



The Corporation of the Town of Pelham

By-law No. 57-2025

Being a By-law to delegate certain statutory powers and duties of the Corporation of the Town of Pelham to municipal staff.

WHEREAS section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*" or "the statute") provides that the powers of a municipality under the statute or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the statute or any other Act;

AND WHEREAS section 23.1 of the *Municipal Act, 2001* authorizes a municipality to delegate its powers and duties under the statute or any other Act, subject to certain rules and restrictions;

AND WHEREAS section 224 of the *Municipal Act, 2001* provides that the role of Council includes ensuring that administrative policies, practices and procedures are in place to implement the decisions of Council;

AND WHEREAS section 227 of the *Municipal Act, 2001* provides that the role of officers and employees of a municipality includes implementing Council's decisions and establishing administrative practices and procedures to carry out Council's decisions;

AND WHEREAS section 270 of the *Municipal Act, 2001* provides that a municipality must adopt and maintain policies with respect to the delegation of its powers and duties;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it desirable to delegate certain administrative, legislative and quasi-judicial powers to municipal staff and to enact this By-law for that purpose;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. Purpose

1.1. The purpose of this By-law is to delegate certain administrative, legislative and quasi-judicial powers of the Corporation of the Town of Pelham to municipal staff to enhance the efficiency of municipal operations while adhering to the principles of accountability and transparency.

2. Definitions

2.1. In this By-law and in Schedules "A" through "G", which are appended hereto and form part of this By-law:

"Approval" means the authority to approve the form and content of an agreement, contract, release, waiver, application, or other document intended to bind the Town and **"Approve"** has a corresponding meaning.

"Approved Budget" means the annual budget proposed by the Mayor and adopted by the Town in accordance with section 284.16 of the *Municipal Act, 2001* and O. Reg. 530/22.

“Chief Administrative Officer” or “CAO” means the Chief Administrative Officer of the Town appointed in accordance with section 229 of the *Municipal Act, 2001* or, where the CAO is absent or unable to act, the Director appointed to act as the CAO for the duration of the CAO’s absence or incapacity.

“Chief Building Official” or “CBO” means the person appointed by the Town as the Chief Building Official of the Town in accordance with section 3 of the *Building Code Act, 1992*, S.O. 1992, c. 23.

“Clerk” means the Clerk of the Town, appointed in accordance with section 228 of the *Municipal Act, 2001*, or designate.

“Council” means the Council of the Town.

“Delegate” means an employee of the Town to whom Council has delegated any power, duty, or function under this By-law.

“Department” means a functional division within the administrative structure of the Town, such as Finance, Public Works, Fire and By-law Services, or Clerks.

“Director” means the Director of a Department or designate.

“Emergency” means an event that is determined by the CAO or the Fire Chief to constitute a threat to public health, essential Town services, the welfare of persons or public property, and/or the physical assets of the Town.

“Execution” means the authority to sign on behalf of the Town an agreement, contract, release, waiver, application, or other document intended to bind the Town, and **“Execute”** has a corresponding meaning.

“Fire Chief” means the Director of Fire and By-law Services of the Town.

“Legal Proceeding” means any court or administrative tribunal proceeding brought by or against the Town.

“Limitation” means a restriction specified in a Schedule to this By-law, which must be complied with prior to the exercise of the delegated authority provided for in that Schedule.

“Mayor” means the person elected or appointed to the office of mayor of the Town and the head of Council.

“Procurement Policy” means Town of Pelham Policy No. S402-00, Procurement Policy – Purchasing Goods and Services, as updated or amended from time to time.

“Town” means the Corporation of the Town of Pelham or the geographic area of the municipality, as the context requires.

“Town Solicitor” means the Town Solicitor employed by the Town and any external legal counsel acting under the direction of the Town Solicitor and/or the CAO.

“Treasurer” means the person appointed by the Town as the treasurer of the Town in accordance with section 286 of the *Municipal Act, 2001*.

“Usual Operations” means the activities and administrative decision-making required as part of the day-to-day operations of a Department in the ordinary course of business, which are not legislative or quasi-judicial in nature.

3. General Provisions

3.1. Council delegates the powers and duties set out in Schedules “A” through “G” to the Delegates listed therein and subject to any Limitations specified therein.

- 3.2. For the purpose of section 23.2(4) of the *Municipal Act, 2001*, it is the opinion of Council that any legislative powers delegated in this By-law are of a minor nature having regard to the number of people, the size of the geographic area, and the time period affected by the exercise of each such power.
- 3.3. Notwithstanding subsection 3.1 of this By-law, Council retains the authority, at any time and without notice, to make, reconsider, restrict, or revoke any delegation of a power or duty under this By-law.
- 3.4. Any variation, reconsideration, or revocation of a delegated authority pursuant to subsection 3.3 of this By-law shall have no effect on the validity of an action undertaken in accordance with a valid delegation and occurring before the delegation was varied, reconsidered, or revoked.
- 3.5. It is a condition of every delegation of a power or duty under this By-law that the Delegate must exercise the delegated power or discharge the delegated duty honestly, in good faith, and in the best interests of the Town.

4. **Nature and Scope of Delegations**
 - 4.1. Where authority to exercise any power, duty, or function is delegated to any Delegate under this By-law, the CAO may also exercise that authority.
 - 4.2. The CAO is authorized to further delegate to any Director any power, duty or function delegated to the CAO by Council under this By-law or any other By-law or resolution of Council, provided that such delegations are authorized by the CAO in writing.
 - 4.3. Except as otherwise required by law, if a position to which any power, duty, or function is delegated under this By-law is vacant or no longer exists within the Town, the authority delegated to that position may be exercised by the CAO, or a Director designated by the CAO, until the position is no longer vacant or a new delegation for the corresponding authority is approved by Council.
 - 4.4. Except in the event of an Emergency, no Delegate shall Approve a matter or Execute any document unless the transaction or activity to which it relates:
 - (a) is included in the Approved Budget;
 - (b) is included in a program, project, or activity approved by Council;
 - (c) is reasonably incidental to the authority of the Delegate under this By-law and to the Delegate's duties and responsibilities to the Town; and/or
 - (d) is administrative or operational in nature and relates to a Department's Usual Operations or the management of the Town.
 - 4.5. In the event of an Emergency, where it is necessary to take action to protect or preserve the Usual Operations of a Department, but such action is not strictly within or reasonably incidental to the authority of a Delegate under this By-law, the Director of the Department, in consultation with the CAO, may take such action as is necessary to respond to the Emergency.
 - 4.6. All action taken to respond to an Emergency shall be reported to Council as soon as is practicable.
 - 4.7. No provision of this By-law shall be construed as waiving any provision of the Procurement Policy, which shall continue to apply to the procurement of goods and services by the Town.

5. Execution of Documents

- 5.1. The Mayor and Clerk are hereby appointed signing officers for the Town and may jointly Execute any document on behalf of the Town, unless otherwise provided for in the Schedules to this By-law.
- 5.2. Authority to Execute documents described in the Schedules to this By-law is delegated to the Delegate(s) identified in respect of each such document, without the necessity to obtain Council approval, provided that any terms, conditions, pre-requisites or requirements set out in the Schedule(s) pertaining to the document are satisfied prior to Execution.
- 5.3. Where Execution of a document is authorized by this By-law, the Execution of other documents to renew, extend or amend the document is also authorized, provided that any terms, conditions, pre-requisites or requirements applicable to the Execution of the original document are satisfied prior to Execution.
- 5.4. Documents Executed in accordance with this By-law are binding on the Town to the same extent as if they had been individually approved by Council and Executed on behalf of the Town.
- 5.5. Where any document has been Executed in compliance with this By-law, the Clerk may affix the seal of the Town to the document.

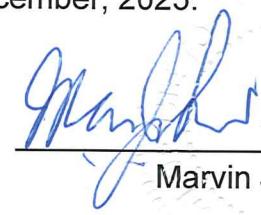
6. General

- 6.1. The short title of this By-law is the “Delegation of Authority By-law”.
- 6.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 6.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 6.4. If any delegation contained in this By-law is inconsistent with Part VI.1 of the *Municipal Act, 2001*, Special Powers and Duties of the Head of Council, including directions issued by the Mayor, the delegation will be read down so as not to be inconsistent with Part IV.1 of the *Municipal Act, 2001*.
- 6.5. This By-law shall be read with all changes in number or gender as are required by context.
- 6.6. Any reference to legislation in this By-law includes the statute, all regulations made thereunder, and any amendment, replacement, subsequent enactment or consolidation of such statute and/or regulations.
- 6.7. The Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

7. Enactment

- 7.1. By-law Nos. 4307-2021, 4387-2021, and 30-2023, and all Schedules to the said By-laws, are hereby repealed and replaced.
- 7.2. This By-law shall come into force on the date it is signed.

Read, enacted, signed and sealed this 17th day of December, 2025.



Marvin Junkin, Mayor



Sarah Leach, Acting Town Clerk

List of Schedules to By-law No. 57-2025

Schedule	Department
Schedule "A"	Office of the Chief Administrative Officer
Schedule "B"	Clerks
Schedule "C"	Corporate Services
Schedule "D"	Community Planning and Development
Schedule "E"	Fire and By-law Services
Schedule "F"	Public Works
Schedule "G"	Recreation, Culture and Wellness

Glossary of Abbreviations in Schedules

Abbreviation	Meaning
AGCO	Alcohol and Gaming Commission of Ontario
BCA	<i>Building Code Act, 1992, S.O. 1992, c. 23</i>
CA	<i>Condominium Act, 1998, S.O. 1998, c. 19</i>
CCC	<i>Criminal Code of Canada, R.S.C. 1985, c. C-46</i>
CEMC	Community Emergency Management Coordinator
CJA	<i>Courts of Justice Act, R.S.O. 1990, c. C.43</i>
CTAA	<i>Commissioners for Taking Affidavits Act, R.S.O. 1990, c. C.17</i>
EPA	<i>Environmental Protection Act, R.S.O. 1990, c. E.19</i>
FBCSA	<i>Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 23</i>
FPPA	<i>Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4</i>
GCA	<i>Gaming Control Act, 1992, S.O. 1992, c. 24</i>
HTA	<i>Highway Traffic Act, R.S.O. 1990, c. H.8</i>
LLCA	<i>Liquor Licence and Control Act 2019, S.O. 2019, c. 15, Sched. 21</i>
MA	<i>Municipal Act, 2001, S.O. 2001, c. 25</i>
MD	Mayoral Decision
MEA	<i>Municipal Elections Act, 1996, S.O. 1996, c. 32</i>
MFIPPA	<i>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56</i>
MRA	<i>Marriage Act, R.S.O. 1990, c. M.3</i>
OHA	<i>Ontario Heritage Act, R.S.O. 1990, c. O.18</i>
OHSA	<i>Occupational Health and Safety Act, R.S.O. 1990, c. O.1</i>
OIC	Order-in-Council
OWRA	<i>Ontario Water Resources Act, R.S.O. 1990, c. O.40</i>
PA	<i>Planning Act, R.S.O. 1990, c. P.13</i>
SDWA	<i>Safe Drinking Water Act, 2002, S.O. 2002, c. 32</i>
VSA	<i>Vital Statistics Act, R.S.O. 1990, c. V.4</i>



Schedule "A"

Office of the Chief Administrative Officer

#	Delegated Authority	Delegate(s)	Source	Rules/Restrictions/Limitations
Corporate Administration				
1.	Approve and Execute agreements to (i) acquire lands in fee simple required for municipal purposes; and (ii) dispose of lands as required for municipal purposes	CAO	MA, s. 270	<ul style="list-style-type: none">• Terms of agreement acceptable to Town Solicitor• Value of consideration must not exceed \$100,000
2.	Approve and Execute leases, licenses, and agreements to lease or license real property (i) belonging to the Town; or (ii) required by the Town for municipal purposes	CAO	MA, s. 270	<ul style="list-style-type: none">• Terms of agreement acceptable to Town Solicitor• Value of consideration must not exceed \$10,000
3.	Approve and Execute agreements to (i) acquire temporary or permanent easements required for approved capital projects or municipal purposes; and (ii) dispose of easements if no longer required	CAO Town Solicitor	MA, s. 270	<ul style="list-style-type: none">• Terms of easement agreement acceptable to Town Solicitor• Value of consideration must not exceed \$100,000 for CAO approval• Value of consideration must not exceed \$50,000 for Town Solicitor approval
4.	Develop and implement administrative policies, procedures, and practices as required by MA s. 229	CAO	MA, s. 229	<ul style="list-style-type: none">• Develop policies/procedures in consultation with Director(s) of affected Department(s)
5.	Recommend to Council any recruitment, selection, or appointment of new Directors	CAO	MA, ss. 270, 284.13 MD 2025-01	<ul style="list-style-type: none">• Consult with Director of People Services
6.	Complete annual performance evaluations for each Director and recommend to Council any promotion, demotion, suspension, or dismissal of Directors	CAO	MA, ss. 270, 284.13 MD 2025-01	<ul style="list-style-type: none">• Notify Director of People Services
7.	Employ, promote, demote, discipline, suspend, or dismiss any employee below the rank of Director	CAO	MA, ss. 270, 284.13 MD 2025-01	<ul style="list-style-type: none">• Notify Director of People Services• Consult with Director(s) of involved Department(s)

8.	Approve pay equity adjustments and salary grid movements	CAO Director of People Services	MA, s. 229	<ul style="list-style-type: none"> • Consult with Director(s) of involved Department(s)
9.	Approve temporary staff positions of two (2) years or less, adapt existing part-time positions to full-time positions, or the reverse	CAO	MA, ss. 270, 284.13 MD 2025-01	<ul style="list-style-type: none"> • Funds must be available in Approved Budget • Must be deemed essential to achieve Town objectives • Alternate methods of achieving objectives must be evaluated and proven more costly or less effective than staffing position
10.	Ensure compliance with legislated occupational health and safety requirements	CAO Director of People Services CEMC	OHSA	<ul style="list-style-type: none"> • Consult with Director(s) of involved Department(s) • Consult with Director(s) serving on Health & Safety Committee
11.	Identify and declare internal conflicts in human resource, employee conduct, and legal matters	CAO	MA, s. 229	
12.	Approve expenditures required to respond to an Emergency	CAO Fire Chief	MA, s. 229	<ul style="list-style-type: none"> • Consult with Treasurer if circumstances permit
13.	Manage claims and Legal Proceedings against the Town, including resolution where appropriate	Town Solicitor CAO	MA, s. 9	<ul style="list-style-type: none"> • Claim/Legal Proceeding must be within insurance deductible or outside insurance coverage • Report to Council on all Legal Proceedings from time to time
14.	Approve agreements and amending agreements to acquire works, goods, and/or services required for the Usual Operations of the Town	CAO	MA, s. 229, 270	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor • Value of consideration must not exceed \$100,000
15.	Reject bids/submissions received during competitive procurement process as stipulated in Procurement Policy and/or based on past performance of bidder	CAO	MA, s. 270 Procurement Policy	<ul style="list-style-type: none"> • Consult with Director(s) of procuring Department(s) • Must be based on applicable criteria in Procurement Policy
Legal Services				
1.	Accept service of documents on behalf of the Town in relation to Legal Proceedings	Town Solicitor Clerk	MA, s. 9 CJA	<ul style="list-style-type: none"> • Notify CAO of documents that initiate Legal Proceedings

2.	Take necessary steps to defend and/or participate in Legal Proceedings involving the Town, including initiating counterclaims and/or third party claims and obtaining participant or party status	Town Solicitor	MA, s. 9 CJA	<ul style="list-style-type: none"> Claim/Legal Proceeding must be within insurance deductible or outside insurance coverage Report to Council on all Legal Proceedings from time to time
3.	Commence Legal Proceedings on behalf of the Town where amount at issue is less than \$100,000, excluding interest and costs	Town Solicitor	MA, s. 9	<ul style="list-style-type: none"> Report to Council on all Legal Proceedings from time to time
4.	Commence Legal Proceedings on behalf of the Town where amount at issue is \$100,000 or more, excluding interest and costs, to ensure no limitation period or time restriction expires before Council instructions can be obtained	Town Solicitor	MA, s. 9	<ul style="list-style-type: none"> Obtain Council instructions as soon as practicable Report to Council on all Legal Proceedings from time to time
5.	Retain and instruct external legal counsel, experts, and any other person whose assistance is required in actual or potential Legal Proceedings and/or to obtain legal advice on behalf of the Town	Town Solicitor	MA, s. 9	<ul style="list-style-type: none"> Cost of retainer must be within Approved Budget
6.	Support Committee of Adjustment decisions before Ontario Land Tribunal where Town staff support the decision at issue	Town Solicitor	PA, s. 45	<ul style="list-style-type: none"> Report to Council on all Legal Proceedings from time to time
7.	Where Committee of Adjustment decisions are not supported by Town staff, attend before the Ontario Land Tribunal only to request conditions, if any	Town Solicitor	PA, s. 45	<ul style="list-style-type: none"> Report to Council on all Legal Proceedings from time to time
8.	Where Committee of Adjustment appeal results in revised proposal or settlement that is supported by Town staff, attend before Ontario Land Tribunal to advise of the Town's position	Town Solicitor	PA, s. 45	<ul style="list-style-type: none"> Report to Council on all Legal Proceedings from time to time
9.	Approve documents required to initiate, defend, and conclude Legal Proceedings, including releases, waivers, indemnities and minutes of settlement	Town Solicitor	MA, s. 9	<ul style="list-style-type: none"> Report to Council on all Legal Proceedings from time to time
10.	Take necessary steps to enforce orders, decisions, awards and judgments made in favour of the Town	Town Solicitor	MA, s. 9	<ul style="list-style-type: none"> Report to Council on all Legal Proceedings from time to time

11.	Take necessary steps to protect or pursue the rights and interests of the Town in its capacity as owner, occupier, landlord or tenant of property	Town Solicitor	MA, s. 9	<ul style="list-style-type: none">• Consult with Director(s) of impacted Department(s)
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Schedule "B"

Clerks

#	Delegated Authority	Delegate(s)	Source	Rules/Restrictions/Limitations
1.	Execute agreements authorized by By-law	Clerk Mayor	MA, s. 225	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor • Affix corporate seal to executed document • Deputy Mayor may sign in Mayor's absence • Deputy Clerk or CAO may sign in Clerk's absence
2.	Execute contracts awarded pursuant to competitive procurement process under Procurement Policy	Clerk Mayor	MA, s. 270 Procurement Policy	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor • Affix corporate seal to executed document • Deputy Mayor may sign in Mayor's absence • Deputy Clerk or CAO may sign in Clerk's absence
3.	Execute nominal/routine title documents such as consent to release interest in land, transfer release, abandonment of easements, inhibiting orders, and similar documents	Clerk CAO Town Solicitor Mayor	MA, s. 270	<ul style="list-style-type: none"> • Subject to approval by Director(s) of relevant Department(s)
4.	Execute transfer payment agreements for grants and other funding received by the Town	Clerk Treasurer Mayor	MA, s. 9	<ul style="list-style-type: none"> • Application for grant or funding approved by Council resolution • Two signatures required • Deputy Mayor may sign in Mayor's absence • Deputy Clerk or CAO may sign in Clerk's absence
5.	Serve as Returning Officer for all municipal general elections and by-elections for the Town	Clerk	MEA	<ul style="list-style-type: none"> • Prepare and update forms and written procedures for all components of conducting elections
6.	Administer all municipal general elections and by-elections for the Town	Clerk	MEA	<ul style="list-style-type: none"> • Comply with all applicable legislative requirements

7.	Administer municipal permit and licensing systems for special events, vendors, temporary patio permits	Clerk Deputy Clerk Legislative Coordinator Council/Committee Coordinator	MA, s. 151	<ul style="list-style-type: none"> • Subject to approval by Director(s) of impacted Department(s) • Comply with all applicable Town policies and By-laws
8.	Approve subsequent/repetition of proclamations and flag raisings initially approved by Council	Clerk	MA, s. 9	<ul style="list-style-type: none"> • Initial proclamation or flag raising requires Council approval • Comply with Town Policy Nos. S203-17 and S203-14
9.	Designate and declare events as being of municipal significance for purpose of prescribing it as a special occasion for which the AGCO may issue a permit	Clerk	LLCA	<ul style="list-style-type: none"> • Application made to AGCO for special occasion permit • Applicant demonstrates compliance with AGCO regulations • Consult with licensing authorities of Town and Niagara Region
10.	Apply for AGCO special occasion permits for Town	Clerk	LLCA	<ul style="list-style-type: none"> • Comply with AGCO regulations
11.	Approve temporary outdoor physical extensions (patios) for premises with liquor sales license	Clerk	LLCA	<ul style="list-style-type: none"> • Consult with Director(s) of relevant Department(s) • Comply with all AGCO regulations
12.	Complete Municipal Information Forms for liquor licence applications to identify wet/damp/dry status	Clerk	LLCA	<ul style="list-style-type: none"> • Consult with Director(s) of relevant Department(s) • Comply with all AGCO regulations
13.	Issue approvals for general fundraising initiatives held by non-profit organizations	Clerk	GCA	<ul style="list-style-type: none"> • Comply with all AGCO regulations
14.	Issue lottery licences	Clerk Deputy Clerk Legislative Coordinator Council/Committee Coordinator	CCC OIC 1413/08 GCA	<ul style="list-style-type: none"> • Comply with all AGCO regulations • Comply with Town Policy No. S203-05
15.	Manage retention and preservation of Town records	Clerk	MA, s. 254	<ul style="list-style-type: none"> • Comply with By-law No. 3900(2017) and Retention Schedule • Comply with Town Policy No. S203-04

16.	Serve as head of institution for <i>MFIPPA</i> purposes and exercise all powers and duties under <i>MFIPPA</i>	Clerk	<i>MFIPPA</i>	<ul style="list-style-type: none"> • Comply with all <i>MFIPPA</i> requirements • Comply with Town Policy No. S203-10
17.	Maintain policy manual	Clerk	<i>MA</i> , s. 270	<ul style="list-style-type: none"> • Maintain and update manual with all Council-approved policies
18.	Effect minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical, or descriptive nature to Town By-laws and policies	Clerk	<i>MA</i> , s. 9	
19.	Appoint non-statutory positions such as Weed Inspector, By-law Officer, Administrative Penalty System Hearing Officer, and similar positions	Clerk	<i>MA</i> , s. 9	<ul style="list-style-type: none"> • Subject to approval by CAO
20.	Conduct administrative penalty system screenings for parking and non-parking matters	Clerk Deputy Clerk Legislative Coordinator Council/Committee Coordinator	<i>MA</i> , s. 102.1 <i>MA</i> , s. 434.1	<ul style="list-style-type: none"> • Comply with By-law Nos. 68-2023 and 69-2023, as updated or amended from time to time
21.	By virtue of office, serve as: Division Registrar, Commissioner of Oaths, Marriage Officiant, Licensing of Marriage	Clerk	<i>MRA</i> <i>CTAA</i> <i>VSA</i>	<ul style="list-style-type: none"> • Comply with all applicable legislative requirements

Schedule "C"
Corporate Services

#	Delegated Authority	Delegate(s)	Source	Rules/Restrictions/Limitations
General Finance				
1.	Direct disposition of land sale proceeds if Council has not specified use of funds	Treasurer	MA, s. 286	<ul style="list-style-type: none"> • Subject to approval of CAO
2.	Instruct Town Solicitor in Legal Proceedings before the Assessment Review Board, including settlement where appropriate	Treasurer	MA, s. 286	<ul style="list-style-type: none"> • Consult with Tax Clerk
3.	Approve applications for tax relief made under MA ss. 356, 357, 358, and 359, to maximum of \$10,000	Treasurer	MA, ss. 356, 357, 358, 359	<ul style="list-style-type: none"> • Report to Council from time to time
4.	Approve agreements with the Municipal Property Assessment Corporation for electronic download of property assessment information	Treasurer	MA, s. 286	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor
5.	Approve agreements pursuant to the Development Charges By-law of the Town, as enacted, updated or amended from time to time	Treasurer	MA, s. 286	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor
6.	Transfer funds to appropriate reserves, including in excess of amounts listed in Town Reserve Fund Policy No. S400-08 when funds are available	Treasurer	MA, s. 286	<ul style="list-style-type: none"> • Consult with Director(s) of impacted Department(s) • Comply with Town Policy No. S400-08
Procurement and Purchasing				
1.	Manage procurement of goods and services	Treasurer Purchasing Coordinator	MA, s. 270 Procurement Policy	<ul style="list-style-type: none"> • Comply with requirements of Procurement Policy
Information Technology				
1.	Execute recurring annual agreements for technical software support services and data licences	IT Manager	MA, s. 9	<ul style="list-style-type: none"> • Subject to annual review by Treasurer and/or CAO • Expenditure must be within Approved Budget • Terms of agreement acceptable to Town Solicitor

2.	Execute OECM client/supplier agreements for IT professional services and/or technical support as required	IT Manager	MA, s. 9	<ul style="list-style-type: none"> • Subject to annual review by Treasurer and/or CAO • Expenditure must be within Approved Budget • Terms of agreement acceptable to Town Solicitor
3.	Approve and release future software source code developed and owned by Town to the Open Source community under appropriate licensing terms	IT Manager	MA, s. 9	<ul style="list-style-type: none"> • Release must be likely to benefit Town and/or community • Subject to approval by CAO • Licensing terms acceptable to Town Solicitor
General				
1.	Approve and Execute agreements and documents required for the Usual Operations of the Department	Treasurer	MA, s. 9	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor

Schedule "D"

Community Planning and Development ("CPD")

#	Delegated Authority	Delegate(s)	Source	Rules/Restrictions/Limitations
Planning Division				
1.	Condominium Approval and Part Lot Control	Director of CPD	PA CA	<ul style="list-style-type: none"> • Comply with Town By-law No. 4274(2020)
2.	Approve and Execute Site Plan Agreements and amendments to Site Plan Agreements	Director of CPD	PA, s. 41	
3.	Approve and Execute Subdivision Agreements and amendments to Subdivision Agreements	Director of CPD	PA, s. 51	
4.	Discretion to grant extensions of time for draft plan approval where needed to fulfill draft plan conditions	Director of CPD	PA, s. 41 PA, s. 51	
5.	Issue final subdivision approval	Director of CPD	PA, s. 51	<ul style="list-style-type: none"> • Technical clearances of draft plan conditions must be received from all Departments and commenting agencies
6.	Approve and Execute Development Agreements for Temporary Second Dwelling Units/Additional Residential Units	Director of CPD	PA	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor
7.	Remove or Lift Holding Zone designation when all applicable conditions have been fulfilled	Director of CPD	PA	<ul style="list-style-type: none"> • Holding provision repealed by subsequent Council by-law
8.	Approve heritage permits for alterations, additions or changes to designated heritage structures	Director of CPD	PA OHA Policy No. S300-06	<ul style="list-style-type: none"> • Comply with all applicable legislative requirements • Comply with requirements of Policy No. S300-06
9.	Approve minor alterations to designated heritage structures without a heritage permit	Director of CPD	PA OHA	
10.	Identify and designate heritage trees and significant community trees in accordance with Town Policy No. S300-06, the Heritage Policy	Director of CPD	OHA Policy No. S300-06	<ul style="list-style-type: none"> • Comply with all applicable legislative requirements • Comply with requirements of Policy No. S300-06

11.	Identify Heritage Trees and Significant Community Trees to be regulated by Niagara Region By-law No. 2020-79 pursuant to Town By-law No. 29-2025	Director of CPD	<i>MA</i> , s. 135	<ul style="list-style-type: none"> • Comply with Policy No. S300-06, Town By-law No. 29-2025, and Niagara Region By-law No. 2020-79
12.	Authority to Approve and Execute Development Agreements that are a condition of Committee of Adjustment decision	Director of CPD	<i>PA</i> , s. 45	
13.	Minor Zoning By-law Amendments	Director of CPD	<i>PA</i> , s. 39.2	
Building Division				
1.	Approve and Execute Limiting Distance Agreements	CBO	<i>BCA</i>	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor
2.	Approve and Execute Conditional Building Permit Agreements	CBO	<i>BCA</i>	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor
General				
1.	Approve and Execute agreements and documents required for the Usual Operations of the Department	Director of CPD	<i>MA</i> , s. 9	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor

Schedule "E"

Fire and By-law Services

#	Delegated Authority	Delegate(s)	Source	Rules/Restrictions/Limitations
Fire and Emergency Services Division				
1.	Approve and Execute Fire Service Agreements for provision of fire protection services to lands located outside Pelham or receive services from a fire department located outside of Pelham	Fire Chief	<i>FPPA</i>	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor • Information report to Council after Execution of agreement
2.	Activate an emergency plan and implement municipal emergency control group notification	CEMC		<ul style="list-style-type: none"> • Decisions made in accordance with Town Emergency Plan • Advise Mayor and CAO as soon as practicable
3.	Approve and Execute agreements for mutual or automatic aid management operations or emergency response outside scope of Emergency response such as but not limited to CBRNE, Hazmat, confined space, high angle rescue	Fire Chief	<i>MA</i> , s. 20	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor • Information report to Council after Execution of agreement
4.	Approve and Execute agreements for emergency management and emergency response for services such as Red Cross, Transit, Niagara Region Police, Ontario Provincial Police, etc.	Fire Chief	<i>MA</i> , s. 9	<ul style="list-style-type: none"> • Terms of agreement acceptable to Town Solicitor • Information report to Council after execution of agreement
5.	Process and issue permits for fireworks displays	Fire Chief	<i>MA</i> , s. 121	<ul style="list-style-type: none"> • Comply with Town By-law No. 2951(2008)
6.	Designate and amend Fire Routes as necessary	Fire Chief	<i>FPPA</i> , s. 7.1	<ul style="list-style-type: none"> • Corresponding amendments to Town By-laws regulating traffic and parking to be made and approved by Council resolution
7.	Take all proper measures for prevention, control and extinguishment of fires and protection of life and property and exercise powers mandated by <i>FPPA</i>	Fire Chief	<i>FPPA</i>	<ul style="list-style-type: none"> •
8.	Approve and Execute documents to provide fire and public safety training, facility and equipment rentals, and other related fees for services to external clients	Fire Chief	<i>MA</i> , s. 9	<ul style="list-style-type: none"> •

By-law Enforcement Division				
1.	Approve minor variances to Town By-law No. 49-2023, the Sign By-law, including, but not limited to extensions and minor technical non-compliance	Director of Fire & By-law Services	<i>MA</i> , s. 11	• Report to Council
General				
1.	Approve and Execute agreements and documents required for the Usual Operations of the Department	Director of Fire & By-law Services	<i>MA</i> , s. 9	• Terms of agreement acceptable to Town Solicitor

Schedule "F"

Public Works ("PW")

#	Delegated Authority	Delegate(s)	Source	Rules/Restrictions/Limitations
Beautification				
1.	Close municipal parks due to seasonal restrictions, inclement weather, and Emergency events	Director of PW Manager of PW	MA, s. 11	<ul style="list-style-type: none"> • Consult with Director of RCW
2.	Manage and perform maintenance, removals, and planting of trees within the Town's right-of-way and property	Manager of PW	MA, s. 9 MA, s. 44	
Cemeteries				
1.	Manage cemeteries under Town's jurisdiction	Director of PW Manager of PW	FBCSA	<ul style="list-style-type: none"> • Comply with all requirements of FBCSA and Town By-law No. 03-2024, the Cemeteries By-law
2.	Execute agreements for sales of interment rights	Director of PW Manager of PW	FBCSA	<ul style="list-style-type: none"> • Comply with all requirements of FBCSA and Town By-law No. 03-2024, the Cemeteries By-law
Engineering Services				
1.	Approve and Execute applications for new entrance permits and culvert installations and provide written confirmation to applicant of diameter of culvert required	Director of PW Manager of PW Manager of Engineering	MA, s. 9 MA, s. 44	
2.	Approve and Execute Front-Ending Agreements	Director of PW	MA, s. 9	<ul style="list-style-type: none"> • Consult with Director of CPD • Terms of agreement acceptable to Town Solicitor
3.	Approve and Execute water and waste-water service connection agreements	Manager of PW Manager of Engineering	MA, s. 9 MA, s. 11	

4.	Issue road occupancy permits and municipal consents for utility maintenance and works within right-of-way and/or for special event road closures	Director of PW	<i>MA</i> , s. 44	
5.	Approve and Execute wastewater and storm water connection agreements related to the Consolidated Linear Infrastructure Environmental Compliance Approval (CLI ECA) responsibilities of the Town	Director of PW	<i>EPA OWRA</i> , s. 53	<ul style="list-style-type: none"> • Comply with all CLI ECA and legislative requirements
Roads/Transportation Services				
1.	Temporarily close any highway or any portion of a highway for: <ol style="list-style-type: none"> construction, repair or improvement of the highway or any works, under, over, along, across, or upon the highway; social, recreational, community, athletic and/or cinematographic purposes; any request under emergency services; construction purposes when public safety may be impacted 	Director of PW	<i>MA</i> , s. 44	<ul style="list-style-type: none"> • Consult with Director(s) of applicable Department(s) and external agencies as appropriate
2.	Designate construction zones where municipal permit involves construction or repair of a highway or works near a highway, including authority to designate a lower rate of speed for vehicles traveling in construction zones	Director of PW	<i>HTA</i>	
3.	Approve and Execute agreements, including cost sharing agreements between the Town, Niagara Region and/or Local Area Municipalities, for road construction and/or road maintenance	Director of PW	<i>MA</i> , s. 20	<ul style="list-style-type: none"> • Value of consideration must not exceed \$100,000
4.	Temporary Reduction or Lifting of Load Limits on Highways, including designation of alternate routes where applicable	Director of PW	<i>HTA</i>	<ul style="list-style-type: none"> • Consult with Fire Chief

5.	Declare significant weather event to extend response time to achieve Minimum Maintenance Standards	Director of PW	MA, s. 44	
6.	Approve and Execute encroachment agreements on road allowances and over easements	Director of PW	MA, s. 9	
7.	Approve encroachment over easements with private property owners	Director of PW	MA, s. 9	
8.	Approve and Execute agreements with Railway Authorities for cost sharing of warning systems and maintenance at level railway crossings	Director of PW	MA, s. 9	• Value of consideration must not exceed \$100,000
9.	Negotiate with the Niagara Region for installation and maintenance of traffic control signal and safety systems	Director of PW	MA, s. 9	
10.	Amend Schedules to Town By-laws regulating traffic and parking	Director of PW	MA, s. 11	
11.	Provide reciprocal assistance to Public Works Departments in other Local Area Municipalities	Director of PW	MA, s. 20	

Water and Wastewater Services

1.	Execute applications to provincial authorities under the on behalf of the Town	Director of PW	OWRA	
2.	Provide reciprocal assistance to Public Works Departments in other Local Area Municipalities	Director of PW	MA, s. 20	
3.	Designate Overall Responsible Operator (ORO) and Drinking Water Quality Management System Representative for Town Water Distribution System	Director of PW	SDWA	

General

1.	Approve and Execute agreements and documents required for the Usual Operations of the Department	Director of PW	MA, s. 9	• Terms of agreement acceptable to Town Solicitor
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Schedule "G"

Recreation, Culture and Wellness

#	Delegated Authority	Delegate(s)	Source	Rules/Restrictions/Limitations
1.	Negotiate and approve agreements for performing arts and events hosted by the Town	Director of RCW	MA, s. 9	<ul style="list-style-type: none">• Terms of agreement acceptable to Town Solicitor
2.	Discretionary fee adjustments due to service interruptions	Director of RCW	MA, s. 9	
3.	Approve special events to be held in Town parks	Manager of RCW	MA, s. 9	
4.	Approve and Execute agreements and documents required for the Usual Operations of the Department	Director of RCW	MA, s. 9	<ul style="list-style-type: none">• Terms of agreement acceptable to Town Solicitor