Infrastructure Management Director • Fort Saskatchewan Public Library Board - Culture Services Director • Heartland Housing Foundation – FCSS Director • North Saskatchewan Watershed Alliance - Infrastructure Management Director • River Valley Alliance – Planning & Development Director • Special Transportation Services Society – FCSS Director		City Manager Bylaw C29-95 (8)

Appendix 4



SUB-DELEGATION OF AUTHORITY

GOV-010-A

I _____ delegate to _____
(Person Authorizing) (Name of Delegate)

the authority to approve and sign the following items on my behalf as of _____.
(Date)

Power, Duty or Function	Comments

I have read the City of Fort Saskatchewan Delegation of Authority Policy and understand the limits and responsibilities in delegating this authority.

(Signature of Person Authorizing)

(Date)

I have read the City of Fort Saskatchewan Delegation of Authority Policy and understand the limits and responsibilities as a signing authority.

(Signature of Delegate Acknowledging Delegated Responsibility)

(Date)

Electronic Distribution:

- General Manager/City Manager (*for Area*)
- Director (*for Area*)
- Chief Financial Officer (*Financial Related Only*)
- Delegated Employee
- Director, Legislative Services (*for Filing*)