

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 74-2017

Being a By-Law to delegate various powers and duties of Council

WHEREAS in accordance with Section 270 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, Council of The Corporation of the Town of Ajax has established a policy to delegate its powers and duties to persons or bodies, subject to restrictions set out in the Act;

AND WHEREAS delegated authority assists in the overall management of the municipality and improves the timeliness of administrative work in an environment where activity levels continually increase;

AND WHEREAS By-law 71-2017 establishes a “Delegation of Powers and Duties Policy” for the Town of Ajax whereby Council may, by By-law, delegate a legislative or administrative power, authority, or responsibility, subject to certain provisions, conditions, and limitations;

AND WHEREAS Council of The Corporation of the Town of Ajax deems it expedient to delegate its powers and duties with regard to various administrative functions;

AND WHEREAS Council of The Corporation of the Town of Ajax has determined that the legislative and quasi-judicial powers described herein are minor in nature, having considered the number of people, size of geographic area, and time period affected by each power;

NOW THEREFORE the Council of The Corporation of the Town of Ajax enacts as follows:

1. That the Director of Legislative & Information Services / Town Clerk or their designate is hereby delegated the authority to appoint and revoke the appointment of individuals to enforce the by-laws of the municipality pursuant to section 15 of the Police Services Act, R.S.O. 1990, c. P.15., including the appointment of individuals and corporations for the purposes only of parking enforcement on private property in Ajax, subject to such individuals satisfying any training and testing requirements established by the Director of Legislative & Information Services / Town Clerk or their designate.
2. That the Chief Administrative Officer or their designate is hereby delegated the authority to:
 - a. File appeals of decisions made by quasi-judicial boards and tribunals with the applicable court of law or judicial review or appeal body, subject to the following conditions and limitations:
 1. The timing of the decision and the deadline to file an appeal do not allow Council sufficient time to authorize the filing of the appeal;
 2. The Town solicitor is consulted and the appeal is prepared in a form acceptable to the Town solicitor;
 3. In the opinion of the Chief Administrative Officer, the decision subject to an appeal is not of significant and/or broad interest to the public; and
 4. All appeals filed under this delegated authority shall be reported to Council for information at the earliest opportunity.

- b. Execute applications and issue letters of approval on behalf of Council and/or the Mayor to any Federal or Provincial department, ministry, agency or fund for compensation, funding or other forms of subsidy related to any municipal programs, operations or approved capital project, and subsequent submissions, declarations or representations required for processing the application or the receipt of funds.
3. That the Director of Planning & Development Services or their designate is hereby delegated the authority to:
 - a. Appoint and revoke the appointment of Deputy Chief Building Officials and Building Inspectors pursuant to section 3 (2) of the Building Code Act, 1992, S.O. 1992, c. 23, for the purposes of enforcing the Building Code Act within the Town of Ajax;
 - b. Approve plans of subdivisions and condominiums pursuant to section 51.2 (2) of the Planning Act, R.S.O., 1990;
 - c. Approve revisions to the Town's Engineering Design Criteria & Standard Drawings;
 - d. Approve heritage permits pursuant to section 33 (1) and 42 (1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18, and establish criteria to determine when heritage permits require Council's approval; and
 - e. Approve permits for the construction of model homes in accordance with any plan of subdivision or condominium agreement.
4. By-law 59-2013 (Road Occupancy Permits) is hereby amended by:
 - a. Within section 7.1, striking out the words "Manager of Operations or delegate" and inserting in their place the words "Director of Operations & Environmental Services or their designate";
 - b. Within section 8.2, striking out the words "Development Approvals Coordinator or delegate" and inserting in their place the words "Director of Planning & Development Services or their designate"; and
 - c. Striking out section 2.1 (f) in its entirety and substituting the following:

“(f) “Designated Employee” means the Director of Operations & Environmental Services or their designate;”
5. By-law 11-2014 (Site Plan Control) is hereby amended by striking out section 8 in its entirety and substituting the following:

“8. Council of The Corporation of the Town of Ajax hereby delegates its approval authority for site plan applications to the Director of Planning and Development Services or their designate, subject to the following limitations:

 - a) Any member of Council retains the right to withdraw the delegated approval authority on any site plan application.”
6. By-law 143-2006 (Fire Department Establishing By-law) is hereby amended by striking out the definition of "Deputy Fire Chief" in section 1.6 in its entirety and substituting the following:

“1.6 “Deputy Fire Chief” means the person appointed by the Fire Chief to perform the duties assigned to him or her by the Fire Chief, and to act on his or her behalf in the event of an absence or a vacancy in the office of the Fire Chief;”

7. By-laws 10-2001 and 92-98 are hereby repealed.
8. This by-law shall come into force and take effect immediately upon third and final reading.

READ a first and second time this Twentieth day of November, 2017.

READ a third time and passed this Twentieth day of November, 2017.

Mayor

D-Clerk