

THE CITY OF WINNIPEG

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.**

WHEREAS subsection 108(1) of The City of Winnipeg Act states:

“Execution of agreements of documents

108(1) The city may pass by-laws providing for the manner of or the necessity for the execution of any document, instrument or agreement by the city or by any person acting on behalf of the city and, unless otherwise specifically provided by this or any other Act of the Legislature, any document, instrument or agreement executed in the manner provided in the by-law is properly executed by the city.”

AND WHEREAS subsection 108(2) of The City of Winnipeg Act states:

“Signing of documents where no by-law

108(2) Until a by-law under subsection (1) is in effect, the mayor, together with the clerk, shall sign all agreements entered into by the city and, unless otherwise provided in this Act, all documents and by-laws required to be executed by the city.”

AND WHEREAS it is deemed expedient to provide for the execution of certain documents, instruments or agreements by certain officers of the City, or their designate in writing,

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. The Chief Administrative Officer or designate in writing is hereby empowered for and on behalf of The City of Winnipeg to execute the following agreements and documents:
 - (a) Except as set out in paragraph 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 Policy on Purchasing Procedures and Disposal of Surplus Supplies (C261);
 - (b) All documents, instruments and agreements arising from an award of contract has been approved in accordance with the City's Policy on the Assignment of Consultants (C333).

2. The Manager of Materials or designate in writing is hereby empowered 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 policy on Purchasing Procedures and Disposal of Surplus Supplies (C261) including, without limitation:
 - (i) requisitions, purchase orders and Requests for Quotations;
 - (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.

3. The Chief Financial Officer or designate in writing is hereby empowered 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.

4. The Director of Property and Development Services or designate in writing is hereby empowered 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 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 Property and Development Services, pursuant to authority delegated by Council;

- (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.

5. The Director of Community Services or designate in writing is hereby empowered for and on behalf of The City of Winnipeg to execute the following agreements and documents:

- (a) Jointly with the City Clerk, all cemetery plot deeds for plots in City-owned cemeteries, issued in accordance with the Cemetery By-law No. 1996/78.

6. The City officials identified in this by-law are hereby empowered for and on behalf of the City of Winnipeg to execute any of the documents, instruments and agreements set out in paragraphs 1, 2, 3 and 4, without the necessity of the seal of the City.

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. None of the documents, instruments or agreements identified in paragraphs 1, 3 and 4 shall be executed until they have been approved by the City Solicitor or designate in writing as to form and legal validity.

10. The form immediately following subsection 26(1) of the Cemetery By-law No. 1996/78 is amended by this by-law, by striking the title, "Mayor" as a signing officer to the deed, and substituting the title, "the Director of Community Services".

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

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