

DELEGATION BYLAW

A BYLAW OF THE CITY OF VICTORIA

To facilitate more efficient operations of the City, the purpose of this Bylaw is to delegate to designated City employees the authority to make decisions, enter into agreements, and execute documents on behalf of the City without a need for specific Council approval in individual instances.

Contents

1	Title
2	Definitions
3	Leases and Licences of City Property
4	Cultural Grants and Agreements
5	Other Agreements
6	Power to Act for Directors
7	Policies to Govern Delegation
8	Referral to Council
9	No Sub-Delegating
10	Consequential Amendments
11	Commencement

Pursuant to its statutory powers, including sections 146 and 154 of the *Community Charter*, the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “Delegation Bylaw”.

Definitions

- 2 In this Bylaw:

“authority to negotiate, enter into, execute, and administer” includes the power to offer, advertise, establish terms and conditions, register, extend, renew, amend, enforce, and otherwise exercise all City powers under an agreement or instrument;

“City Clerk” has the same meaning as in the *Council Procedures Bylaw*;

“City Property” means any land, other than street, that is owned or held under a long-term lease by the City and includes buildings or other improvements on that land;

“City Solicitor” means the person employed by the City as the head of its Legal Services department and includes lawyers acting under their direction and authority;

“Chief Financial Officer” means the person exercising the powers, duties and functions described in section 149 of the *Community Charter*;

“Director of Business and Community Relations” means the person employed by the City as the head of its Business and Community Relations department;

“Director of Engineering and Public Works” means the person employed by the City as the head of its Engineering and Public Works department;

“Director of Parks, Recreation, and Facilities” has the same meaning as “Director” in the *Parks Regulation Bylaw*;

“Director of Strategic Real Estate” means the person employed by the City as the head of its Strategic Real Estate department.

Leases and Licences of City Property

- 3 (1) The authority to negotiate, enter into, execute, and administer agreements in relation to City Property identified in Column A of Schedule 1 is delegated to City employees identified in the corresponding row in Column B of that Schedule, subject to any terms or conditions identified in the corresponding row in Column C.
- (2) Where the agreement involves the disposition of an interest in land, the person to whom authority is delegated under subsection (1) is also delegated the duty to publish notice in accordance with section 26 of the *Community Charter*.

Grants and Grant Agreements

- 4 (1) The authority to allocate grants in relation to matters identified in Column A of Schedule 2 is delegated to City employees identified in the corresponding row in Column B of that Schedule, subject to any terms or conditions identified in the corresponding row in Column C.
- (2) A person to whom authority to allocate grants is delegated under subsection (1), is also delegated the authority to negotiate, enter into, execute, and administer grant agreements if required as part of the grant program.

Other Agreements

- 5 The authority to negotiate, enter into, execute, and administer agreements in relation to matters identified in Column A of Schedule 3 is delegated to City employees identified in the corresponding row in Column B of that Schedule, subject to any terms or conditions identified in the corresponding row in Column C.

Power to Act for Directors

- 6 (1) If a director to whom a power, duty, or function has been delegated under this Bylaw is absent or unable to act, their deputy or assistant director, may exercise that power, duty, or function.
- (2) Subsection (1) applies whether or not the office of the director is vacant.

Policies to Govern Delegation

- 7 (1) Council may, by resolution, adopt policies to govern the exercise of the powers, duties, or functions delegated under this Bylaw.
- (2) If Council adopts a policy under subsection (1) in relation to a power, duty, or function delegated under this Bylaw, such power, duty, or function must only be exercised in accordance with that policy.

Referral to Council

- 8 (1) Nothing in this Bylaw prevents a person to whom power, duty, or function has been delegated from referring the matter to Council.
- (2) Council may exercise any power, duty, or function delegated under this Bylaw, provided that it has not been previously exercised in accordance with this Bylaw.

No Sub-Delegating

- 9 For clarity, a person to whom a power, duty, or function has been delegated under this Bylaw has no authority to further delegate to another person that power, duty, or function.

Consequential amendments

- 10 Delegation of Signing Authority Bylaw No. 09-031 is amended by:
 - (a) repealing section 2(3); and
 - (b) repealing Schedule 2 of that bylaw.

Commencement

- 11 This Bylaw comes into force on adoption.

READ A FIRST TIME the	27th	day of	July	2023
READ A SECOND TIME the	27th	day of	July	2023
READ A THIRD TIME the	27th	day of	July	2023
ADOPTED on the		day of		2023

CITY CLERK

MAYOR

SCHEDULE 1

Delegation of Leases and Licences of City Property

	Column A	Column B	Column C
1	New lease with fair market rent of no more than \$150,000	Director of Strategic Real Estate	<p>Maximum term, including any rights of renewal, not to exceed 15 years</p> <p>Lease renewals are not subject to rent limit in Column A</p> <p>Lease to be in a form satisfactory to the City Solicitor</p>
2	New licence of occupation with fair market rent of no more than \$150,000	Director of Strategic Real Estate	<p>Maximum term, including any rights of renewal, not to exceed 15 years</p> <p>Licence renewals are not subject to rent limit in Column A</p> <p>Licence to be in a form satisfactory to the City Solicitor</p>
3	Renewal of a lease or licence of occupation initially authorized by Council	Director of Strategic Real Estate	Must be consistent with the terms of the original lease or licence
4	Licence agreements for community gardens	Director of Parks, Recreation, and Facilities	Licence to be in a form satisfactory to the City Solicitor

SCHEDULE 2

Delegation of Cultural Grant Approvals and Other Agreements

	Column A	Column B	Column C
1	Approval of annual grant allocations for Cultural Infrastructure Grant program	Director of Business and Community Relations	In accordance with Council approved program guidelines Up to the maximum annual program funding in the Financial Plan

SCHEDULE 3

Delegation of Other Agreements

	Column A	Column B	Column C
1	Agreements to sell carbon credits on market prices identified in low carbon fuel credit market reports	Director of Engineering and Public Works and Chief Financial Officer	
2	Agreements with property owners for temporary public art installation on private property	Director of Business and Community Relations	Agreement to be in a form satisfactory to the City Solicitor