

Committee of the Whole (2) Report

DATE: Tuesday, September 17, 2024

WARD(S): ALL

TITLE: AMENDING THE DELEGATION BY-LAW TO CLARIFY EXISTING AUTHORITIES AND PROVIDE NEW AUTHORITIES TO THE DIRECTOR OF BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES AND DEPUTY CITY MANAGER, COMMUNITY SERVICES

FROM:

Gus Michaels, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

To amend the Delegation By-law 005-2018, as amended, to clarify existing authorities for the Director of By-law and Compliance, Licensing and Permit Services, and add additional delegated authorities to the Deputy City Manager, Community Services, with the intent of increasing administrative efficiency when executing agreements with outside parties that are necessary to carry out the mandated services of By-law and Compliance, Licensing and Permit Services (BCLPS).

Report Highlights

- BCLPS has partnered with external agencies and businesses to carry out key functions of the department's mandate, namely parking and animal control.
- To mitigate liability issues, and to ensure mutual objectives and expectations are met, agreements are required between the City and external parties.
- Updated authorities of the Director, and additional authorities of the Deputy City Manager, Community Services are proposed to approve and execute agreements with external parties, aiding in administrative efficiencies and reducing delays in service delivery to the community.

Recommendations

1. THAT Council delegate authority to staff to approve and execute agreements pertaining to parking enforcement on private property and Animal Services related matters as set out in Attachment 1;
2. THAT Council repeal the existing delegation in Section 4 of Delegation By-law 005-2018, as amended;
3. That Schedule "A" of By-law 144-2018 be hereby amended to add the delegation of powers and duties as set out in Attachment 1; and
4. THAT a by-law be brought forth to the next practicable Council meeting.

Background

The Delegation By-law 005-2018, as amended (the Delegation By-law), was developed to provide staff with the authority to review, approve and execute routine documents and enter into agreements necessary to carry out activities that are part of the day-to-day operations of the municipality. By delegating this authority to staff, administrative efficiency and service delivery are increased by removing the requirement for Council approval for standard, citizen service enhancing agreements and documents.

Presently, the Director of BCLPS has four delegated authorities:

1. to approve agreements with private security companies for the enforcement of the City's Parking By-law 064-2019 on private property;
2. to add or delete animals from the List of Animals Permitted to be Kept by the Earth Rangers Foundation, as per the Animal Control By-law 066-2020;
3. to appoint persons as Municipal Law Enforcement Officers; and
4. to appoint persons as Screening Officers.

This report seeks to clarify the first delegated authority of the Director, and to add an additional BCLPS- related authority of the Deputy City Manager, Community Services, with respect to agreements for the transfer of animals.

Previous Reports/Authority

- [City of Vaughan Delegation By-law 005-2018](#)
- [By-law 058-2019, A By-law to Amend City of Vaughan Delegation By-law 005-2018](#)
- [Parking By-law 064-2019](#)
- [Animal Control By-law 066-2020](#)

Analysis and Options

The proposed amendments to the Delegation By-law are intended to clarify the existing authorities of the Director of BCLPS and delegate authorities to the Deputy City Manager, Community Services, both of which will aid in administrative efficiencies and will support service excellence. See the summary below:

1. Amend Delegated Authorities with Respect to Private Security Companies

Section 54.0(a) of the Delegation By-law provides authority for the director of BCLPS to approve agreements with private security companies for the enforcement of Parking By-law on private property. The proposed amendments clarify that the agreements are with the private security companies, and their employees and that the Director has the authority to negotiate, enter into, amend, renew, terminate, and execute those agreements.

2. Add Delegated Authorities with Respect to the Transfer of Animals

From time to time, Animal Services will partner with external organizations, such as animal rescue organizations, animal rehabilitation organizations and facilities, educational institutions, and other municipalities, for transfer of animals in the lawful care and control of Vaughan Animal Services. The decision to transfer any animal from Vaughan Animal Services' care is done so with the animal's health and wellness as a top priority, and is primarily done due to limited housing capacity at the current shelter or for medical reasons.

The *Provincial Animal Welfare Services Act, 2019* and *Animals for Research Act, 1990* already permit the sale or transfer of animals by a municipality to another entity as detailed in the legislation; however, it is in the City's best interest to have formalized agreements to do so to make clear that the City has the authority to make such transfers, and to address any liability issues. By providing the Deputy City Manager, Community Services with the authority to negotiate, enter into, amend, renew, terminate, and execute such agreements in coordination with Legal Services, transfers can take place in a timely manner, and to the most appropriate external party.

Financial Impact

The recommendations in this report have no direct financial impact; however, delegating authority to staff results in streamlined administrative processes for routine, operational matters, creating time-saving efficiencies for both Council and staff.

Operational Impact

Legal Services and the Office of the City Clerk were consulted in the preparation of this report and are in agreement that the proposed amendments are reasonable and will aid in administrative efficiencies.

Broader Regional Impacts/Considerations

None.

Conclusion

By delegating decision making to the Director of BCLPS and Deputy City Manager, Community Services, the recommendations are expected to improve efficiency in executing certain agreements, such as by reducing the approval timelines for routine agreements.

The approval of the recommendations will increase efficiencies as they pertain to the formalization of agreements between the City and external partners to effectively carry out the mandated services of BCLPS, aligning with the Council Strategic Priorities of Service Excellence and Accountability, and Community Safety and Wellbeing.

For more information, please contact: Susan Kelly, Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8952

Attachments

1. Proposed amendments to City of Vaughan Delegation By-law 005-2018

Prepared by

Alexandra Scarr, Policy Implementation Specialist, ext. 8448