

CONSOLIDATION UPDATE: MARCH 23, 2011

THE CITY OF WINNIPEG

**THE EXECUTION OF DOCUMENTS BY-LAW
NO. 7367/99**

**A By-law of THE CITY OF WINNIPEG to
delegate the execution of certain documents,
instruments and agreements and to amend the
Cemetery By-law No. 1996/78.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:
amended 8162/2002

1(1) The Chief Administrative Officer or delegate in writing is hereby designated and authorized for and on behalf of the City of Winnipeg to execute the following agreements and documents:
amended 8162/2002; amended 49/2011

- (a) Except as set out in section 2 of this by-law, all documents, instruments and agreements arising from an award of contract which has been approved in accordance with the City's Materials Management Policy as amended or replaced.
amended 7858/2001; 8162/2002; 53/2005
- (b) *repealed 53/2005*
- (c) All documents, instruments and agreements required to formalize terms and conditions approved by the Chief Administrative Officer or designate pursuant to authority delegated by Council with respect to advertising at City facilities, on City equipment or in City publications as amended or replaced.
added 7856/2001; 8162/2002
- (d) Library fundraising and sponsorship agreements approved by the Chief Administrative Officer or designate pursuant to authority delegated by Council and related documents.
added 41/2007
- (e) sponsorship agreements approved under the City of Winnipeg's Sponsorship Policy, as amended from time to time;
added 49/2011

- (f) grant applications being made on behalf of the City of Winnipeg to an outside funding source;
added 49/2011
- (g) grant agreements specifying the terms and conditions under which a grant to the City of Winnipeg is being made by an outside funding source;
added 49/2011
- (h) funding agreements that set out the terms and conditions under which multi-year funding is provided by the City of Winnipeg to a non-profit community organization.
added 49/2011

1(2) The Chief Administrative Officer or Acting Chief Administrative Officer is hereby designated and authorized for and on behalf of the City of Winnipeg to execute employment contracts other than employment contracts for the Chief Administrative Officer or for staff employed by the Office of the Mayor. This authority may not be sub-delegated.
added 49/2011

2. The Manager of Materials or delegate in writing is hereby designated and authorized for and on behalf of the City of Winnipeg to execute the following agreements and documents:

- (a) All documents, instruments and agreements related to the solicitation, formalization and cancellation of purchases of construction, supplies and services within the authority of the Manager of Materials as set out in the City's Materials Management Policy, as amended or replaced, including, without limitation:
amended 8162/2002; 53/2005
 - (i) requisitions, purchase orders and Bid Solicitations;
amended 8162/2002
 - (ii) purchase agreements and offers to purchase;
 - (iii) rental agreements for supplies;
 - (iv) purchases by rental, lease or other agreements providing for time payments with an option to purchase; and
 - (v) maintenance services for equipment and software.
amended 8162/2002

3. The Chief Financial Officer or delegate in writing is hereby designated and authorized for and on behalf of the City of Winnipeg to execute the following agreements and documents:

- (a) All documents, instruments and agreements required to formalize terms and conditions in respect to grants approved by Council or Committee of Council, or as approved in accordance with a grant program contained in a by-law enacted by Council.
- (b) All documents, instruments and agreements relating to tax sales, including tax sale certificates, assignments of tax sale certificates, tax sale applications and related documents.
added 124/2003
- (c) All documents, instruments and agreements relating to the Investment Policy as adopted by Council.
added 100/2010
- (d) agreements setting out the terms by which tax credits are being provided by the City of Winnipeg;
added 49/2011
- (e) documents giving effect to Council's decision to provide a loan guarantee;
added 49/2011
- (f) discharges of deferments of local improvements.
added 49/2011

4. The Director of Planning, Property and Development or delegate in writing is hereby designated and authorized for and on behalf of the City of Winnipeg to execute the following agreements and documents:

amended 7954/2002; 8162/2002

- (a) All documents, instruments and agreements required to formalize terms and conditions in respect to those real estate matters approved by Council or a Committee of Council;
- (b) All documents, instruments and agreements required to formalize terms and conditions in respect to those real estate matters approved by the Director of Planning, Property and Development, pursuant to authority delegated by Council;
amended 7954/2002
- (c) All documents, instruments and agreements required to formalize terms and conditions in respect to those zoning, development and subdivision matters approved by Council or a Committee of Council;

- (d) All agreements for the use, reproduction and sale of City base maps in accordance with a policy approved by Council or a Committee of Council, from time to time;
amended 49/2011
- (e) All deeds for cemetery plots in City-owned cemeteries issued in accordance with the Cemetery By-law;
added 7954/2002; amended 130/2007; amended 49/2011
- (f) all documents required to be filed at the Winnipeg Land Titles Office in order for title to vacant and derelict buildings to be transferred to the City of Winnipeg.
added 49/2011

5. *repealed 7954/2002*

5.1 Any one of the Director of Community Services, the Director of Public Works or the Director of Planning, Property and Development, or their respective designate in writing, is hereby empowered for and on behalf of the City of Winnipeg to execute any of the following agreements and documents within their respective areas of responsibility:

- (a) Standard Agreements, for the short-term use of facilities, athletic fields, parks, equipment, and garden plots owned by The City of Winnipeg, having a maximum duration of one year less a day, conditional on the agreements being a form prescribed by Council or the Chief Administrative Officer.
amended 182/2006

5.2 The Chief Operating Officer of the Winnipeg Fleet Management Agency is hereby authorized for and on behalf of the City of Winnipeg to approve and execute agreements with the Royal Bank of Canada to establish a credit facility and, within the limits of the Winnipeg Fleet Management Agency's borrowing authority approved by Council from time to time and subject to the Chief Financial Officer's approval as to financial details, to approve and execute borrowing requests on that credit facility to allow the Winnipeg Fleet Management Agency to finance its operations on an ongoing basis.
added 241/2006

5.3 The Chief of Staff of the Mayor's Office is hereby designated and authorized for and on behalf of the City of Winnipeg to execute all employment contracts for staff employed by the Office of the Mayor. This authority may not be sub-delegated.
added 49/2011

5.4 The Director of Public Works, or delegate in writing, is hereby designated and authorized for and on behalf of the City of Winnipeg to execute railway crossing agreements that involve either

(a) a street being built over a railway; or

(b) a railway being built over a street.

added 49/2011

5.5 The Director of Water and Waste, or delegate in writing, is hereby designated and authorized for and on behalf of the City of Winnipeg to execute railway crossing agreements that involve either

(a) a main of the City's water works or wastewater system being built under a railway; or

(b) a railway being built over a main of the City's water works or wastewater system.

added 49/2011

5.6 The Director of Legal Services/City Solicitor, or delegate in writing, is hereby designated and authorized for an on behalf of the City of Winnipeg to execute the following:

(a) documents regarding the registration and renewal of a business name;

(b) documents regarding the registration of trademarks.

added 49/2011

6. Unless otherwise specified, the documents, instruments and agreements whose execution is authorized by this By-law may be executed without the need to affix the seal of the City of Winnipeg.

amended 7858/2001; 8162/2002; 241/2006; amended 49/2011

6.1 Unless otherwise specified, only one designated employee is required to sign the documents, instruments and agreements referred to this By-law in order to validly execute them.

added 49/2011

7. Where any statute, by-law or regulation expressly provides for the execution of any document by the Mayor and City Clerk, the Mayor and City Clerk shall attend to the execution of same, in accordance with the applicable statute, by-law or regulation.

8. All documents, instruments and agreements executed in accordance with this by-law shall be deemed to be validly executed.

9. With the exception of section 2 and section 5.1, the authority given in this By-law to execute documents, instruments or agreements is subject to approval as to legal form of the document, instrument or agreement by the Director of Legal Services/City Solicitor or delegate in writing.

amended 7858/2001; 7954/2002; 8162/2002; 241/2006; amended 49/2011

9.1 The authority given in this By-law to execute documents, instruments or agreements is subject to approval of the contents of the document, instrument or agreement by the individual or body who has been given this authority.

added 49/2011

10. *repealed 8162/2002*

11. By-law Nos. 4796/88, 3879/84 and 6291/93 are hereby repealed.

12. This by-law may be referred to as "**The Execution of Documents By-law.**"

added 7856/2001

13. *repealed 49/2011*

DONE AND PASSED in Council assembled, this 27th day of January, A.D. 1999.