

Authority: Item CC1.1, adopted as amended, by City of Toronto Council on December 4, 5 and 13, 2018 and Section 169-26 of City of Toronto Municipal Code Chapter 169, Officials, City

## **CITY OF TORONTO**

### **BY-LAW 17-2019**

**To amend various chapters in the City of Toronto Municipal Code and other City by-laws to make changes necessary to reflect organizational changes and changes in titles of certain City officials.**

Whereas pursuant to City of Municipal Code Chapter 169, Officials, City, the City Manager has authority to make changes to the organizational structure of the City administration; and

Whereas the City Manager has made changes to change the names of the three administrative clusters, the names of the corresponding Deputy City Managers, the name of the Chief Financial Officer and the name of the Treasurer; and

Whereas the changes made by the City Manager necessitate various amendments to the Municipal Code and to other City by-laws;

The Council of the City of Toronto enacts:

1. Municipal Code Chapter 169, Officials, City is deleted and replaced with Attachment 1 to this By-law.
2. Municipal Code Chapter 213, Real Property, Sale of, is amended by deleting "Chief Corporate Officer" where it appears and substituting "Deputy City Manager, Corporate Services".
3. The Municipal Code is amended by:
  - (1) deleting "Deputy City Manager, Internal Corporate Services" where it appears and substituting "Deputy City Manager, Corporate Services";
  - (2) deleting "Deputy City Manager, Social and Community Services" or "Deputy City Manager, Cluster A" and substituting "Deputy City Manager, Community and Social Services";
  - (3) deleting "Deputy City Manager, Planning and Public Works" or "Deputy City Manager, Cluster B" and substituting "Deputy City Manager, Infrastructure and Development Services";
  - (4) deleting "Chief Financial Officer" where it appears and substituting "Chief Financial Officer and Treasurer"; and
  - (5) deleting "Treasurer" where it appears and substituting "Controller", with the exception of where the reference to treasurer is in respect of the treasurer or deputy treasurer appointed under section 138 of the City of Toronto Act, 2006.

4. Municipal Code Chapter 217, Corporate Records, and Chapter 257, Signing Authority, are amended by deleting reference to the "Chief Corporate Officer".
5. By-law 465-2015 is amended by deleting "Deputy City Manager (Social and Community Services)" where it appears and substituting "Deputy City Manager, Community and Social Services".
6. By-law 1114-2017 is amended by deleting "Deputy City Manager, Internal Corporate Services" where it appears and substituting "Deputy City Manager, Corporate Services".
7. By-law 327-2018 is amended by deleting "Deputy City Manager (Planning and Public Works)" where it appears and substituting "Deputy City Manager, Infrastructure and Development Services".
8. By-law 1269-2018 is amended by deleting "Chief Financial Officer" where it appears and substituting "Chief Financial Officer and Treasurer".
9. This by-law shall be deemed to have come into force on October 23, 2018.

Enacted and passed on December 13, 2018.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

**Attachment 1**

**Chapter 169**

**OFFICIALS, CITY**

**ARTICLE 1  
City Manager**

**§ 169-1.1. Senior official; deputy managers.**

- A. The City Manager is the City's chief administrative officer under the City of Toronto Act, 2006.
- B. The City Manager provides organizational leadership to staff and is responsible for the efficient and effective delivery of services.
- C. The City Manager is assisted by three Deputy City Managers and a Chief Financial Officer and Treasurer.
- D. A Deputy City Manager reports to the City Manager and shall perform the duties and exercise the responsibilities that are assigned by the City Manager or Council.

**§ 169-1.2. Administration and operation responsibilities.**

The City Manager is the head of the administrative and operational aspects of the government of the City of Toronto and is responsible to the Council for the proper administration of the affairs of the City, including organizational restructuring, in accordance with the by-laws adopted by the Council.

**§ 169-1.3. Development and implementation of policies, plans and programs.**

The City Manager is responsible for providing effective advice and support to the Mayor and Council in developing and implementing the policies, plans and programs of Council.

**§ 169-1.4. Management of resources.**

The City Manager shall manage the human, fiscal and physical resources of the City.

**§ 169-1.5. Power to appoint, promote, demote, suspend and dismiss.**

The City Manager shall appoint, promote, demote, suspend and dismiss, subject to the provisions of any personnel regulations adopted by Council or collective agreements applicable to employees of the City, all employees of the City except the following:

- A. The first level of senior management;
- B. The Auditor General, Integrity Commissioner, Lobbyist Registrar and Ombudsman and the staff of their offices; and
- C. Other statutory officials.

**§ 169-1.6. Recommendations concerning first level senior management and statutory officials.**

The City Manager shall recommend to Council the appointment and dismissal of first level senior management and statutory officials of the City.

**§ 169-1.7. Exception.**

Despite § 169-1.6, the City Manager shall not recommend the appointment and dismissal of:

- A. The Auditor General.
- B. The Integrity Commissioner.
- C. The Lobbyist Registrar.
- D. The Ombudsman.

**§ 169-1.8. Additional duties and responsibilities.**

The City Manager shall carry out such additional duties and exercise such additional responsibilities as the Council may, from time to time, prescribe.

**§ 169-1.9. Limitation of powers.**

Nothing in this article shall be deemed to empower the City Manager to exercise or encroach upon the powers of Council or its committees or upon the statutory duties of its officers.

**§ 169-1.10. Appointment of alternates.**

As designated in writing from time to time by the City Manager, a Deputy City Manager or the Chief Financial Officer and Treasurer is authorized to act in the place of the City Manager when the City Manager is absent from the City Manager's duties due to travel, illness or otherwise.

ARTICLE 2  
City Clerk

**§ 169-2.1. Responsibility.**

In addition to all duties imposed upon the Clerk by the City of Toronto Act, 2006 and any other statutes and by any by-law of the Council, the Clerk shall have full charge and control of and be fully responsible for the conduct of the City Clerk's Office for the City of Toronto.

**§ 169-2.2. Information and records management.**

- A. The City Clerk shall set objectives for the management of information and records.
- B. The City Clerk shall consult with other City divisions and develop the framework of policies, standards, procedures, programs and systems needed for the effective and efficient fulfillment of objectives for the management of City information and records.

**§ 169-2.3. Powers and duties under the Municipal Freedom of Information and Protection of Privacy Act.**

- A. Subject to Subsection B, City Council delegates to the City Clerk the powers and duties of the head set out in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and the City Clerk shall exercise all of the powers and duties granted or vested in the head of the City under MFIPPA for the City.
- B. Where the City Clerk is aware of a situation where the City Clerk is unable to exercise the powers or duties of the head, the City Manager, upon notification from the City Clerk, shall be empowered, as an alternate, to exercise those powers and perform those duties.

**§ 169-2.4. Authority to process by-laws.**

The City Clerk may process by-laws where an action is authorized by Council and if the recommendation to amend a by-law or introduce a bill has been omitted or if there is an error in the reference to the by-law that should be amended or if it is necessary to repeal a by-law.

**§ 169-2.5. Additional duties and responsibilities.**

The Clerk shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

**ARTICLE 3****Deputy City Manager, Corporate Services, Chief Financial Officer and Treasurer and Controller****§ 169-3.1. Deputy City Manager, Corporate Services, responsibilities.**

The Deputy City Manager, Corporate Services, is responsible for the internal corporate services at the City and shall perform the duties and exercise the responsibilities that are assigned to the Deputy City Manager, Corporate Services by the City Manager and Council.

**§ 169-3.2. Chief Financial Officer and Treasurer, responsibilities.**

In addition to the duties imposed on a treasurer under the City of Toronto Act, 2006, other legislation and City by-laws, the Chief Financial Officer and Treasurer is responsible for the financial management and affairs of the City and shall perform the duties and exercise the responsibilities that are assigned to the Chief Financial Officer and Treasurer by the City Manager and Council.

**§ 169-3.3. Controller, responsibilities.**

In order to permit the Chief Financial Officer and Treasurer to focus on corporate finance, financial planning and finance and administration, the person appointed to the City's management position of Controller:

- A. Is appointed as deputy treasurer under section 138 of the City of Toronto Act, 2006; and

- B. Reports to the Chief Financial Officer and Treasurer and shall perform the duties and exercise the responsibilities that are assigned to the Controller by the City Manager, the Chief Financial Officer and Treasurer and Council.

**§ 169-3.4. Additional duties and responsibilities.**

The Deputy City Manager, Corporate Services, the Chief Financial Officer and the Treasurer, and the Controller shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

ARTICLE 4

**Executive Director of People, Equity and Human Rights**

**§ 169-4.1. Responsibilities.**

The Executive Director of People, Equity and Human Rights is responsible for human resources and labour relations services for the City.

**§ 169-4.2. Additional duties and responsibilities.**

The Executive Director of People, Equity and Human Rights shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

ARTICLE 5

**City Solicitor**

**§ 169-5.1. Responsibility.**

In addition to all duties imposed upon the City Solicitor by the City of Toronto Act, 2006 and any other statutes, and by any by-law of the Council, the City Solicitor shall have full charge and control of and be fully responsible for the conduct of the Legal Services Division for the City.

**§ 169-5.2. Authority to process by-laws.**

- A. The City Solicitor may process by-laws where an action is authorized by Council and if the recommendation to amend a by-law or introduce a bill has been omitted or if there is an error in the reference to the by-law that should be amended or if it is necessary to repeal a by-law.
- B. The City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors, to update the by-laws to refer to the current statute, City official title, administrative unit and Municipal Code provision and to repeal by-laws of the former municipalities that have been superseded by provisions in the Municipal Code or as a result of an administrative reorganization.
- C. The City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to update the Municipal Code to reflect organizational or governance changes, to refresh chapters for readability, accessible and clear language and to reflect current code style.

**§ 169-5.3. Additional duties and responsibilities.**

The City Solicitor shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

## ARTICLE 6

**General Manager of Shelter, Support and Housing Administration****§ 169-6.1. Authority concerning supporting communities partnership initiative agreements.**

The General Manager of Shelter, Support and Housing Administration, or the Acting General Manager of Shelter, Support and Housing Administration, as the case may be, is delegated authority to:

- A. Enter into supporting communities partnership initiative funding agreements for the development and provision of transitional housing and such other agreements as are deemed necessary with the organizations listed in Appendix 1 of Clause 12 of Community Services Committee Report 8, adopted as amended by City Council at its meeting held on July 24, 25 and 26, 2001;
- B. Approve the use of supporting communities partnership initiative funds in the Supporting Communities Partnership Initiative Contingency Fund on the basis of the criteria set out in Appendix 3 of Clause 12 of Community Services Committee Report 8, adopted as amended by City Council at its meeting held on July 24, 25 and 26, 2001; and
- C. Terminate a funding agreement with an organization listed in Appendix 1 of Clause 12 of Community Services Committee Report 8, adopted as amended by City Council at its meeting held on July 24, 25 and 26, 2001, at any time prior to the commencement of construction if, in the opinion of the General Manager or the Acting General Manager, as the case may be, increases in costs would prevent the organization being funded from achieving cost-effective transitional housing targets.

## ARTICLE 7

**General Manager of Economic Development and Culture****§ 169-7.1. Approval of commercial façade grants.**

The General Manager of Economic Development and Culture or the General Manager's designate, or both, are authorized to approve commercial façade grants in accordance with the terms and conditions and criteria set out in the Clause 38 of Economic Development and Parks Committee Report 9, as adopted by the Council of the City of Toronto at its meeting held on October 3, 4 and 5, 2000.

## ARTICLE 8

**General Manager of Parks, Forestry and Recreation****§ 169-8.1. Area weed inspector appointments.**

- A. The General Manager of Parks, Forestry and Recreation is responsible for monitoring the need for changes to the City's area weed inspector appointments made by by-law under the Weed Control Act.

- B. When the General Manager of Parks, Forestry and Recreation determines that it is necessary to appoint an employee as an area weed inspector under the Weed Control Act, to repeal the appointment of an area weed inspector as a result of changes in employment or duties, or to make technical amendments to current appointments (for example, to reflect a name change), the General Manager may request the City Solicitor to submit the necessary bill directly to Council.

#### ARTICLE 9

#### **Chief Building Official**

##### **§ 169-9.1. Deputy Chief Building Officials.**

- A. When the Chief Building Official and one or more Deputy Chief Building Officials are absent, each of the remaining Deputy Chief Building Officials may exercise any of the powers of the Chief Building Official in any absent Deputy's assigned area and shall do so in any order or according to any schedule established by the Chief Building Official from time to time.
- B. For purposes of Subsection A, an official is absent when unavailable to act due to illness or any other cause or when the office is vacant.