

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 033-2018

A by-law of the Corporation of the City of Vaughan to provide delegated authority to the City Manager to approve policies that are administrative in nature as defined in the Corporate policy “Corporate Policy Development”.

WHEREAS subsections 23.1 to 23.3 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, sets out requirements with respect to the delegation of powers and duties and authorizes a municipality to delegate its powers and duties to a person or body subject to certain restrictions;

AND WHEREAS the Council of the Corporation of the City of Vaughan has deemed that certain routine administrative functions and powers are of a minor nature, and the delegation of these powers would contribute to the efficient management of the City while still adhering to the principles of accountability and transparency;

AND NOW THEREFORE the Municipal Council of the Corporation of the City of Vaughan enacts as follows:

1. Authority to approve, amend and repeal “Administrative Policies”, as defined in the Corporate Policy “Corporate Policy Development”, attached hereto as Schedule “A”, is delegated to the City Manager.
2. Authority to make technical updates to any policy, including Administrative Policies and Council Policies as defined in the Corporate Policy “Corporate Policy Development” attached hereto as Schedule “A”, is delegated to the City Manager.
3. The City Manager may further delegate such authority to senior members of staff pursuant to conditions he or she deems appropriate.
4. This by-law shall come into force and effect on the date it is passed.

Enacted by City of Vaughan Council this 21st day of February, 2018.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Item No. 2 of Report No. 8
of the Committee of the Whole (Working Session)
Adopted by Vaughan City Council on
February 21, 2018.



CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: CORPORATE POLICY DEVELOPMENT

POLICY NO.: 03.C.01

Section:	Administration & Legal		
Effective Date:	February 21, 2018	Date of Last Review:	Click or tap to enter a date.
Approval Authority: Council	Policy Owner: City Clerk		

POLICY STATEMENT

A strong policy framework supports the City's commitment to accountability, transparency and effective governance by clearly defining the City's governance practices and ensuring that policies will be made transparent to the public.

PURPOSE

This policy establishes a framework for the development and approval of corporate policies and procedures for the City of Vaughan.

The City of Vaughan will operate a standardized system of developing, recording, approving, distributing and maintaining policies and procedures.

SCOPE

This policy applies to all corporate policies and procedures of the City approved by City of Vaughan Council or Administration.

LEGISLATIVE REQUIREMENTS

Section 224.d. of the *Municipal Act, 2001* states that it is the role of Council,

“To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality.”

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Section 270(1) of the *Municipal Act, 2001* further states that a municipality shall adopt and maintain policies with respect to the following matters:

1. *“Its sale and other disposition of land.*
2. *Its hiring of employees.*
3. *Its procurement of goods and services.*
4. *The circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.*
5. *The manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.*
6. *The delegation of its powers and duties.”*

This policy has been developed to support these legislative requirements.

DEFINITIONS

1. *Council Policies:* are policies that set overall direction for administrative staff, set standards of performance, define a city position on public issues, have an external focus on the community or are required by provincial legislation. Due to the higher level and external orientation of these policies, these policies are approved by Council.
2. *Administrative Policies:* are policies that are focused primarily on the internal operations and processes of the municipality. These policies direct staff by setting operational duties and expectations and guiding the administration’s decision-making processes and are approved by the City Manager.
3. *Policy Committee:* is the Committee comprised of members of the corporate or senior management team responsible for reviewing proposed policies and policy revisions and referring such policies to their respective approval authorities.
4. *Policy Manual:* is a physical and electronic consolidation of City of Vaughan policies maintained by the Office of the City Clerk..
5. *Policy Owner:* is a member of the City’s corporate or senior management team who assumes responsibility for a specific policy or policy revision activity.
6. *Procedures:* are administrative guidelines which set out steps to be followed to implement and achieve the desired outcome of the policy.

POLICY

City of Vaughan policies will be:

- Presented in a common format.
- Formally approved by the authorized approval authority.
- Kept current with operational and organizational frameworks.
- Linked electronically to procedures for implementing the policy.
- Maintained centrally and accessible to all interested parties.

1. Format:

All policies and procedures (where applicable) will be documented on the Policy and Procedure Templates following the instructions in the *Procedure Governing Policies and Procedures*.

2. Approval Authorities:

Council Policies

Council is the approval authority for all policies that meet the definition of Council Policy as set out above. A Council policy may focus on one or more of the following elements:

A. Community:

1. Supports the establishment and functioning of community groups, activities and programs;
2. Enhances a supportive community creating equity for residents;
3. Formulates useful partnerships benefitting the community;
4. Governs the actions of the public within municipally-owned facilities, buildings or property;
5. Provides programs, activities and events that enhance communities and neighborhoods;
6. Supports the achievement of citizen's desires for the community's future.

B. Financial & Fiscal Responsibility:

1. Budget approval and amendment;
2. Establishes procurement/tendering authorities, processes and requirements;
3. Upholds financial integrity of the municipality through decision-making and monitoring;
4. Legislative and Regulatory Requirements;
5. Ensures compliance through the implementation of relevant policies and procedures as required;

6. Formulates legislative acts or acts that otherwise involve the exercise of discretion (quasi-judicial acts).

C. Members of Council:

1. Guides interaction between the City and public;
2. Provides guidelines for Members of Council pertaining to:
 - Delegation of authority
 - Ensuring the accountability and transparency of the operations of the municipality
 - Council member's role as an elected official.

D. Strategic Practice:

1. Provides high-level direction pertaining to:
 - A City position on public issues
 - Corporate governance;
2. Provides high-level standardization pertaining to:
 - Corporate programs
 - Corporate service levels, objectives, goals and priorities.

Administrative Policies

The City Manager as the head of the Administration is the approval authority for all policies that meet the definition of Administrative Policy as set out above. This authority may be delegated by the City Manager to another senior administrator (policy owner). An Administrative Policy may focus on one or more of the following elements:

A. Finance & Fiscal Responsibility:

1. Guides the exercise of financial/budgetary control within delegated authority;

B. Legislative and Regulatory Requirements:

1. Guides actions necessary to carry out legislated responsibilities and ensure corporate compliance;

C. Staff and Representatives of the City:

1. Defines clear administrative practices;
2. Guides behaviour of internal staff, contractors and consultants;
3. Standardizes corporate operational duties/expectations of staff performance;
4. Addresses matters required for the management of the corporation;
5. Outlines responsibilities of staff.

D. Strategic Practice:

1. Governs how the Administration carries out Council's direction;
2. Governs how the corporation will carry out day-to-day operations;
3. Supports administrative direction exclusive of interpretation or discretionary judgment;
4. Supports practical implementation and administration of programs or activities.

Procedures

Procedures are approved administratively and do not require Council approval.

3. Delegation of Authority

Section 23.1(1) of the *Municipal Act, 2001* authorizes a municipality to delegate its power and duties subject to certain restrictions. The City will exercise this authority when certain administrative and legislative powers are of a minor nature as outlined in Section 23.2(5) of the *Act*, and the delegation of these powers would contribute to the efficient management of the City while still adhering to the principles of accountability and transparency.

Should a policy recommend delegation of authority to streamline implementation and administration, the delegation will be exercised in accordance with the Delegation of Powers and Duties Policy CL-009.

4. Accessibility:

Once approved, policies will be posted in the Policy Manual and will be maintained by the Office of the City Clerk.

5. Review and Amendments:

1. The City Manager is authorized to make minor deletions, additions or other administrative changes to any policy that do not alter the purpose or scope of the policy. Administrative amendments to Council policies will be documented and circulated to Members of Council.
2. Development and revision of supporting procedures are the responsibility of the policy owner as identified in the policy and are subject to amendments as required.
3. Policies will be reviewed at least once every five years. Such reviews will include a review of the policy text as well as an assessment of compliance with the practices governed by the text.

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4. Where a policy has specific legislative requirements, it will be reviewed against the stated legislative needs.

5. Where a policy has a supporting procedure associated with it, the procedure will be reviewed at the same time as the parent policy.

Inquiries regarding this policy should be directed to the Policy Coordinator with the Office of the City Clerk.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	5 Years <small>If other, specify here</small>	Next Review Date:	February 21, 2023
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Related Policy(ies):	CL-009 – Delegation of Powers & Duties Policy
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Related By-Law(s):	012-2013 – Roles and Responsibilities of the City Manager
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Procedural Document:	03.PRC.01 – Guidelines Governing Policies and Procedures
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Revision History

Date:	Description:
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Click or tap to enter a date.