

**THE CORPORATION OF THE UNITED COUNTIES
OF PRESCOTT AND RUSSELL**

BY-LAW NO. 2013-32

BEING A BY-LAW GOVERNING THE EXECUTION OF DOCUMENTS ON BEHALF OF THE UNITED COUNTIES OF PRESCOTT AND RUSSELL

Whereas the Council of the Corporation of the United Counties of Prescott and Russell passed By-law 2013-07 to adopt a policy regarding delegation of authority to various officers of the United Counties of Prescott and Russell.

AND WHEREAS Council deems it advisable to provide additional information and direction to complement By-law Number 2013-07 and therefore enacts as follows:

1. DEFINITIONS

1.1 In this by-law:

- a) "document" means any written instrument in paper or electronic form which, when duly executed, will have or is intended to have the effect of binding the Corporation but does not include any cheques, bank drafts, debentures or other financial instruments;
- b) "signing officer" means a person appointed pursuant to this by-law to execute any document on behalf of the Corporation.

2. APPOINTMENT OF SIGNING OFFICERS

- 2.1 Despite any provision of this by-law, the Warden and Clerk are hereby appointed signing officers of the Corporation and may jointly execute any document on behalf of the Corporation.
- 2.2 Any document listed in Column 1 of Schedule A to this by-law may be executed by the person holding the position set out opposite such document in Column 2 of Schedule A, and that person is hereby appointed a signing officer for such purpose.
- 2.3 Despite subsection 2.2 of this by-law, the Chief Administrative Officer is hereby appointed a signing officer in respect of any document listed in Column 1 of Schedule A.
- 2.4 Where any person is authorized to execute any document pursuant to this by-law, such person may appoint a designate to execute such document on his or her behalf.
- 2.5 The appointment of a designate by a Department Head shall be subject to the approval of the Chief Administrative Officer.

3. SCOPE OF AUTHORITY

- 3.1 Despite any provision of this by-law, a signing officer shall not execute any document unless the transaction or activity to which the document relates has been approved by Council. For greater certainty, a transaction or activity shall be deemed to be approved by Council where such transaction or activity:
 - a) is included in the annual budget adopted by Council;
 - b) is included in a program, project or activity which has been approved by Council;
or
 - c) is reasonably incidental to the authority given to the Chief Administrative Officer, or the Department Heads, as the case may be, to carry out their duties and responsibilities on behalf of the Corporation.

- 3.2 No provision of this by-law shall be construed as waiving any provision of By-law No. 2007-47 (the "Purchasing By-law"), as amended from time to time, and the said by-law shall continue to apply to the procurement of goods and services on behalf of the Corporation.
- 3.3 Where authority has been given by Council or pursuant to the Purchasing By-law to any person to execute any document, such authority shall include the authority to execute all ancillary documents necessary to give effect to the document and shall include the authority to amend the original document, where such amendment does not impose any additional financial obligation upon the Corporation.
- 3.4 Where a signing officer is authorized to execute a document pursuant to this bylaw, such authority shall include the authority to execute any ancillary documents necessary to give effect to the document and shall include the authority to amend the original document, where such amendment does not impose any additional financial obligation upon the Corporation.
- 3.5 The execution of any document pursuant to this by-law shall be subject to compliance with any policies adopted by Council from time to time with respect to the transaction or activity to which the document relates, and to any administrative procedures established by the Chief Administrative Officer.

4. ADMINISTRATION

- 4.1 Each Department Head shall maintain a record of each document executed pursuant to this by-law and shall file such record according to By-law Number 2009-35 (Schedule of Retention By-law)
- 4.2 At least one original of each executed document shall be retained by the Corporation.
- 4.3 The following wording could be used before the signing officer's signature:

"That the Administrator/Manager/Director of ... be authorized to complete and execute the agreement giving effect to these recommendations."

-or-

"In witness whereof the parties have executed this Agreement as of the date first above written."

-or-

"In witness whereof the parties hereto have affixed their corporate seals by the hands of their duly authorized officers in that behalf on the ___ day of _____, 2013."

UNITED COUNTIES OF PRESCOTT AND RUSSELL

Administrator/Manager/Director of

-or-

UNITED COUNTIES OF PRESCOTT AND RUSSELL
(as represented by the Administrator/Manager/Director of)

ADMINISTRATOR

I/We have authority to bind the Corporation

DONE AND PASSED in open Council this 22nd day of May, 2013.



René P. Berthiaume, Warden

Stéphane P. Parisien, Clerk

Schedule A	
Column 1 DOCUMENT	Column 2 SIGNING OFFICER
<p><i>1. Funding Agreements</i></p> <p>1.1 applications for Federal or Provincial funding or subsidy 1.2 agreements with Federal or Provincial governments or agencies for the provision of funding to the Counties 1.3 agreements for the provision of funding by the Counties 1.4 documents required in support of funding applications or as a condition of receipt of funds, including reporting requirements</p>	<p>Director/Administrator responsible for the program or project to which the funding relates and Treasurer</p>
<p><i>2. Purchase of Services</i></p> <p>2.1 agreements for the purchase of services from child care providers, homemakers and domiciliary and emergency hostel providers 2.2 agreements for the purchase of services from physicians, nurses and other health care professionals 2.3 agreements for the purchase of services for clients receiving social assistance 2.4 agreements for the purchase of services from agencies receiving funding from the Counties</p>	<p>Director/Administrator/ Manager responsible for the program or project to which the service relates</p>
<p><i>3. Real Estate Matters</i></p> <p>3.1 land acquisition agreements, in accordance with By-law 2010-43, provided that the value does not exceed \$50,000.00 3.2 agreements permitting the Counties temporary access to or encroachment on lands for Counties purposes 3.3 agreements permitting Counties infrastructure to cross railways, Provincial highways and pipelines 3.4 agreements permitting temporary access to or encroachment on Counties lands 3.5 documents required for the completion of any real estate transaction, including undertakings, certificates, acknowledgments and declarations 3.6 where the Counties is a tenant, tenant acknowledgements in respect of the lease 3.7 where the Counties is a landlord, notices issued pursuant to the <i>Tenant Protection Act, 1997</i> in respect of the lease</p>	<p>Chief Administrative Officer</p> <p>Director of Public Works</p> <p>Chief Administrative Officer</p> <p>Director/Administrator responsible for the program or project to which the matter relates</p>
<p><i>4. Land Registration</i></p> <p>4.1 forms required under applicable legislation or the land registration system to register Counties interests in lands and to preserve any right, title or interest 4.2 consents and waivers of notice relating to registrations in the land registry system 4.3 documents to register liens and discharges on title to real property owned by recipients of social assistance</p>	<p>Chief Administrative Officer</p> <p>Administrator of Social Services</p>

Column 1 DOCUMENT	Column 2 SIGNING OFFICER
<p>5. Administration</p> <p>5.1 agreements with Federal or Provincial governments, municipalities and agencies for Counties undertakings, program delivery and administration</p> <p>5.2 submission of service and program plans and activity reports as required by any legislative authority</p> <p>5.3 agreements with institutions and community partners under approved programs</p> <p>5.4 confidentiality agreements</p> <p>5.5 release of agreements where conditions have been fulfilled</p> <p>5.6 acknowledgement of the status or term of any agreement or lease to which the Counties is a party</p> <p>5.7 applications for permits, approvals or licences with respect to any Counties undertaking</p> <p>5.8 permits and approvals issued by the Counties under any legislative authority</p> <p>5.9 lodging house licences</p> <p>5.10 memoranda of understanding with housing providers under the <i>Social Housing Reform Act, 2000</i></p> <p>5.11 agreements respecting the admission of persons to long-term care facilities</p> <p>5.12 ratify collective agreements and other RH documentation where terms are within the mandate approved by Council</p>	<p>Director/Administrator responsible for the program or project to which the matter relates</p> <p>Administrator of Social Services</p> <p>Home Administrator</p> <p>Director of Human Resources</p>
<p>6. Claims</p> <p>6.1 originating documents for claims on behalf of the Counties for amounts up to \$100,000.00</p> <p>6.2 settlement documents for uninsured claims up to \$100,000.00</p> <p>6.3 releases, indemnities, minutes of settlement and other documents required for the settlement of claims</p>	<p>Chief Administrative Officer</p>