



**THE CITY OF EDMONTON**  
**BYLAW 12005, AS AMENDED**  
**THE CITY ADMINISTRATION BYLAW**  
**(CONSOLIDATED ON FEBRUARY 3, 2010)**

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Edmonton City Council enacts:

## **PART I - PURPOSES AND DEFINITIONS**

<b>PURPOSES</b>	1	The purposes of this Bylaw are to establish the position of Chief Administrative Officer and to delegate powers, duties and functions to that position.
<b>DEFINITIONS</b>	2	In this bylaw:
<b>WORDS/ PHRASES</b>	(a)	the following words and phrases mean: <ul style="list-style-type: none"><li>(i) Administration  the general operations of the City, including all personnel, financial and other related resources, as permitted by the Municipal Government Act, but excluding the operations of the office of the City Auditor,  (S.1, Bylaw No. 12425, October 31, 2000)</li><li>(ii) Budget Committee  Repealed  (S.2, Bylaw No. 12425, October 31, 2000)</li><li>(iii) City  the municipal corporation of The City of Edmonton,  (iii.1) City Auditor  means the designated officer appointed by City Council pursuant to Bylaw 12424, City Auditor Bylaw,  (S.2, Bylaw No. 12425, October 31, 2000)</li><li>(iv) City Manager  the chief administrative officer for the City within the meaning of the Municipal Government Act,</li><li>(v) Council  the municipal council of the City,</li></ul>

(vi) Council Committee

a Council committee within the meaning of the Municipal Government Act that is carrying out the powers, duties and functions delegated to it by Council,

(vii) Repealed (S.2(a), Bylaw 14935, September 2, 2009)

(viii) Highway

land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road,

(ix) Mayor

the chief elected representative of the City, whether elected or appointed as described in the Municipal Government Act,

(x) Minister

the Minister of Municipal Affairs,

(xi) Municipal Government Act

the Municipal Government Act, S.A. 1994, c. M-26.1,

(xi.1) Sole-source agreement

an agreement or contract entered into without a tender-call,

(S.2(b), Bylaw 14935, September 2, 2009)

(xii) Standing Committee

a standing Council Committee as defined in Bylaw 12300, Procedures and Committees Bylaw,

(S.2, Bylaw No. 12425, October 31, 2000)

(xiii) Tender-call

an open and competitive process whereby the City solicits bids and proposals from interested parties and the successful party is chosen based upon evaluation criteria set out in the solicitation documents.

(S.2(b), Bylaw 14935, September 2, 2009)

**REFERENCES**

- (b) references to any policies, procedures, standards, guidelines, bylaws, statutes or other enactments shall be deemed to include all amendments thereto, all regulations and orders thereunder and any successor thereto, and

(S.2, Bylaw No. 12425, October 31, 2000)

- (c) for the purposes of this bylaw, “City employee” or “employee of the City” does not include the City Auditor and employees of the City Auditor.

(S.2, Bylaw No. 12425, October 31, 2000)

**PART II - APPOINTMENT AND DELEGATION**

<b>CHIEF ADMINISTRATIVE OFFICER</b>	3	The position of Chief Administrative Officer is established, and the individual appointed to that position will have the title “City Manager”.
<b>APPOINTMENT OF CITY MANAGER</b>	4	Council will, by resolution, appoint an individual to the position of City Manager, and establish the terms and conditions of such appointment.
<b>INDEMNITY</b>	5	The City will indemnify the City Manager, provided that the City Manager acts in the course and scope of his or her employment, and acts in good faith to comply with any applicable bylaw, statute or enactment.
<b>SUBDELEGATION</b>	6	The City Manager is authorized to further delegate, and to authorize further delegations of any powers, duties and functions delegated to the City Manager by Council under this or any other bylaw, to any employee of the City.

(S.2, Bylaw No. 12580, August 28, 2001)

**PART III - GENERAL POWERS**

<b>POWERS OF CHIEF ADMINISTRATIVE OFFICER AND DESIGNATED</b>	7	<p>The City Manager:</p> <p>(a) has all the powers and functions given to a chief administrative officer under the <i>Municipal Government Act</i></p>
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**OFFICER**

or any other statute or enactment;

- (b) must carry out all of the duties and functions of a chief administrative officer as required by the *Municipal Government Act* or any other statute or enactment;
- (c) has all the powers, duties and functions given to a designated officer under the *Municipal Government Act* or any other statute or enactment; except the powers, duties and functions expressly given to the City Auditor under Bylaw 12424, City Auditor Bylaw;

(S.3, Bylaw No. 12425, October 31, 2000)

- (d) has all the powers, duties and functions as delegated to the City Manager by Council by this or any other bylaw;

(S.3, Bylaw No. 12580, August 28, 2001)

- (e) may exercise such other powers, duties and functions as may be required by Council or a Standing Committee from time to time;
- (f) may exercise the powers, duties, and functions as delegated to the City Manager by this Bylaw, subject to any restrictions or limitations contained in the *Municipal Government Act*, the *Freedom of Information and Protection of Privacy Act*, S.A. 1994, c. F-18.5, or without limitation any other statute or enactment.

**OTHER  
DELEGATIONS**

8

The matters delegated to the City Manager by this Bylaw are, in addition to any other delegations made by Council or a Standing Committee to the City Manager or to any other City employee.

## **PART IV - COUNCIL/ADMINISTRATION RELATIONSHIP**

<b>ACCOUNTABILITY</b>	9	The City Manager is accountable to Council for the exercise of all powers, duties and functions delegated to the City Manager.
<b>AUTHORITY</b>	10	The City Manager is authorized to:
<b>ACTING CITY MANAGER</b>	(a)	appoint an Acting City Manager to act during absences of the City Manager;
<b>ADMINISTRATIVE DIRECTION</b>	(b)	co-ordinate, direct, supervise, and review the performance of the Administration;
<b>ADMINISTRATIVE STRUCTURE</b>	(c)	establish the structure of the Administration, including establishing, merging, dividing and eliminating departments, and establishing a managerial hierarchy;
<b>ADMINISTRATIVE POLICIES</b>	(d)	establish and implement all policies, procedures, standards and guidelines for all matters within the powers of the City Manager;
<b>ADVISING AND INFORMING COUNCIL</b>	(e)	advise, inform and make recommendations to Council about: <ul style="list-style-type: none"> <li>(i) the operations of the City,</li> <li>(ii) the financial condition of the City, and</li> <li>(iii) Council policies, procedures and programs as may be necessary or desirable to carry out the powers, duties and functions of the City;</li> </ul>
<b>ATTEND MEETINGS</b>	(f)	attend all meetings of Council and Standing Committees and meetings of such Boards, Authorities and other bodies as are required by Council;
<b>AUDITS</b>	(g)	conduct audits, investigations and studies of the Administration, as the City Manager deems necessary, subject to the right of Council to direct audits, investigations and studies, pursuant to Bylaw 12424, City Auditor Bylaw;
		(S.4, Bylaw No. 12425, October 31, 2000)
<b>BYLAW CONSOLIDATIONS</b>	(h)	prepare administrative consolidations of bylaws;
<b>BYLAW REVISION</b>	(i)	revise bylaws by: <ul style="list-style-type: none"> <li>(i) consolidating a bylaw by incorporating all</li> </ul>



amendments to it into one bylaw,

- (ii) omitting and providing for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired, spent or otherwise ineffective,
- (iii) omitting, without providing for its repeal, a bylaw or a provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the municipality,
- (iv) combining two or more bylaws into one, dividing a bylaw into two or more bylaws, moving provisions from one bylaw to another and creating a bylaw from provisions of another or two or more others,
- (v) altering the citation and title of a bylaw and the numbering and arrangement of its provisions, and adding, changing or omitting a note, heading, title, marginal note, diagram or example to a bylaw,
- (vi) omitting the preamble and long title of a bylaw,
- (vii) omitting forms or other material contained in a bylaw that can more conveniently be contained in a resolution, and adding authority for the forms or other materials to be prescribed by resolution,
- (viii) correcting clerical, grammatical and typographical errors, or
- (ix) making changes, without changing the substance of the bylaw, to bring out more clearly what is considered to be the meaning of a bylaw or to improve the expression of the law,

and in all cases, shall prepare for Council's consideration, a bylaw adopting the revision and specifying the date that the revised bylaw is effective and that any repeal provisions are effective;

**EMPLOYEES**

- (j) subject to any applicable legislation and any contract or agreement binding on the City:
  - (i) hire, appoint, transfer or promote any City employee,
  - (ii) evaluate, discipline, suspend, demote, or remove any City employee, and
  - (iii) determine salaries, benefits, hours of work and other working conditions;

**PROGRAM  
DELIVERY**

- (k) provide corporate leadership in ensuring that all City policies and programs are efficiently coordinated, are delivered in a responsive and effective manner, and reflect the overall strategic priorities of the City as defined by Council;

**REPORTING TO  
COUNCIL**

- (l) prepare and submit to Council or its Standing Committees:
  - (i) such reports and recommendations as may be required by Council or its Standing Committees, and
  - (ii) a semi-annual report summarizing the number of tender-calls, sole source contracts, agreements, settlements, judgements, leases, land acquisitions and land dispositions which involve a revenue or expenditure of \$100,000 or greater which have been approved by the City Manager or any person to whom the City Manager has delegated approval authority.

(S.3, Bylaw 14935, September 2, 2009)

**PART V - FINANCIAL POWERS AND FUNCTIONS**

11 The City Manager is authorized to:

**ACCOUNTS**

- (a) designate the City's bank, credit union, loan corporation, treasury branch, or trust corporation and open and close accounts that hold the City's money;

(S.5, Bylaw 12580, August 28, 2001)

**BUDGET**

- (b) prepare and submit, annually or as otherwise directed by Council, to the Budget Committee of Council, annual

**EMERGENCY  
SPENDING**

operating and capital budgets;

- (c) in cases of an emergency, as determined by the City Manager, expend monies for the emergency that are not in an approved budget, up to a maximum of \$500,000 for each expenditure, and subsequently report to Council on the implications of those expenditures;

(S.4, Bylaw 14935, September 2, 2009)

**FEES AND  
CHARGES**

- (d) except as otherwise instructed by Council, establish fees, charges, rates and tariffs;

**INVEST FUNDS**

- (e) invest funds on behalf of the City in such amounts and on such terms as are permitted under the *Municipal Government Act*;

**JUDGEMENTS**

- (f) pay any amounts which the City is legally required to pay pursuant to an Order or Judgement of a Court, Board or other tribunal of competent jurisdiction, relating to an action, claim or demand against the City;

**SETTLEMENT OF  
CLAIMS**

- (g) approve the:
  - (i) settlement of all uninsured actions, claims, or demands against the City where the amount paid by the City does not exceed \$500,000, including prejudgement interest and court costs,
  - (ii) settlement of all uninsured actions, claims, or demands by the City, where the difference between the amount recovered and the amount claimed by the City does not exceed \$500,000, including prejudgement interest and court costs,
  - (iii) settlement of all insured actions, claims, or demands against the City, and
  - (iv) settlement of all insured actions, claims or demands by the City.

(S.5, Bylaw 14935, September 2, 2009)

**SPENDING AND  
BUDGET  
ADJUSTMENTS**

- (h) monitor and control expenditures within the budgets approved by Council for the Administration, and authorize budget adjustments of up to \$1,000,000 from one budgeted program to another.

## **PART VI - CONTRACTS AND AGREEMENTS**

12           The City Manager is authorized to:

### **AGREEMENTS AND CONTRACTS**

- (a)     approve and enter into any and all sole-source agreements, not related to the acquisition or disposition of land or an estate or interest in land in accordance with approved policies, procedures, standards or guidelines:
  - (i)     provided that the expenditure or fixed revenue of each sole source agreement does not exceed \$500,000 and, if the sole source agreement is for a specified term, the term shall not exceed ten (10) years (including renewals),
  - (ii)    that provide for a non-fixed or percentage revenue, and if the sole source agreement is for a specified term, the term shall not exceed ten (10) years (including renewals),
  - (iii)   to retain the services of any individual or corporation, other than legal counsel, for purposes related to the operations of the City and complete all necessary documents required for the provision of such services, provided the expenditure under the sole source agreement does not exceed \$500,000.

(S.6, Bylaw 14935, September 2, 2009)

### **TENDER-CALLS**

- (b)     notwithstanding subsection 12(a) hereof, prepare and award all tender-calls, where the expenditure or revenue is included in an approved budget and enter into all agreements and contracts required for the completion of such tender-calls in accordance with approved policies, procedures, standards or guidelines, provided that the expenditure or revenue does not exceed \$20,000,000;

(S.7, Bylaw 14935, September 2, 2009)

### **SEWER OUT-FALL AGREEMENTS**

- (c)     notwithstanding subsection 12(a) hereof, approve and enter into Alberta Government license of occupation agreements relating to sewer out-falls provided that the term shall not exceed twenty-five (25) years (including renewals) and the expenditure or fixed revenue shall not exceed \$250 per year.

**POLICE  
CONTRACTS**

- (d) enter into all agreements and contracts that are related to the provision of police service and programs for the City in accordance with Bylaw 14040, the Edmonton Police Commission Bylaw, up to the same level of authority provided for in this Bylaw, upon request of the Edmonton Police Commission, the Chief of Police, or an authorized delegate and upon confirmation from the Edmonton Police Commission, the Chief of Police, or an authorized delegate that any expenditure can be accommodated for in the approved Edmonton Police Service budget.

(S.3, Bylaw 14395, November 28, 2006)

**LAND  
AGREEMENTS**

- (e) approve and enter into all agreements and contracts involving:
  - (i) the sale of the fee simple interest in land at fair market value, or the acquisition of the fee simple interest in land at or below fair market value, provided that the price of the land does not exceed \$3,000,000,
  - (ii) leases of land at fair market value where the City is lessor, provided that the term shall not exceed ten (10) years (including renewals) and the revenue shall not exceed \$750,000 per year,
  - (iii) leases of land at or below fair market value where the City is lessee, provided that the term shall not exceed ten (10) years (including renewals) and the expenditure shall not exceed \$750,000 per year,
  - (iv) the disposition of any interest in land (not described above) at fair market value, or the acquisition of any interest in land (not described above) at or below fair market value, provided that the consideration for the acquisition or disposition does not exceed \$750,000 per year;

(S.2, Bylaw 12943, January 29, 2002)

(S.8, Bylaw 14935, September 2, 2009)

**LEASES TO NON-  
PROFIT  
ORGANIZATIONS**

- (f) notwithstanding subsection 12(e) hereof, approve and enter into all contracts and agreements involving leases of land to non-profit organizations at or below market value where the fair market value of the lease does not exceed \$500,000 for the term and the term does not exceed ten (10) years (including renewals), subject to any approved policies, procedures, standards or guidelines;

(S.9, Bylaw 14935, September 2, 2009)

**PART 10  
MUNICIPAL  
GOVERNMENT ACT  
POWERS**

- (g) exercise all of the powers, duties and functions of a council or a municipality as prescribed under Part 10 of the *Municipal Government Act*, except as are specifically delegated to the City Assessor under the City Assessor Bylaw 12046, and enter into all agreements and contracts and issue all documents incidental to the authority granted to a municipality under Part 10 of the *Municipal Government Act*;

**PART 17  
MUNICIPAL  
GOVERNMENT ACT  
AGREEMENTS**

- (h) enter into all agreements and contracts incidental to the development and subdivision of land within the City of Edmonton pursuant to Part 17 of the *Municipal Government Act* and complete any and all documents required for or incidental to such development or subdivision;

**WATER AND  
POWER UTILITY  
ASSET TRANSFERS**

- (i) enter into all agreements and documents, including without limitation, a general conveyance of assets, transfers of land, transfers of caveats, transfers of encroachment agreements, leases, bills of sale, encroachment agreements, and all required assignments and other specific conveyances, relating to the transfer of the City's water and power utility assets to EPCOR Utilities Inc or its affiliates.

(S.4, Bylaw 14395, November 28, 2006)

**POWERS OF  
ATTORNEY**

- (j) grant and revoke all powers of attorney allowing City staff to execute all required documents, including without limitation, discharges, postponements, and affidavits, pertaining to land, or an interest therein including those granted prior to the date of this Bylaw;

**CONSENTS**

- (k) approve and enter into all documents, consents, approvals, acknowledgements and certificates required for or incidental to any agreement, contract, settlement, tender or investment;

**SIGNATURE**

- (l) sign:

- (i) along with the person presiding at the meeting, all minutes of Council and Council Committee meetings;
- (ii) along with the Mayor, all bylaws,
- (iii) along with the Mayor or any other person authorized by Council, cheques and other negotiable instruments, and
- (iv) acting alone, all orders, contracts, agreements, documents and certificates that may be required pursuant to any agreement, contract, bylaw, statute or enactment;

(S.6, Bylaw No. 12580, August 28, 2001)

#### **BURIAL PLOTS**

- (m) approve and enter into all agreements and contracts involving the disposition or conveyance of burial plots at fair market value provided that the consideration does not exceed \$500,000 per year.

(S.3, Bylaw 13486, December 16, 2003)

(S.4, Bylaw 14935, September 2, 2009)

#### **FAMILY AND COMMUNITY SUPPORT FUNDING AGREEMENTS**

- (n) enter into funding agreements with the Alberta Government and non-profit organizations for the provision of the family and community support services program in accordance with approved budget amounts and the *Family and Community Support Services Act*, R.S.A. 2000, c. F-3 and the *Family and Community Support Services Regulations*, AR 218/94.

(S.3, Bylaw 13486, December 16, 2003)

#### **CROSSING AGREEMENTS**

- (o) Approve and enter into all agreement and contracts involving the acquisition of an interest in land (excluding leases) at or below fair market value for the purpose of allowing the City to place its public utilities or roadways across land owned by others provided that the consideration does not exceed \$500,000 per year.

(S.4, Bylaw 14935, September 2, 2009)

- (p) Approve and enter into all agreements and contracts involving the disposition of an interest in land (excluding leases) at or above fair market value for the purpose of allowing a utility operator or transportation provider to

cross land owned by the City provided that the consideration does not exceed \$500,000 per year.

(S.5, Bylaw 14395, November 28, 2006)

(S.4, Bylaw 14935, September 2, 2009)

**INSURANCE**

- (q) enter into any agreements necessary to provide insurance coverage and performance bonds for the City.

(S.10, Bylaw 14935, September 2, 2009)

**FEDERAL AND  
PROVINCIAL  
GRANT  
AGREEMENTS  
TRANSPORTATION  
UTILITY  
CORRIDOR  
AGREEMENTS**

- (r) enter into provincial and federal grant funding agreements.

(S.10, Bylaw 14935, September 2, 2009)

- (s) notwithstanding subsection 12(a) hereof, approve and enter into Alberta Government license of occupation agreements relating to the transportation utility corridor for an unlimited term provided that the expenditure or fixed revenue shall not exceed \$250 per year.

(S.10, Bylaw 14935, September 2, 2009)

**SIGNATURE  
REPRODUCTION**

- 13 The City Manager's signature, and the signatures of any other City employees to whom the City Manager delegates signing power, may be printed, lithographed or otherwise reproduced.
- 14 Repealed (S.7, Bylaw No. 12580, August 28, 2001)

**PART VII - OTHER RESPONSIBILITIES**

- 15 The City Manager is authorized to:

**ASSESSMENT  
REVIEW BOARD**

- (a) Provide resources and administrative support to the Assessment Review Boards, and appoint the Clerk of the Assessment Review Board in accordance with the provisions of the MGA, the Regulation, and the Assessment Review Board Bylaw, Bylaw 15361.

(S.55, Bylaw 15361, February 3, 2010)

**DISTRESS  
WARRANTS**

- (b) prepare and issue distress warrants, seize and sell goods pursuant to distress warrants on behalf of the City for the recovery of tax arrears pursuant to the *Municipal Government Act*;



**INSPECTIONS**

- (c) carry out inspections, remedies, enforcement or actions pursuant to section 542 of the *Municipal Government Act* where that Act or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by the City;

**ORDERS**

- (d) make determinations and issue orders pursuant to the *Municipal Government Act* or any other statute, enactment or bylaw which the City is authorized to enforce, in accordance with sections 545 and 546 of the *Municipal Government Act*;

**RETURNING  
OFFICER  
SUBDIVISION AND  
DEVELOPMENT  
APPEAL BOARD**

- (e) Repealed (S.2, Bylaw 13691, March 23, 2004)
- (f) provide administrative support to the Subdivision and Development Appeal Board, and is appointed as clerk of that Board, all as more particularly described in the Subdivision and Development Appeal Board Bylaw 11136;

**SUBDIVISION  
PLANS**

- (g) extend the time for endorsement of subdivision plans and for registration of subdivision plans in accordance with the *Municipal Government Act*;

**TEMPORARY ROAD  
CLOSURE**

- (h) designate any Highway as one which is closed temporarily in whole or in part to traffic, as authorized by the *Municipal Government Act*, or any other enactment and cause such Highway to be marked;

(S.5, Bylaw No. 12425, October 31, 2000)

(S.8, Bylaw No. 12580, August 28, 2001)

- (i) provide administrative support to the City Auditor and exercise all the powers, duties, and functions given to the City Manager all as more particularly described in Bylaw 12424, City Auditor Bylaw;

(S.5, Bylaw No. 12425, October 31, 2000)

(S.8, Bylaw No. 12580. August 28, 2001)

**RESPOND TO  
INQUIRIES**

- (j) respond to inquiries and requests for information on behalf of the City, including stating the City's position, subject to any Council approved policy, procedure, standard or guideline, or as otherwise directed by Council or its Standing Committees.

(S.8, Bylaw No. 12580, August 28, 2001)

**LEGAL COUNSEL**

- (k) except as other wise instructed by Council, and without limitation,
- (i) instruct legal counsel to provide legal services to the City, Council and Standing Committees of Council, and
- (ii) retain, instruct and pay for the services of outside legal counsel provided that the cost of the services retained does not exceed \$500,000.

(S.4, Bylaw 14935, September 2, 2009)

**TRADE-MARKS**

- (l) register. on behalf of the City and pursuant to any statute or enactments, all forms of intellectual property, including, without limitation, Trade-marks, official marks, copyright, industrial designs and patents.

(S.6, Bylaw 14395, November 28, 2006)

**EMPLOYEE  
SEEKING  
NOMINATION**

- (m) grant an application for a leave of absence without pay to an employee seeking to be nominated as a candidate in a municipal election, pursuant to the *Local Authorities Election Act*, c. L-21.

(S.11, Bylaw 14935, September 2, 2009)

**PART VIII - OTHER BYLAWS/RESOLUTIONS****CONFLICT**

- 16 The provisions of this Bylaw shall prevail in any case where there is a conflict between this Bylaw and any previous resolution or bylaw of Council.

**REPEAL**

- 17 The City Administration Bylaw 11427 is hereby repealed.

**Schedule "A"**

Repealed (S.6, Bylaw No. 12425, October 31, 2000)

(NOTE: Consolidation made under Section 69 of the Municipal Government Act, S.A., 1994, c. M-26.1 and Bylaw 12005, and printed under the City Manager's authority)

Bylaw 12005, passed by Council June 25, 1999

Amendments:

Bylaw 12425 - October 31, 2000

Bylaw 12580 - August 28, 2001

Bylaw 12943 - January 29, 2002

Bylaw 13486 - December 16, 2003

Bylaw 13691 - March 23, 2004

Bylaw 14395 - November 28, 2006

Bylaw 14935 - September 2, 2009 – Effective October 1, 2009

Bylaw 15361, February 3, 2010