

## Municipality Of Chatham-Kent

### Chief Administrative Office

**To:** Mayor and Members of Council  
**From:** Don Shropshire  
**Date:** October 6, 2020  
**Subject:** Delegation of Chief Legal Officer Authorities

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#### **Recommendation**

It is recommended that:

1. The authorities of the Chief Legal Officer under any Chatham-Kent by-law including the Delegation of Authority Bylaw, 98-2016 and any outstanding Council approvals, be delegated to the Director, Legal Services.

#### **Background**

Under the Delegation of Authority Bylaw, 98-2016, various items are delegated to the Chief Legal Officer for the Municipality. These include:

- authority in relation to lawsuits and other legal hearings up to the value of \$100,000;
- approval of various real estate related matters;
- approval of the name "Chatham-Kent" in applications for incorporation; and
- a consulting role in: any legal agreements, written employment contracts, administrative changes to bylaws, or human rights tribunal matters.

The terms of various approvals by Council are also often subject to the final review by the Chief Legal Officer. The approval authority by the Chief Legal Officer is usually specifically mentioned in motions approved by Council when the final terms of a legal agreement are not yet settled.

The most recently appointed General Manager, Community Development/Chief Legal Officer, John Norton, has now resigned his position with the Municipality.

With this departure, the title of Chief Legal Officer is being eliminated from the organizational structure. Instead, the Director, Legal Services will be the title of the Municipality's senior lawyer on staff who is responsible for providing legal advice to Council, the Chief Administrative Officer and other members of administration.

#### **Comments**

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The General Manager of Community Development is a key position on the Executive Management Team and a comprehensive recruitment process is currently underway with the job posting closing on Friday, October 9, 2020. The goal is to have a hiring decision made by mid-November.

As a large organization with wide ranging legal needs, it is important to delegate the authorities held by the Chief Legal Officer. As a result, it is recommended that all authorities of the Chief Legal Officer be delegated to the Director, Legal Services.

Depending on the result of the recruitment process and the decisions related to the Community Development portfolio, administration will return to Council in the future with amendments to the Delegation of Authority Bylaw, and other Chatham-Kent by-laws, if necessary.

### **Areas of Strategic Focus and Critical Success Factors**

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

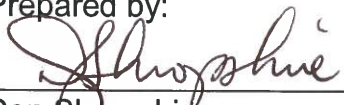
**Consultation**

The Municipal Clerk was consulted to determine which authorities of the Chief Legal Officer required delegation.

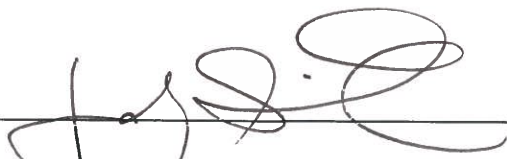
**Financial Implications**

There are no financial implications to this report.

Prepared by:

  
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Don Shropshire  
Chief Administrative Officer

Consulted and confirmed the content of the consultation section of the report by:

  
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Judy Smith  
Municipal Clerk

Attachment(s): None

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