

Authority: Notice of Motion J(7), moved by Mayor Miller, seconded by Deputy Mayor Feldman, as adopted by City of Toronto Council on April 12, 13 and 14, 2005
Enacted by Council: April 14, 2005

CITY OF TORONTO

BY-LAW No. 314-2005

To appoint Joseph P. Pennachetti as Deputy Manager and Chief Financial Officer and as Treasurer under the *Municipal Act, 2001*, and to repeal By-law No. 1122-2001, “To appoint a Chief Financial Officer and Treasurer.”.

WHEREAS under section 229 of the *Municipal Act, 2001*, the City may appoint a chief administrative officer; and

WHEREAS under clause 28(o) of the *Interpretation Act*, words authorizing the appointment of a public officer or functionary include the power of appointing a deputy to perform and have all the powers and authority of the public officer or functionary to be exercised in such manner and upon such occasions as are specified in the instrument appointing him or her, or such limited powers and authority as the instrument prescribes; and

WHEREAS under clause 28(j) of the *Interpretation Act*, words in an Act importing the singular number only include more persons of the same kind than one; and

WHEREAS under subsection 286(1) of the *Municipal Act, 2001*, the City shall appoint a treasurer who is responsible for handling all of the financial affairs of the municipality on behalf of and in the manner directed by Council; and

WHEREAS under the *Municipal Act, 2001*, the position of tax collector was eliminated and the treasurer now has all the powers and duties of the former tax collectors; and

WHEREAS the City appointed Joseph P. Pennachetti as the “Chief Financial Officer and Treasurer”, the City’s treasurer under the predecessor to subsection 286(1) of the *Municipal Act, 2001* and to the office of tax collector; and

WHEREAS Council has approved an administrative reorganization in which the City’s chief administrative officer is called the “City Manager” and the City’s chief financial officer is to be appointed as the “Deputy City Manager and Chief Financial Officer” and as treasurer under section 286 of the *Municipal Act, 2001*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Appointments.

- A. Joseph P. Pennachetti is appointed to the office of Deputy City Manager and Chief Financial Officer and shall have all the powers conferred and duties imposed upon the Deputy City Manager and Chief Financial Officer by Article III of Chapter 169, Officials, City, of The City of Toronto Municipal Code.
- B. Joseph P. Pennachetti is appointed as treasurer under section 286 of the *Municipal Act, 2001*.

- C. The appointments made under Subsections A and B are interim appointments that will become permanent upon the execution of an employment agreement.
- 2. By-law No. 1122-2001, "To appoint a Chief Financial Officer and Treasurer." is repealed.
- 3. This by-law comes into force on April 15, 2005.

ENACTED AND PASSED this 14th day of April, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)