

## SUNSHINE COAST REGIONAL DISTRICT

### BYLAW NO. 710

#### A Bylaw to delegate powers, duties and functions to Regional District officers and employees

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**WHEREAS** under sections 263(1)(e) and 230(1) of the *Local Government Act* the Board may, by bylaw, adopted by at least two thirds of the votes cast, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees;

**AND WHEREAS** the Board of the Sunshine Coast Regional District wishes to delegate to its officers and employees certain powers, duties and functions;

**NOW THEREFORE**, the Board of the Sunshine Coast Regional District in open meeting assembled enacts as follows:

1. Citation

This Bylaw may be cited as *Sunshine Coast Regional District Delegation Bylaw No. 710, 2017*.

2. Definitions

In this bylaw

- (a) "Act" means the *Local Government Act*;
- (b) "Board" means the Board of the Regional District;
- (c) "Chair" means the Chair of the Regional District Board;
- (d) "Regional District" means the Sunshine Coast Regional District.

3. Scope of Bylaw

For clarity, subject to the Act, unless a power, duty or function of the Board has been expressly delegated by this Bylaw or another Regional District bylaw, all of the powers, duties and functions of the Board remain with the Board.

4. Delegation Includes Deputy

- 4.1 A delegation of a power, duty or function under this bylaw includes a delegation to a person who is from time to time, acting on behalf of the delegate.
- 4.2 For certainty, a delegation of authority under subsection 4.1 includes a delegation to a person appointed to a position held on an interim basis.

5. No Delegation by a Delegate

Except as otherwise provided, a person to whom a power, duty or function has been delegated under this Bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.

6. Authority for Goods and Services

6.1 Persons holding the positions listed in Column 1 of Schedule “A” may, on behalf of and for the benefit of the Regional District, approve expenditures to acquire goods or services, and negotiate, enter into and execute agreements for that purpose, subject to:

(a) expenditure limits set out in Column 2 of Schedule “A”;

(b) expenditure limits for their respective departmental budgets;

(c) availability of funds pursuant to the current financial plan; and

(d) restrictions and requirements established in the Act, this Bylaw or another enactment.

6.2 All components of a particular contract for goods or services to be provided to the Regional District, including any series of contracts or transactions pertaining to the same subject matter, will be considered together in determining the value of an expenditure.

6.3 All expenditures must be consistent with current purchasing policies of the Regional District.

6.4 In the absence of the budget manager or where operationally required, the Chief Administrative Officer, the Chief Financial Officer and the Deputy Financial Officer are delegated the authority to purchase goods or services for any department of the Regional District, subject to the limits contained in Subsection 6.1.

6.5 A report outlining all contracts entered into between \$50,000 and \$100,000 will be provided to the Corporate and Administrative Services Committee quarterly.

7. Planning Approval Delegation

7.1 The Board hereby delegates to the Manager, Planning and Development and, as an alternate, the General Manager, Planning and Community Development, the following powers and related duties and functions:

(a) to issue development permits under Section 489 of the Act that deal with the protection of development from hazardous conditions pursuant to Section 488 (1) (b) of the Act, except any permit that involves a zoning bylaw variance;

- (b) to issue development permits under Section 489 of the Act that deal with protection of the natural environment, its ecosystems and biological diversity pursuant to Section 488.1 (1)(a) of the Act;
- (c) to amend development permits that deal with form and character involving non-substantive design modifications, having no bearing or impact on the permitted location, setback, height, shape size, floor area or parcel coverage of a building or structure;
- (d) to amend development variance permits to allow for minor, non-substantive design modifications, that would have no bearing or impact on the permitted location, setback, height, shape, size, floor area or parcel coverage of a building or structure;
- (e) to issue tree cutting permits for areas designated by bylaw as tree cutting permit areas pursuant to Section 500 of the Act; and
- (f) to approve strata conversions of previously occupied buildings under Section 242(10) of the *Strata Property Act* consistent with Board policies.

7.2 A decision under Subsection 7.1 is subject to a right of the land owner to reconsideration by the Board.

7.3 A report outlining all permits issues will be provided to the Planning and Community Development Committee on a quarterly basis.

8. Land and Land Use Agreement Delegation

8.1 The Board hereby delegates the following powers, and related duties and functions to the Chief Administrative Officer and the Corporate Officer acting jointly on behalf of the Regional District:

- (a) to accept and execute for registration in the Land Title Office a restrictive covenant under section 56 of the *Community Charter* or section 219 of the *Land Title Act*;
- (b) to execute a discharge of a restrictive covenant referred to in subsection (a) which is no longer required or is to be modified or replaced;
- (c) to acquire and execute for registration in the Land Title Office a statutory right of way or easement in connection with the operation of sewer, water or drainage works;
- (d) to execute a discharge of a statutory right of way or easement referred to in subsection (c) which is no longer required by the Regional District or is to be modified or replaced; and
- (e) to accept and execute servicing and latecomer agreements.

9. Defending Legal Proceedings

The Chief Administrative Officer may instruct legal counsel to defend any action or proceeding in any court of law, or before any tribunal, arbitrator or any other person, for or on behalf of the Regional District.

10. Signing Authority

10.1 Despite any other provision of this Bylaw, the following types of documents must be executed by the Chair and Corporate Officer:

- (a) any agreement for the purchase of goods or services having a value in excess of \$100,000;
- (b) any agreement between the Regional District and the federal government, provincial government, or any local government or school district, other than a Memorandum of Understanding;
- (c) any agreement specifically approved by a resolution of the Board; and
- (d) all Bylaws and Board meeting minutes.

10.2 The Corporate Officer may enter into and sign agreements respecting the Regional District's activities, works or services consistently with Board policies, delegated expenditure limits and the approved annual financial plan, including but not limited to:

- (a) agreements, minutes or other documents relating to functions within the area or responsibility of the Corporate Officer;
- (b) any agreement or other document of the Regional District, including all those types of agreements and other documents for which signing authority is granted to other Officers and Employees under this Bylaw.

10.3 The Chief Administrative Officer may enter into and sign agreements respecting the Regional District's activities, works or services consistently with Board policies, delegated expenditure limits and the approved annual financial plan, including but not limited to:

- (a) Collective agreements between the Regional District and its Employee Group and Union(s);
- (b) Memoranda of Agreement or Memoranda of Understanding between the Regional District and its Employee Group, Union, or the Labour Relations Board;
- (c) Agreements or other documents relating to functions within the area of responsibility of the Chief Administrative Officer;



**Sunshine Coast Regional District Delegation Bylaw No. 710**

**Schedule "A"**

**Expenditure limits by position**

<b>1. Position with Regional District</b>	<b>2. Expenditure Limit</b>
Chief Administrative Officer	\$100,000
General Managers and Senior Managers	\$50,000
Managers	\$25,000

\*Amounts in Column 2 are exclusive of taxes.