



BY-LAW

NO. 2025 –

Being a By-law to Adopt a Delegation of Powers and Duties Policy for The Corporation of the Municipality of Kincardine

Whereas pursuant to the said Municipal Act, Sections 8 and 9 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas Section 270 (1) of the Municipal Act 2001, S.O. 2001, c. 25, as amended, requires a municipality to adopt and maintain a policy with respect to 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; and

Whereas the Council of the Corporation of the Municipality of Kincardine desires to adopt a new Delegation of Powers and Duties Policy; now therefore be it

Resolved that the Council of The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That the Delegation of Powers and Duties Policy for The Municipality of Kincardine, attached hereto as Schedule 'A' and forming part of this By-law be adopted.
2. That this By-law shall come into full force and effect upon its final passing.
3. That all other Policies passed by By-law and Resolution inconsistent with this By-law, be repealed.
4. That By-law may be cited as the "Delegation of Powers and Duties Policy By-law".

Passed by Council this 28th day of May, 2025.

Mayor

Clerk

Schedule 'A'

Policy No.: ADMIN.05

Section: Your Government and People

Policy Title: Delegation of Powers and Duties Policy

Adopted Date: May 28, 2025

By-law No.: 2025 -

Revision Date:

1. Purpose

The *Municipal Act, 2001*, S.O. 2001 (the "Act") requires that all municipalities adopt and maintain a policy with respect to the delegation of its powers and duties.

The Delegation of Powers and Duties Policy provides the framework for setting out the scope of the powers and duties which Council may delegate its legislative and administrative authority to and to establish principles governing such delegation. This policy has been developed in accordance with the Act to comply with its other applicable sections, including Section 270.

The Council of The Corporation of the Municipality of Kincardine, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Act and will respect the applicable restrictions outlined in the Act.

2. Scope

This policy is required by Section 270 of the Act and applies to all operations for the Municipality of Kincardine. This policy applies to all Committees of Council, Departments and Staff.

3. Definitions

"Act" shall mean the *Municipal Act, 2001*, as amended; and

"Administrative Powers" shall mean all matters required for the management of the Municipality that do not involve discretionary decision-making; and

"Council" shall mean the Council of The Corporation of the Municipality of Kincardine; and

"Delegate" shall mean a person sent or authorized to represent others; and

"Legislative Powers" shall mean all matters where Council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies and exercising decision-making authority; and

"Municipality" or **"MoK"** shall mean The Corporation of the Municipality of Kincardine; and

"Road Authority" shall mean a body having jurisdiction and control of a highway; and

"Statutory Officer" shall mean those officers appointed to positions under Provincial Legislation.

4. Responsibility

Staff of the Municipality of Kincardine are responsible for adhering to the parameters of this policy and for ensuring the appropriate application of the delegated authority.

The Chief Administrative Officer for the Municipality of Kincardine shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a *bona fide* complaint and/or concern, the Chief Administrative Officer shall notify Council.

For those matters for which the CAO does not have delegated authority as noted in this by-law, the *bona fide* complaint shall be brought before Council for direction at an in-camera meeting in accordance with Section 239 of the Act.

The Clerk is authorized to make minor administrative amendments and corrections to the policy.

5. Procedure/ Policy

5.1. Council is directly responsible to its constituents in the exercise of its legislative and administrative powers. To manage the Municipality efficiently, and to respond to matters within its jurisdiction in a timely manner, Council supports the delegations of its powers and duties in accordance with the following principles:

- (a) All delegation of powers and duties shall be carried out in compliance with the Act, and respecting the restrictions set for in the Act;
- (b) All delegation of powers and duties shall be approved by by-law;
- (c) Unless expressly delegated by Council through by-law, all powers and duties of Council rest with Council;
- (d) All delegated powers and duties may be revoked at any time without notice;
- (e) Delegation of a power or duty should be accompanied by a corresponding accountability and transparency mechanism; and
- (f) A delegation of a power or duty under any by-law to any staff member is also a delegation to the Chief Administrative Officer for the Municipality to act in the capacity of the delegate except for Powers of Statutory Officer(s) under the Act or Building Code.

5.2. In exercising a delegated authority, the delegate shall ensure:

- (a) That any expenditure related to a delegated matter shall have been provided for in the current year's budget, or otherwise authorized by the purchasing by-law; and
- (b) That the scope of a delegated authority shall not be exceeded by the delegate; and
- (c) The consistent and equitable application of Council policies and procedures; and
- (d) Where required, reports be prepared and submitted to Council for information.

6. Related Policies

- a) Municipality of Kincardine Procurement Policy

7. Related Documents/Legislation

- a) Section 270 of the Act, requires that the Municipality adopt and maintain a policy with respect to the delegation of its powers and duties.
- b) Sections 23.1 – 23.5 of the Act authorize delegation subject to restrictions related to legislative and quasi-judicial functions.
- c) Schedule "A" – List of Delegated Powers and Duties.

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Schedule A to Delegation of Powers and Duties Policy

Administration

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
All authorities listed for Statutory Officers per the Appointment By-Laws	Statutory Officer(s) and/or their Delegate <i>Municipal Act, 2001</i> <i>Appointment By-Laws</i>	The Statutory Officer(s) or delegate may identify controversial or significant issues to Council for information.
Authorized to enter negotiations on behalf of the Municipality with land developers relating to subdivision agreements	All Department Directors or their Delegate(s) <i>Municipal Act, 2001</i>	The Director of Infrastructure and Development or Delegate may identify controversial or significant issues/agreements to Council for information.
Authorized to procure in accordance with the Procurement Policy so long as the value associated with such procurements are within the signing authority defined in the procurement policy	All Staff and/or their Delegate(s) <i>Municipal Act, 2001</i> <i>Procurement Policy</i>	The appropriate Director or their Delegate may identify controversial or significant procurements to Council for information.

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Mayor

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
Authorized to execute applications to agreements with a Federal or Provincial Department, Ministry, agency or fund for compensation, funding or other forms of subsidy related to any Municipality programs, operations or approved capital project and subsequent submissions, declarations or representations required for processing the application or the receipt of funds	The Mayor or Delegate and the Clerk or Delegate <i>Municipal Act, 2001</i>	The CAO or delegate and/or the Mayor or delegate may identify controversial or significant issues to Council for information.
In the event of inclement weather, authorized to make the decision to cancel, continue, meet in electronic format, or reschedule a council meeting	The Mayor or Delegate <i>Winter Storm Policy</i>	The Mayor or delegate will advise Council and Staff per the prearranged contact list.

Office of the Chief Administrative Officer (CAO)

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
For the specific period of time per Section 275 of the Act, (Restricted Acts After Nomination Day) where the conditions restricting Council's actions have been met, authorization to dispose of any real or personal property of the Municipality which has a value exceeding \$50,000.00 at the time of disposal, where such actions are in accordance with current projects approved by Council and are in keeping with existing practice and policy, the authority is extended only and until the inaugural meeting of Council	CAO (or CAO Delegate) together with the Director of Infrastructure and Development (or Delegate) <i>Section 275 of the Municipal Act, 2001</i>	The CAO or delegate must provide, at the first meeting of Council after the inaugural Council meeting, a written report detailing all actions taken pursuant to this delegation.
For the specific period of time per Section 275 of the Municipal Act, 2001 (Restricted Acts After Nomination Day), if conditions restricting Council authority have been met, authorization is given to hire or dismiss any employee in accordance with the Municipality's practice,	CAO or Delegate <i>Section 275 of the Municipal Act, 2001</i>	The CAO or delegate must provide, at the first meeting of Council after the inaugural Council meeting, a written report detailing all actions taken pursuant to this delegation.

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the authority is extended only and until the inaugural meeting of Council		
Authorized to negotiate and administer Collective Agreements, compensation and employee relations for union and non-union employees and performance management for all departments with Council to provide bargaining mandates and the human resources policy	<p>CAO or Delegate</p> <p><i>Municipal Act, 2001</i></p> <p><i>Human Resources Procedure Manual</i></p> <p><i>Appointment By-Law</i></p>	The CAO or delegate will bring this forward to Council for final execution.
Authorized, on direction of Council, to defend and settle all matters brought before the Ontario Labour Relations Board, the Ontario Human Rights Commission and the Canadian Human Rights Commission including arbitrations	<p>CAO or Delegate</p> <p><i>Municipal Act, 2001</i></p>	The CAO or delegate may identify controversial or significant issues to Council for information.
Authorized to execute any document required for the completion of any transaction involving the purchase, sale, disposition, exchange or lease of land, as authorized by Council, including approval authority to execute an agreement to extend the closing date of a purchase, sale, disposition, exchange or lease agreement	<p>CAO or Delegate</p> <p><i>Municipal Act, 2001</i></p> <p><i>Surplus Lands Policy</i></p>	The CAO or delegate may identify controversial or significant issues to Council for information.
<p>Authorized to defend, settle, and abandon the following legal matters:</p> <ul style="list-style-type: none"> • The conduct of all litigation before courts and administrative tribunals, subject to such instruction as may be issued by Council from time to time in the conduct of such litigation, the CAO shall use the most efficient combination of staff and external legal services as required to represent and defend the interests of the Municipality in the issue at hand; and • Authority to defend, settle, and abandon all matters within the jurisdiction of the Small Claims Court provided that the authority to settle or abandon a 	<p>CAO or Delegate</p> <p><i>Municipal Act, 2001</i></p>	The CAO or delegate may identify controversial or significant issues to Council for information.

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<p>matter is limited to an amount not to exceed \$50,000.00</p> <p>With respect to matters within the jurisdiction of the Superior Court of Justice, the CAO shall have the authority to:</p> <ul style="list-style-type: none"> • Direct the defence of all actions against the Municipality and to take such steps, including all interim proceedings, as may be considered necessary and proper; • Carry out the decisions of Council to initiate an action or abandon an action; and • Recommend a settlement to Council in conjunction with legal advice. <p>In exercising authority granted in the sections above, the CAO shall have the authority to:</p> <ul style="list-style-type: none"> • Authorize the payment of all expenses related to the conduct of any actions or matter and the payment of any costs awarded against the Municipality; and • Execute all documents required to conduct any action or conclude the settlement of any action or matter; and • Take all steps required to enforce orders, decision, awards, and judgements. 		
Authorized to approve, amend, or terminate the execution of mutual disclosure (confidentiality) agreements	CAO or Delegate <i>Municipal Act, 2001</i>	The CAO or delegate may identify controversial or significant agreements to Council for information.
Authorized to process, decide upon, and execute joint use agreements	CAO or Delegate <i>Municipal Act, 2001</i>	The CAO or delegate may identify controversial or significant agreements to Council for information.
Authorized to renew existing grant program agreements, for example, R.I.D.E. (Reduce Impaired Driving Everywhere)	CAO or Delegate <i>By-Law 2008-159</i>	The CAO or delegate may identify controversial or significant agreements to Council for information.

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In the event of inclement weather, authorized to decide to relieve non-essential municipal staff and close the Municipal Administration Centre	CAO or Delegate <i>Winter Storm Policy</i>	The CAO or delegate will notify Council and Staff as per the prearranged contact list
Authorized to process, decide upon, and execute agreements related to requests as determined by the Medical Officer of Health	CAO or Delegate <i>Municipal Act, 2001</i>	The CAO or delegate may identify controversial or significant agreements to Council for information.
Authorized, on the direction of Council, to make applications, respond to, and take objection to all matters brought before administrative tribunals including the Ontario Land Use Planning Tribunal and other administrative tribunals	CAO or Delegate <i>Municipal Act, 2001</i>	The CAO or delegate may identify controversial or significant issues to Council for information.
Authorized to approve site plan applications	CAO or Delegate <i>Planning Act, 1990</i> <i>By-Law 2022-111</i>	Approved site plans will be presented to Council through an Infrastructure and Development-Development Services report from the Chief Building Official (CBO) or Delegate.
Where time constraints or other circumstances will not allow for the required authority granting procedures to be followed with respect to any legal matter, the CAO shall have the authority to take appropriate action and report such actions to Council at the earliest opportunity	CAO or Delegate <i>Municipal Act, 2001</i>	Matters will be brought forward to Council by the CAO or delegate at the next in-camera Council meeting.

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Corporate Services – Finance, Human Resources, IT

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
As per Section 275 of the Act (Restricted Acts After Nomination Day), authorized for expenditures or liability in respect of active capital and current projects approved in the budget adopted by Council for that election year; the authority is extended only and until the inaugural meeting of Council	Director of Corporate Services/Treasurer (or Delegate) <i>Section 275 of the Municipal Act, 2001</i>	The Director of Corporate Services or delegate must provide, at the first meeting of Council after the inaugural Council meeting, a written report detailing all actions taken pursuant to this delegation.
Authorized to act as the Appeals Representative of the Assessment Review Board, including initiation and filing of notices of assessment appeal for any property within the boundaries of the Municipality of Kincardine, and withdrawing any appeal filed by the Municipality, should it be determined that it is not in the Municipality's best interest to proceed	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i> <i>Assessment Act</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to bind the Municipality for the purposes of the Assessment Review Board, and may negotiate and make a settlement deal on the Municipality's behalf at any mediation or settlement conference on property tax or assessment matters as a party to all appeals whether filed by the Municipality or another person, entity, or agent	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i> <i>Assessment Act</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to process, decide upon, and execute Tile Drainage Loan applications and Shoreline Assistance Loan applications	Director of Corporate Services/Treasurer or Delegate <i>Tile Drainage Act</i> <i>Shoreline Assistance Act</i>	The Director of Corporate Services or delegate may identify controversial or significant applications/issues to Council for information.
Authorized to process, decide upon, and execute agreements related to the execution of pension, benefits, and insurance contract renewals and amendments	Director of Corporate Services/Treasurer or Delegate	The Director of Corporate Services or delegate may identify controversial or significant agreements to Council for information.

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	<i>Human Resources Procedure Manual</i>	
Authorized to process, decide upon, and execute minor maintenance/rental agreements relative to daily operations of the Municipality, provided the agreements have fixed terms of less than four years and, where applicable, are acquired in accordance with the Procurement Policy	Director of Corporate Services/Treasurer or Delegate <i>Procurement Policy</i>	The Director of Corporate Services or delegate may identify controversial or significant agreements to Council for information.
Authorized to direct the prosecution of, to defend, settle and abandon all matters within the jurisdiction of the Ontario Court of Justice or Provincial Offences Court provided that the authority to settle or abandon is a matter limited to an amount not to exceed an aggregate penalty of \$5,000.00	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i> <i>Provincial Offences Act</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to approve the execution of agreements to facilitate the exchange or release of electronic data	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to execute, on behalf of the Municipality, any and all forms by which the Corporation claims for damages against other parties and their insurers are released, up to \$25,000.00 and to settle claims within the existing insurance deductible limits	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information and present an annual report to Council on all insurance claims.
Authorized to approve, amend or terminate the execution of agreements with telephone service providers for 9-1-1 service	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant agreements to Council for information.
Authorized to process, decide upon, and execute agreements related to accounts receivables, in accordance with a set amount of \$5,000.00 as established by by-law	Director of Corporate Services/Treasurer or Delegate	The Director of Corporate Services or delegate may identify controversial or significant agreements to Council for information.

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	<i>Municipal Act, 2001</i>	
Authorized to process, decide upon, and execute agreements related to pursuance and settlement with third parties for the recovery of Municipality property damage claims	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant agreements to Council for information.
Authorized to process, decide upon, and execute agreements related to future banked vacation carry-over requests for non-union employees	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i> <i>Human Resources Procedure Manual</i>	The Director of Corporate Services or delegate may identify controversial or significant agreements to Council for information.
Authorized to process, decide upon, and execute agreements related to the disposal and/or sale of surplus and obsolete equipment	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i> <i>Asset Management Policy</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to write-off interest in accordance with the Accounts Receivable Policy	Director of Corporate Services/Treasurer or Delegate <i>Accounts Receivable Policy</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to monitor and record expenditures against approved budgets and approve payments as per the Procurement Policy	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i> <i>Procurement Policy</i>	The Director of Corporate Services or delegate may identify any significant procurements to Council as per the Procurement Policy

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Authorized to pursue and settle with third parties for the recovery of Municipal property damage claims	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant claims to Council for information.
Authorized to administer letters of credit and performance bonds in accordance with the Letter of Credit Policy	Director of Corporate Services/Treasurer or Delegate <i>Letter of Credit Policy</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized for the settlement of small insurance claims up to the Municipality's deductible of \$50,000.00	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized for servicing agreements and signing authorities associated with all existing Municipal bank accounts and investments	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to place and maintain adequate insurance on all Municipal property	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.
Authorized to approve, amend, and/or terminate the execution of software licensing agreements	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i> <i>Procurement Policy</i>	The Director of Corporate Services or delegate may identify controversial or significant issues to Council for information.

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Legislative Services – Clerk and By-Law

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
Authorized to sign letters of non-objection and for deeming events as Municipally significant for ACGO liquor license application requirements	Manager of Legislative Services/Clerk or Delegate <i>Municipal Act, 2001</i>	The Manager of Legislative Services/Clerk or delegate may identify controversial or significant events to Council for information.
Authorized to cancel fines related to parking enforcement	Manager of Legislative Services/Clerk or Delegate <i>Municipal Act, 2001</i>	The Manager of Legislative Services/Clerk or delegate may identify controversial or significant issues to Council for information.
Authorized to process, decide upon and execute dog licenses	Manager of Legislative Services/Clerk or Delegate <i>Municipal Act, 2001</i>	The Manager of Legislative Services/Clerk or delegate may identify controversial or significant issues to Council for information.
Authorized to consent to alterations to property under section 33 of the <i>Ontario Heritage Act</i>	Manager of Legislative Services/Clerk or Delegate <i>By-Law 2016-111</i> <i>Ontario Heritage Act</i>	The Manager of Legislative Services/Clerk or delegate may identify controversial or significant issues to Council for information.
Authorized as the Head pursuant to the <i>Ombudsman Act</i>	Manager of Legislative Services/Clerk or Delegate <i>By-Law 2016-089</i> <i>Ombudsman Act</i>	The Manager of Legislative Services/Clerk or delegate may identify controversial or significant issues to Council for information.
Authorized as the Head for the purposes of the <i>Municipal Freedom of Information and Protection of Privacy Act</i>	Manager of Legislative Services/Clerk or Delegate	The Manager of Legislative Services/Clerk or delegate may identify controversial or significant issues to Council for information.

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	<i>Municipal Freedom of Information and Protection of Privacy Act</i> <i>Ombudsman Act</i> <i>By-Law 2014-040</i>	significant issues to Council for information.
Authorized to provide comments to the Alcohol and Gaming Commission of Ontario with respect to any Cannabis license applications	Manager of Legislative Services/Clerk or Delegate <i>Municipal Act, 2001</i>	The Manager of Legislative Services/Clerk or delegate may identify controversial or significant issues to Council for information.

Infrastructure and Development- Operations, Environmental Services & Development Services

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
Authorized as the Road Authority for the purposes listed.	Director of Infrastructure and Development or Operations Delegate	The Director of Infrastructure and Development or delegate may identify controversial or significant issues to Council for information.
Authorized to establish road design and infrastructure standards, including design standards related to such items as street lighting.	Director of Infrastructure and Development or Operations Delegate <i>TP 1.1 Road Design Standards</i>	The Director of Infrastructure shall ensure that current road design standards are published on the municipal website.
Authorized to approve/make the decision for road closures, speed reductions, temporary stopping conditions, temporary street closures and/or detours due to construction, special events, adverse weather/significant weather events, or emergency purposes.	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant road closures to Council for information.

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	<i>Highway Traffic Act</i> <i>By-Law 2003-10</i> <i>(Emergency Closures)</i> <i>By-Law 2016-021</i> <i>(Special Events Closures)</i>	
Authorized to process, decide upon, and execute the erection of intersection traffic control signing in accordance with approved regulations and traffic manuals	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i> <i>Highway Traffic Act</i> <i>OPS.01</i>	The Clerk shall prepare a by-law listing all amendments to traffic control sign, specifically stop signs.
Authorized to issue permits for temporary or mobile signs on public property for a period of up to 3 months, in accordance with the provisions of the municipality Sign By-Law	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i> <i>Highway Traffic Act</i> <i>Sign By-Law</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant agreements to Council for information.
Authorized to approve 'over the road' banner applications	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant applications to Council for information.

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	<i>Sign By-Law</i>	
Authorized to enter into agreements addressing use of public highway allowances by public corporations and utility and service providers	<p>Director of Infrastructure and Development or Operations Delegate</p> <p><i>Municipal Act, 2001</i></p> <p><i>Highway Traffic Act</i></p>	The Director of Infrastructure and Development or delegate may identify controversial or significant agreements to Council for information.
Authorized to enter into Ministry of Transportation agreements (e.g. license renewals, fleet ownerships, etc.)	<p>Director of Infrastructure and Development or Operations Delegate</p> <p><i>Municipal Act, 2001</i></p> <p><i>Highway Traffic Act</i></p>	The Director of Infrastructure and Development or delegate may identify controversial or significant agreements to Council for information.
<p>Authorized to assess and approve/deny the following requests for services/work on a municipal road allowance:</p> <ul style="list-style-type: none"> • Entrance/Driveway Permits • Road Cut Permits • Road Occupancy Permits • Municipal Consents • Locates • Sod Repairs • Mailbox Repairs • Tree Planting • Tree Maintenance • Tree Removal • Stump Removal • Any other requests for work on municipal road allowances 	<p>Director of Infrastructure and Development or Operations Delegate</p> <p><i>Municipal Act, 2001</i></p> <p><i>Highway Traffic Act</i></p> <p><i>OPS.02</i></p>	The Director of Infrastructure and Development or delegate may identify controversial or significant applications to Council for information.

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Authorized to offer the replacement of trees to affected property owners for trees removed by the Operations Department during municipal road construction projects and other operations works	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i> <i>Highway Traffic Act</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant issues to Council for information.
Authorized to approve requests for 'limiting use of engine brake' signs	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i> <i>Highway Traffic Act</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant issues to Council for information.
Authorized to designate construction zones and set speed limits within certain construction zones	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i> <i>Highway Traffic Act</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant issues to Council for information.
Authorized to execute any permit, license, variance application and/or agreements required to implement a Council approved capital project	Director of Infrastructure and Development or Operations Delegate <i>Municipal Act, 2001</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant applications/agreements to Council for information.
In the event of inclement weather, authorized to decide to relieve non-essential operations staff and close the operations facilities	Director of Infrastructure and Development or Delegate <i>Winter Storm Policy</i>	The Director of Infrastructure and Development or delegate will notify Council and Staff as per the prearranged contact list

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Authorized to enter into sewer use agreements	Director of Infrastructure and Development or Delegate <i>Municipal Act, 2001</i>	The Director of Infrastructure and Development or delegate may identify controversial or significant agreements to Council for information.
Authorized to enter into agreements with Registered Code Agencies to perform specified functions with regard to the <i>Building Code Act, 1992</i>	Chief Building Official or Delegate <i>Building Code Act, 1992</i>	The Chief Building Official or delegate may identify controversial or significant issues to Council for information.
Authorized to enter into conditional building permit agreements made under the <i>Building Code Act, 1992</i>	Chief Building Official or Delegate <i>Section 8 (3.1) of the Building Code Act, 1992</i>	The Chief Building Official or delegate may identify controversial or significant issues to Council for information.
Authorized to issue statement of concurrence for transmission tower siting	Chief Building Official or Delegate <i>By-Law 2023-096</i> <i>Concurrence Request Process for Wireless Telecommunications</i>	The Chief Building Official or delegate may identify controversial or significant issues to Council for information.
Authorized to execute applications to rezone Municipal property as Owner's representative	Chief Building Official or Delegate <i>Zoning By-Law</i>	The Chief Building Official or delegate may identify controversial or significant issues to Council for information.
Authorized to execute applications to amend the Official Plan as the Owner's representatives	Chief Building Official or Delegate <i>Zoning By-Law</i>	The Chief Building Official or delegate may identify controversial or significant issues to Council for information.

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Authorized to process, decide upon, and execute demolition agreements	Chief Building Official or Delegate <i>By-Law 2013-027</i>	The Chief Building Official or delegate may identify controversial or significant issues to Council for information.
Authorized to process, decide upon, and execute Limited-Service Agreements	Chief Building Official or Delegate <i>By-Law 2008-159</i>	The Chief Building Official or delegate will list new agreements in the Infrastructure and Development quarterly update report for Council information.
Authorized to process, decide upon, and execute Limiting Distance Agreements under the <i>Building Code Act, 1992</i>	Chief Building Official or Delegate <i>Building Code Act, 1992</i>	The Chief Building Official or delegate will list new agreements in the Infrastructure and Development quarterly update report for Council information.
Authorized to process, decide upon, and execute sign variances and exemptions on private property	Chief Building Official or Delegate <i>Sign By-Law</i>	The Chief Building Official or delegate will list new sign variances/exemptions in the Infrastructure and Development quarterly update report for Council information.
Authorized to remove “H” Holding provisions under the Zoning By-Law	Chief Building Official or Delegate <i>Zoning By-Law</i>	The Chief Building Official or delegate will list new removals of “H” holding provisions in the Infrastructure and Development quarterly update report for Council information.
Authorized to approve site plan applications	CAO or Delegate <i>Bill 109, More Homes for Everyone Act, 2002</i> <i>Planning Act, 1990</i> <i>By-Law 2022-111</i>	Approved site plans will be presented to Council through an Infrastructure and Development- Development Services report from the Chief Building Official (CBO) or delegate for information.

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Community Services – Recreation, Parks & Facilities

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
Authorized to approve the use of Municipal facilities including events at which alcohol may be served	Director of Community Services or Delegate <i>Municipal Act, 2001</i> <i>Special Events Policy</i> <i>Municipal Alcohol Policy</i>	The Director of Community Services or delegate may identify controversial or significant issues to Council for information.
Authorized to approve, amend, or terminate facility rental permits for the rental of space at Municipally owned facilities (except at the Kincardine Municipal Airport)	Director of Community Services or Delegate <i>Municipal Act, 2001</i> <i>Special Events Policy</i>	The Director of Community Services or delegate may identify controversial or significant issues to Council for information.
Authorized to renew leases for tenants at the Municipal Administration Centre with existing occupants, provided there are no significant changes to the terms of the lease.	Director of Community Services or Delegate <i>Municipal Act, 2001</i>	The Director of Community Services or delegate may identify controversial or significant issues to Council for information.
Authorized to approve and administer the subsidies for recreation programming	Director of Community Services or Delegate <i>Municipal Act, 2001</i>	The Director of Community Services or delegate may identify controversial or significant issues to Council for information.
In the event of inclement weather, authorized to decide to relieve non-essential community services staff and close facilities	Director of Community Services or Delegate <i>Winter Storm Policy</i>	The Director of Community Services or delegate will notify Council and Staff as per the prearranged contact list
Authorized to approve all sponsorship or advertisement agreements	Director of Corporate Services/Treasurer or Delegate <i>Municipal Act, 2001</i>	The Director of Community Services or delegate may identify controversial or significant issues to Council for information.

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Fire and Emergency Services

Delegated Power or Duty	Delegate/Authority	Council Reporting Requirements & Considerations
Authorized to update the Municipality's Emergency Plan	Community Emergency Management Coordinator (CEMC) or Delegate <i>Emergency Management and Civil Protection Act, R.S.O., 1990</i> <i>Ontario Regulation 380/04</i> <i>Emergency Response Plan By-Law</i>	The updated Municipal Emergency Plan will be presented to Council by the Fire Chief or Delegate through a formal report and presentation.
Authorized to approve and administer Open Burn Permits	Fire Chief or Delegate <i>Fire Protection and Prevention Act</i> <i>Open Air burning By- Law</i>	The Fire Chief or Delegate may identify controversial or significant issues to Council for information.
Authorized to hire and dismiss members of the Municipality of Kincardine Fire Department	Fire Chief or Delegate <i>Establishing and Regulating By-Law</i>	The Fire Chief or Delegate may identify controversial or significant issues to Council for information.
In the event of inclement weather, authorized to decide to relieve non-essential emergency services staff and make decisions regarding the fire halls	Fire Chief or Delegate <i>Winter Storm Policy</i>	The Fire Chief or delegate will notify Council and Staff as per the prearranged contact list