

## THE CITY OF COURTENAY

### BYLAW NO. 3082

#### **A bylaw to provide for the delegation of authority for purchasing goods and services**

**WHEREAS** under section 154 of the Community Charter, Council may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees;

**AND WHEREAS** Council of the City of Courtenay wishes to delegate to its officers and employees certain powers, duties and functions;

**AND WHEREAS** Subject to the Community Charter unless a power, duty or function of Council has been expressly delegated by this bylaw or another City bylaw, all of the powers, duties and functions of Council remain with Council.

**NOW THEREFORE** Council of the City of Courtenay in open meeting assembled, hereby enacts as follows:

#### **Repeal**

1. Bylaw No. 2676 as “Delegation of Authority Bylaw No 2676, 2011”, and amendments thereto, is hereby repealed.

#### **Definitions**

2. In this bylaw:
  - a. “Assistant Managers” means any employee of the City that holds a position of assistant manager or their designate(s).
  - b. “CAO” or “Chief Administrative Officer” or “City Manager” means the chief administrative officer of the city or designate.
  - c. “CFO” means the Chief Financial Officer of the City or designate.
  - d. “City” means the Corporation of the City of Courtenay.
  - e. “Council” means the Council of the Corporation of the City of Courtenay.
  - f. “Director” means any employee of the City that holds a position of director and includes the fire chief and their designate(s).
  - g. “Manager” means any employee of the City that holds a position of manager, deputy fire chief or executive assistant or their designate(s).
  - h. “Supervisors” means any employee of the City that holds the position of supervisor or foreman or their designate(s).

#### **Procurement Transaction Authority Delegation**

3. Council hereby delegates to the City's officers and employees the powers, duties and function of Council to enter into transactions relating to the City's activities, works or services, subject to the approved financial plan and the limitations on that delegated authority set out in Schedule "A" of this bylaw and the Procurement Policy adopted by Council which may be amended from time to time.

### **Delegation**

4. A delegation of power, duty or function under this bylaw includes a delegation to a person who has, from time to time, been appointed to act on behalf of the delegate or is appointed by Council to act in the capacity of the delegate in the delegate's absence.
5. In the absence of a delegate, the power delegated under this bylaw may be exercised by a person who has been appointed to act in the capacity of the delegate, or the director of that person's division. In the absence of a director, the powers delegated under this bylaw may be exercised by the City Manager or the person designated as acting City Manager.

### **Limits on expenditures**

6. Despite the authority granted in section 3, an officer or employee of the City must not enter into an agreement of a capital nature under which the City would incur a liability payable after the end of the then current year for a term that is for more than five years, including all rights of renewal and extension.
7. An expenditure made by a person to whom Council has delegated authority under this bylaw must be within the City's approved financial plan.

### **Citation**

This Bylaw No. 3082 may be cited for all purposes as "City of Courtenay Delegation of Purchasing Authority Bylaw No. 3082, 2023."

Read a first time this 11<sup>th</sup> day of January, 2023

Read a second time this 11<sup>th</sup> day of January, 2023

Read a third time this 11<sup>th</sup> day of January, 2023

Finally passed and adopted this 25<sup>th</sup> day of January, 2023

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Mayor Bob Wells

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Adriana Proton, Corporate Officer

**Schedule A – Schedule of Delegated Authority Approval Limits**

| <b>Delegated Authority</b>        | <b>Approval Limit (excluding value added taxes)</b> |
|-----------------------------------|---|
| Assistant Managers or Supervisors | \$10,000  |
| Managers                          | \$25,000  |
| Directors                         | \$100,000   |
| Director and CFO or CAO           | Over \$100,000                                      |