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| Policy Title: Signing Authority Policy | | Policy #: C-9 |
| Authority Approval: Mayor & Council | | Resolution #: 344-2021-12-13 |
| Department: Administration | | Effective Date: December 13, 2021 |
| Distribution: | <input type="checkbox"/> Master <input type="checkbox"/> Administration <input type="checkbox"/> Council <input type="checkbox"/> FCSS | <input type="checkbox"/> Fire Department <input type="checkbox"/> Library <input type="checkbox"/> Public Works <input type="checkbox"/> Recreation & Parks |

1.0 Policy Purpose

- 1.1 The purpose of this policy is to provide the municipality with flexibility in the signing of various documents to improve the efficiency of business operations and yet maintain effective internal controls and approval processes.
- 1.2 Section 209 of the Municipal Government Act (MGA) provides some flexibility for the Chief Administrative Officer (CAO) to delegate his/her authority to sign cheques, agreements, other negotiable instruments, and other municipal documents as outlined in this policy, to a Town of Beaverlodge employee. A delegate may not sub-delegate their duties.
- 1.3 Unless otherwise noted in this policy, signing authorities may be further delegated to Town of Beaverlodge employees at the discretion of the authority holder, either on a perpetual basis or when acting positions are held. A delegate may not sub-delegate their duties. The Legislative Services Coordinator shall maintain a permanent record of any such delegations.
- 1.4 Section 213 of the MGA stipulates the manner in which municipal documents must be signed or authorized. In general, municipal documents must be signed by the Chief Elected Official (Mayor) and/or the CAO.

2.0 Definitions

- 2.1 **"Chief Administrative Officer (CAO)"** means the Chief Administrative Officer of the Town of Beaverlodge appointed by Council, or any person designated by the CAO for the purposes of administering this policy.
- 2.2 **"Council"** means the duly elected officers of the Town of Beaverlodge and the Mayor.
- 2.3 **"Mayor"** means the Chief Elected Official of the Town of Beaverlodge as voted for by the electors or anyone acting in the capacity of Mayor.
- 2.4 **"Town of Beaverlodge"** means the municipality of the Town of Beaverlodge in the Province of Alberta.

3.0 Policy Statements

3.1 Corporate Seal

The presence of the Town of Beaverlodge corporate seal on any document verifies the signatories are authorized to sign on behalf of the corporation. The corporate seal must be applied by the CAO, Deputy CAO, or the Legislative Services Coordinator to any document signed on behalf of the corporation unless otherwise noted in this policy. This authority may be further delegated for specific tasks (i.e., tax certificates, Business Licenses, Land Titles documentation). The Legislative Services Coordinator shall maintain a permanent record of any such delegations.

3.2 Bylaws

Section 213(3) of the MGA requires bylaws be signed by The Chief Elected Official and a designated Officer. The mayor's signing authority may be delegated to anyone acting in this capacity. The CAO's signing authority may be delegated at the discretion of the CAO. The Legislative Services Coordinator shall maintain a permanent record of any such delegations.

3.3 Policies

Signing authority for Council and administrative policies is delegated as follows, in order to ensure an authentic, authorized copy of all policies is preserved.

3.3.1 Council Policies shall be signed by the Chief Elected Official and the CAO. The mayor's signing authority may be delegated to anyone acting in this capacity. The CAO's signing authority may be delegated at the discretion of the CAO. A delegate may not sub-delegate their duties. The Legislative Services Coordinator shall maintain a permanent record of any such delegations.

3.3.2 Administrative Policies shall be signed by the CAO. The CAO's signing authority may be delegated at the discretion of the CAO. A delegate may not sub-delegate their duties. The Legislative Services Coordinator shall maintain a permanent record of any such delegations.

3.4 Minutes

Sections 213(1) and (2) of the MGA require that minutes of Council meetings and of Council Committee meetings be signed by the person presiding at the meeting and a designated officer. The first signature may not be delegated unless it is impossible for the chair of the meeting to sign the document, in which case it may be delegated only to a Councillor or committee member present at the meeting.

The second signature shall be delegated to the CAO. The CAO's signing authority may be delegated at the discretion of the CAO. A delegate may not sub-delegate their duties. The Legislative Services Coordinator shall maintain a permanent record of any such delegations.

During a General Election the last formal minutes of an outgoing Council shall be presented during the first meeting of the newly elected Council. The Chair or delegate are authorized to sign off the minutes.

3.5 Negotiable Instruments

Section 213(4) of the MGA requires that agreements, cheques and other negotiable instruments be signed by the mayor, or by another person authorized by Council to sign them, together with a Designated Officer, or by a Designated Officer acting alone if so authorized by Council.

3.5.1 Cheques

The Chief Administrative Officer Bylaw authorizes the CAO to sign cheques made or executed on behalf of the Town of Beaverlodge. As per Section 213(4) of the MGA, Council further authorizes the Mayor, the Deputy CAO and 2 other members of Council as signing authority. Town of Beaverlodge cheques must be signed by one administrative delegate and one member of Council delegate. In the case of an emergency the CAO and Deputy CAO may sign together as needed for all budget approved operational and capital expenditures. The CAO's signing authority may only be delegated to another authorized signatory. The Legislative Services Coordinator shall maintain a permanent record of any such delegations.

3.5.2 Contracts and Agreements

The Chief Administrative Officer Bylaw authorizes the CAO to sign and execute all agreements or contracts made or executed on behalf of the Town of Beaverlodge. Municipal agreements may include those which go beyond the fiscal year, are either operating or capital, are within the limits of Council approved annual budget and have prior Council approval to proceed. The delegation of this authority is illustrated in the following table, with each position listed having the authority to sign all contracts and agreements appearing across from or below the position title. The Legislative Services Coordinator will maintain a permanent record of all such delegations. Signatures are denoted in highest ranking order; however, best practice outlines the position of lowest rank must sign off on the document first.

The following delegation of authority does not preclude the mayor from providing a second signature on any contract or agreement providing the Mayor has not signed for the 1st signature:

| | 1st Signature Required | 2nd Signature Required | Corporate Seal Required |
|--|---|---|----------------------------|
| Federal-Provincial Agreements | Mayor | CAO | Yes |
| All contracts and agreements within approved operating or capital budget | CAO, Deputy CAO or Mayor (as requested) | Department Managers (as authorized) or CAO (unless 1st signature) | Yes |
| All contracts, agreements and negotiable instruments related to sales, purchases, donations, transfers, mortgage or other encumbrances of real property. | Mayor | CAO | Yes |
| Grant Funding Applications | CAO or Deputy CAO | Department Managers (as authorized) | Yes |
| Grant Funding Agreements | | | |
| Leases | | | |
| Memorandum of Agreement/ | | | |
| Memorandum of Understanding | | | |
| Partnership Agreements | | | |
| Purchase/Provision of Products or Services | | | |

The Following specialized contracts and agreements must be signed by the position indicated, or delegated to a Town of Beaverlodge employee at the discretion of the authority holder with no further sub-delegation permitted:

| | 1st Signature Required | 2nd Signature Required | Corporate Seal Required | Location of Original |
|---|---|------------------------------|-------------------------------|--|
| Development Agreements | Mayor | CAO or Deputy CAO | Yes | Central Records |
| Any documents for registration with Land Titles, unless otherwise noted | CAO or Deputy CAO | No | Yes | Land Titles |
| Rights of Way/Access Agreements | CAO or Deputy CAO | No | Yes | Land Titles/Land Owner/Property File |
| Encroachment Agreement | CAO or Deputy CAO | No | Yes | Land Titles/Land Owner/Property File |
| Grants of Easement | CAO or Deputy CAO | No | Yes | Property File |
| Discharges of Tax Recovery Notification | CAO or Deputy CAO | No | Yes | Property File |
| Subdivision and Condominium Plans | CAO or Deputy CAO | No | No | Land Titles |
| Construction/Service Contracts and Agreements | CAO, Deputy CAO or Department Manager | No | Yes | Central Records |
| Registration of Deferred Reserve Caveats | CAO or Deputy CAO | No | Yes | Land Titles |
| Discharge of Deferred Reserve Caveats | CAO or Deputy CAO | No | Yes | Land Titles |
| Environmental Reserve Easements | CAO or Deputy CAO | No | Yes | Land Titles |
| Statutory Declarations Pertaining to Ownership of Land | CAO or Deputy CAO | No | No | Property File |
| Tax Certificates | CAO, Deputy CAO or delegate | No | No | Property Owner/Property File |
| Compliance Reports | CAO, Deputy CAO or delegate | No | No | Property Owner/Property File |

3.6 Commissioners of Oaths

Council

Under the Commissioners for Oath Act, members of a municipal council in Alberta are by virtue of the membership a commissioner empowered to administer oaths and take and receive affidavits, declarations and affirmations in or outside Alberta, for use in Alberta.

Municipal Employees

The Town of Beaverlodge shall ensure appropriate municipal employees are appointed as Commissioners for Oaths for Alberta, and as such are authorized to administer oaths and take and receive affidavits, declarations, and affirmations within the Province of Alberta for Town of Beaverlodge related business only.

4.0 Review

For the purposes of ensuring that this Policy is revised for ongoing relevancy and necessity, a review will occur prior to December 31, 2022. The policy shall be brought forth and passed in its present or amended form or rescinded. This policy shall remain in effect if the review date passes prior to Council review.

SECTION B



1.0 Reference to other Policy and Legislation

Municipal Government Act
Commissioners for Oath Act
Chief Administrative Officer Bylaw

2.0 Persons Affected

Mayor and Council
Chief Administrative Officer, Deputy Chief Administrative Officer and/or delegate
Department Managers and/or delegate

3.0 Review/Revision History

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| Reviewed/Amended | Date: December 13, 2021 |
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| Mayor Gary Rycroft | CAO Jeff Johnston |