



TOWN OF MOUNT-ROYAL

**OFFICE CONSOLIDATION OF BY-LAW NO. 1439
CONCERNING THE DELEGATION OF POWERS TO
OFFICERS AND EMPLOYEES**

Amended by the minutes of correction of October 11, 2016 and By-laws: 1439-1, 1439-2 and 1439-3

Updated to: February 2021

WHEREAS notice of motion for this by-law was given on August 22, 2016;

WHEREAS sections 73.2, 477.2, 555.1 and 573.1.0.13. of the Cities and Towns Act (C.Q.L.R. c. C-19) allow or require Council to delegate certain powers to officers;

(2016) minutes of corr. 11-10-2016

ON SEPTEMBER 26, 2016, COUNCIL ENACTED THE FOLLOWING:

**CHAPTER I
GENERAL PROVISIONS**

1. Any power delegated under this by-law to an officer other than the Town Manager may be validly exercised by the Town Manager, who may, in addition, reserve the right to exercise it.
2. Any officer to whom the exercise of a power is delegated under this by-law is authorized to sign contracts, deeds or other documents associated with the exercise of that power.

The Town Clerk may also sign the documents specified in the first paragraph and, unless otherwise stipulated by Council, is authorized to sign all contracts, deeds and documents under Council's jurisdiction.

CHAPTER II HUMAN RESOURCES

3. The power to hire any officer or employee who is a salaried employee within the meaning of the Labour Code (C.Q.L.R. c. C-27) is delegated to the Director of Human Resources, who shall submit the list of persons so hired at the sitting of Council that follows their hiring.

(2016) minutes of corr. 11-10-2016

4. The imposition of disciplinary measures is delegated to the Town Manager, who has authority over all other officers and employees of the Town.

When the Town Manager suspends an officer or employee, the Town Manager shall immediately inform Council of the suspension. Council shall decide the case of the suspended officer or employee, after inquiry.

5. The assignment of work and responsibilities shall be delegated to:
- (1) the Town Manager for an officer or employee under his or her direct authority;
 - (2) the department head concerned in all other cases.
6. The exercise of a power relating to the working conditions of an officer or employee not referred to elsewhere in this by-law shall be delegated to:
- (1) the Town Manager for an officer or employee under his or her direct authority;
 - (2) the department head concerned in all other cases.

7. The establishment, abolition or modification of positions shall be delegated to the Town Manager except in cases of an officer or employee who is not a salaried employee within the meaning of the Labour Code.

CHAPTER III EXPENDITURES AND CONTRACTUAL MATTERS

8. Council delegates:
- a) to department heads the powers to authorize expenditures and enter into contracts when the value thereof does not exceed \$20,000, on behalf of the Town, except in the case of contracts relating to the provision of professional services by a member of an exclusive profession;
 - b) to the Town Manager the powers to authorize expenditures and enter into contracts when the value thereof does not exceed \$50,000, including contracts relating to the provision of professional services by a member of an exclusive profession, on behalf of the Town;
 - c) any transaction whose purpose is to prevent or resolve a dispute in which the civil responsibility of the Town is alleged to be involved shall be delegated exclusively to the Town Clerk when the total value of the transaction or, if applicable, the deductible which the Town may be charged is \$10,000 or less.

In order for the expenditures relating to these contracts to be authorized, sufficient funds, as defined in the budgetary control and monitoring by-law then in effect, must be available.

(2019) 1439-1, s. 1; (2020) 1439-2, s. 1;
(2021) 1439-3, s. 1

9. The power to form a selection committee mandated to study any contract whose awarding is subject, by law or optionally, to a bid weighting and evaluation system shall be delegated to the Town Manager, who shall exercise this power immediately after Council has adopted the scoring grid relative to a given contract.
10. The power to award, on behalf of the Town, a bond sales contract to a person who is entitled to purchase bonds in conformance with section 554 of the Cities and Town Act shall be delegated to the Treasurer.
11. The officer or employee to whom is delegated an authorization of expenditure or the power to award a contract shall indicate the amount of any expenditure made under this authorization or power in a report that he or she shall submit to Council at the next regular sitting held after the expiry of a 25-day period following the exercise of his authority.



CHAPTER III FINAL PROVISIONS

12. This by-law shall repeal and replace By-law No. 1402 Concerning the Delegation of Powers to Officers and Employees.

13. This by-law shall come into effect according to law.