

## Attachment 'B' – Strong Mayor Powers & Duties

Power/ Duty	Powers & Duties under Part VI.1 ( <i>Municipal Act</i> )	Can it be Delegated?	Process under Part VI.1	Public Notice
<b>CAO/City Manager</b>	<p>The mayor has the power and discretion to:</p> <ol style="list-style-type: none"> <li><b>appoint and dismiss</b> City Manager, and</li> <li><b>assign “other duties”</b> to City Manager.</li> </ol> <p>A person who holds the CAO position immediately before the municipality being designated, continues in the position until they are dismissed or their appointment revoked by the Mayor (section 284.15 (Transition)).</p>	Yes, but only to Council.	<p>In writing.</p> <p>Provide written record of direction to Clerk and each member of council by next business day.</p>	Written record to be made available to public (subject to MFIPPA).
<b>Organizational Structure &amp; Employment Powers</b>	<p>Power to determine the “<b>organizational structure</b>” of the municipality assigned to mayor, subject to exceptions.</p> <p>Includes the power to: <b>hire, dismiss or exercise any other prescribed employment powers</b> with respect to the “<b>head of any division</b>” or “<b>head of any other part of the organizational structure</b>”.</p> <p>These powers <u>do not apply</u> to statutory officers:</p> <ol style="list-style-type: none"> <li>clerk/deputy clerk</li> <li>treasurer/deputy treasurer</li> <li>integrity commissioner</li> <li>ombudsman</li> <li>auditor general</li> <li>registrar for lobbying matters</li> <li>chief building official</li> <li>chief of police</li> <li>medical officer of health</li> <li>other officers or heads of divisions who are required (e.g., fire chief)</li> <li>other prescribed persons</li> </ol>	Yes, but only to CAO or Council.	<p>In writing.</p> <p>Provide written record of direction to Clerk and each member of council by next business day.</p>	Written record to be made available to public (subject to MFIPPA).

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	<p>The current organizational structure remains in place, until it is changed by the mayor (section 284.6(4)).</p> <p>The current heads of divisions and heads of other divisions continue in their positions until they are dismissed by the mayor (section 284.6(5)).</p> <p>These powers (hire, fire) apply to persons regardless of when that person started their employment (section 284.6(6)).</p> <p>Other “prescribed employment powers” still to be identified by regulation.</p>			
<b>Directions to Municipal Employees</b>	<p>Mayor may <b>direct municipal employees</b> to:</p> <ul style="list-style-type: none"> <li>a. undertake <b>research</b>, and</li> <li>b. provide <b>advice</b>,</li> </ul> <p>on <b>policies and programs</b> of the municipality as they <b>relate to the powers and duties</b> under Part IV.1.</p> <p>Mayor may also direct municipal employees to:</p> <ul style="list-style-type: none"> <li>a. <b>carry out duties</b>, and</li> <li>b. <b>implement decisions</b> made by mayor,</li> </ul> <p>related to the <b>exercise of the power</b> or performance of duties under Part IV.1.</p>	<p>No.</p> <p>Not within list of permitted delegation.</p>	<p>In writing.</p> <p>Provide written record of direction to Clerk and CAO by next business day.</p>	<p>Unlike other powers and duties exercised under this Part IV.1, there is no requirement to make written record available to public.</p>
<b>Local Boards</b>	<p>Power to <b>appoint chairs and vice-chairs</b> of “<b>prescribed local boards</b>” assigned to mayor.</p> <p>This power is not yet in effect. Waiting on regulations to prescribe what local boards to which this power applies.</p> <p>A person who holds the position of</p>	<p>Yes, but waiting on regulation to determine limitations on delegation.</p>	<p>In writing.</p> <p>Provide written record of direction to Clerk and each member of council by next business day.</p>	<p>Written record to be made available to public (subject to MFIPPA).</p>

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	<p>Chair or Vice-Chair immediately before the municipality being designated, continues in the position until they are dismissed or their appointment revoked by the mayor (section 284.15.(1).2).</p> <p>The mayor may dismiss or revoke the appointment of a chair or vice-chair of a local board, regardless of when they started their position (section 284.15(2)).</p>			
<b>Committees</b>	<p>Powers assigned to mayor to:</p> <ul style="list-style-type: none"> <li>a. <b>establish or dissolve</b> committees,</li> <li>b. <b>appoint chairs and vice-chairs</b>,</li> <li>c. <b>assign functions</b> to committees.</li> </ul> <p>But, only for “<b>prescribed committees</b>”, which means committees established under the <i>Municipal Act, 2001</i> that “consist solely of members of council” (O. Reg. 530/22, section 4) (e.g., Intergovernmental Affairs Committee, Community Youth &amp; Cultural Funding).</p> <p>A person who holds the position of Chair or Vice-Chair immediately before the municipality being designated, continues in the position until they are dismissed or their appointment revoked by the mayor (section 284.15.(1).3).</p> <p>The mayor may dismiss or revoke the appointment of a chair or vice-chair of a committee, regardless of when they started their position (section 284.15(2)).</p>	Yes, but only to Council.	<p>In writing.</p> <p>Provide written record of direction to Clerk and each member of council by next business day.</p>	Written record to be made available to public (subject to MFIPPA).
<b>Bring Matters Advancing</b>	The mayor can, <b>despite any procedural by-law</b> , require Council	No.	In writing.	Written record to be

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<b>Provincial Priorities</b>	to consider any <b><u>matter</u></b> at a <b>meeting</b> that could <b>potentially</b> advance a <b>prescribed provincial priority</b> .		Provide written record of direction to Clerk and each member of council by next business day.	made available to public (subject to MFIPPA).
<b>Bring By-laws Advancing Provincial Priorities</b>	<p>The mayor can, despite any procedural by-law, <b>propose a by-law</b> to Council at a <b>meeting</b> that could <b>potentially</b> advance a prescribed provincial priority and <b>require Council to vote</b> on it.</p> <p>This power <u>does not</u> apply to the following by-laws:</p> <ol style="list-style-type: none"> <li>1. procedural by-law (under section 238),</li> <li>2. yearly budget by-laws (under section 290), or</li> <li>3. by-laws with respect to filling vacancies in the office of a member of council (under section 263).</li> </ol> <p>This power <u>does</u> apply to the following by-laws:</p> <ol style="list-style-type: none"> <li>1. development charges by-laws (under section 2 of the <i>Development Charges Act, 1997</i>).</li> </ol> <p>Despite any procedural by-law, and despite section 245 (Tie Votes) (i.e., tied votes no longer are deemed lost under this section), a by-law proposed under this section is passed if more than one third (1/3) of the members of Council vote in favour of the by-law.</p> <p>Mayor can vote at Council to pass a by-law under this section (section 284.11.1(5)).</p>	No.	Provide copy of by-law to clerk and each member of Council, along with reasons.	
<b>Veto By-laws Interfering with Provincial Priorities</b>	The mayor can, despite any procedural by-law, <b>veto all or part</b> of a <b>by-law</b> that could <b>potentially interfere</b> with a <b>prescribed provincial priority</b> .	No.	No written notice required to Council, if vetoed on, or within 2 days of, Council voting in favour of by-law.	

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	<p>Provincial priorities are:</p> <ol style="list-style-type: none"> <li>1. building 1.5 million new residential units by December 31, 2031, and</li> <li>2. constructing and maintaining infrastructure to support housing, including: transit, roads, utilities, and servicing.</li> </ol> <p>This power <u>does</u> apply to the following by-laws:</p> <ol style="list-style-type: none"> <li>1. by-laws passed under the <i>Municipal Act, 2001</i>,</li> <li>2. by-laws passed under the <i>Planning Act</i>, and</li> <li>3. development charges by-laws (under section 2 of the <i>Development Charges Act, 1997</i>).</li> </ol> <p>This power <u>does not</u> apply to the following by-laws:</p> <ol style="list-style-type: none"> <li>1. yearly budget by-laws (under section 290).</li> </ol>		<p>Written notice of intent to consider a veto required, after 2 days of by-law's passage.</p> <p>If by-law vetoed, on the day of the veto, mayor to provide clerk "written veto document", which needs to include the veto and reasons for the veto.</p> <p>If vetoed, by next business day of receipt of veto document, Clerk to provide to "each member of council" (other than mayor), a copy and make it available to the public.</p> <p>Within 21 days of receiving the written veto document, Council can override the veto with a two-thirds vote.</p> <p>With respect to by-laws under the <i>Planning Act</i> (e.g., OPAs/ZBAs) notice requirements still apply, as do open house and hearing provisions of the Act; this section does not relieve the mayor of these duties.</p>	
<b>Duty to Prepare Budget</b>	<p><b>Proposing and adopting a budget</b> is assigned to mayor.</p> <p>On or before February 1, the mayor shall prepare a proposed budget, that includes estimates of sums required under section 290(1) of the <i>Municipal Act, 2001</i>, and provide said proposed budget to each member of Council/Council for its consideration, and make it available to the public.</p> <p>If mayor does not meet this deadline, Council to prepare and adopt the budget.</p>	<p>No.</p> <p>Only forfeited to Council, if mayor does not submit budget.</p>	<p>Provide proposed budget to clerk and each member of Council (on or before February 1 of each year).</p> <p>After receiving the proposed budget, and within 30 days, Council can pass a resolution to <b>amend the budget</b> (section 284.16(3); section 7(3) of O. Reg. 530/22).</p> <p>If no resolution to amend within timeline, the proposed budget is deemed to be adopted</p>	<p>Proposed budget to be made available to the public.</p> <p>Mayor's Veto Document to be provided to each member of council and clerk on day of veto.</p>

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			<p>(section 7(5) of O. Reg. 530/22).</p> <p>If resolution to amend is made, may can within 10 days after the 30-day deadline (noted above) <b>veto the amendment</b>; on day of veto, mayor to provide Veto Document to each member of Council and clerk, including reasons for the veto; the amendment is deemed not to have passed (section 284.16(4); section 7(6) of O. Reg. 530/22).</p> <p>If veto is made, council may <b>override the veto</b> within 15 days after the 10-day deadline (noted above) with a two-thirds vote; if successful override, the resolution to amend shall be deemed to be passed by council (section 284.16(5); section 7(1) of O. Reg. 530/22).</p> <p>After the expiry of the time-period for council to override the mayor's veto, the proposed budget is deemed to be adopted by municipality (section 7(14) of O. Reg. 530/22).</p> <p>Note that above <b>deadlines can be shortened</b> by mayor or council in a year (e.g., timelines to shorten time-period to pass an amending resolution, veto, override) (sections 7(4), (7), and (11) under O. Reg. 530/22).</p>	
<b>Duty to Present In-Year Budget</b>	Mayor may prepare a proposed <b>budget amendment in the year</b> for a <b>"general local municipality levy"</b>		Provide proposed budget amendment to clerk and each member of council.	Proposed budget amendment

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<b>Amendments</b>	<p>or “<b>special local municipality levy</b>”.</p> <p>Council remains authorized to make in-year budget amendments where no supplementary levy is required and the budget remains balanced (e.g., quarterly variance reports result in moving budgeted amounts around).</p>		<p>After receiving the proposed budget amendment, and within 21 days, Council can pass a resolution to <b>amend the budget amendment</b> (section 9(2) of O. Reg. 530/22).</p> <p>If no resolution to amend within timeline, the proposed budget is deemed to be adopted (section 9(4) of O. Reg. 530/22).</p> <p>If resolution to amend is made, mayor can within 5 days after the 21-day deadline (noted above) <b>veto the amendment</b>; on day of veto, mayor to provide Veto Document to each member of Council and clerk, including reasons for the veto (section 9(5) of O. Reg. 530/22); the amendment is deemed not to have passed (section 9(7) of O. Reg. 530/22).</p> <p>If veto is made, council may <b>override the veto</b> within 10 days after the 5-day deadline (noted above) with a two-thirds vote (section 9(9) of O. Reg. 530/22); if successful override, the resolution to amend shall be deemed to be passed by council.</p> <p>Note that the mayor can vote as a member of council in a vote to override a veto (section 9(11) of O. Reg. 530/22).</p> <p>After the expiry of the time-period for council to override the mayor’s veto,</p>	to be made available to the public.

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			<p>the proposed budget amendment is deemed to be adopted by municipality (section 9(13) of O. Reg. 530/22).</p> <p>Note that above <b>deadlines can be shortened</b> by mayor or council in a year (e.g., timelines to shorten time-period to veto and override an in-year budget amendment) (sections 9(6) and (10) under O. Reg. 530/22).</p>	