

# By-law Number 003-2023 of the Durham Regional Police Services Board

## A By-law to Delegate Authority

Being a By-law to provide certain delegations of authority

Whereas section 31(6) of the *Police Services Act, R.S.O, 1990, c. P.15* provides that a police services board may, by By-law, make rules for the effective management of the police service; and

Whereas the Durham Regional Police Services Board has deemed it desirable and efficient to delegate signing pursuant to the provisions and restrictions in this document;

Now therefore, The Regional Municipality of Durham Police Services Board enacts as follows:

**By-law 10-2022, is hereby amended by repealing Schedule "A" attached thereto, and substituting it with Schedule "A" attached hereto.**

### 1. Definitions

1.1 In this By-law:

- a. **“Board”** means The Regional Municipality of Durham Police Services Board, acting in its capacity as a board established under the *Police Services Act, R.S.O, 1990* or any successor provincial legislation;
- b. **“Chair”** means the Chair of The Regional Municipality of Durham Police Services Board;
- c. **“Chief of Police”** means the Chief of Police of the Durham Regional Police;
- d. **“Designate”** means, for the purposes of this By-law, the person provided with written authority to act on behalf of a Signing Officer;
- e. **“Document”** means any written instrument in paper or electronic form which, when duly executed, will have or is intended to have the effect of binding the Board but does not include any cheques, bank drafts, debentures or other financial instruments;
- f. **“Executive Director”** means the Executive Director of The Regional Municipality of Durham Police Services Board;
- g. **“Region”** means The Regional Municipality of Durham;
- h. **“Signing Officer”** means a person appointed pursuant to this By-law to execute any document on behalf of the Board;

- i. **“Vice Chair”** means the Vice Chair of The Regional Municipality of Durham Police Services Board.

## **2. Appointment of Signing Officers**

2.1 The Board Chair is hereby appointed the signing officer of the Board and may execute any document or authorize any matter on behalf of the Board.

2.2 The Chief of Police and the Executive Director are hereby appointed signing officers in respect of any document or may authorize a matter listed in Column 1 for which they have been listed in Column 2 of Schedule A to this By-law.

2.3 Where any person is authorized to execute any document pursuant to this By-law, such person may, in writing, appoint a designate to approve the matter and/or to execute any document on his or her behalf.

2.4 Where the Chief of Police appoints a designate under section 2.3 of this By-law, the Chief of Police shall have established the necessary administrative procedures governing the designate and the authority that has been delegated to the designate.

## **3. Delegation of Authority**

3.1 The authority to approve a matter or execute a document listed in Column 1 of Schedule “A” is hereby delegated to the person or persons holding the position set out opposite such matter or document in Column 2 of Schedule “A”, subject to any conditions or restrictions set out in Column 3

3.2 Any document related to any matter listed in Column 1 of Schedule “A” to this By-law may be executed by a delegate appointed under section 3.1 of this By-law and that person is hereby appointed a Signing Officer for such purpose.

3.3 Despite any provision of this By-law, a designate shall not approve any matter or execute any document unless the transaction or activity to which the matter or document relates has been approved by the Board. For greater certainty, a transaction or activity shall be deemed to be approved by the Board where such transaction or activity:

- a. Is included in the annual budget adopted by the Board; or
- b. Is included in a program, project or activity which has been approved by the Board;  
or
- c. Is reasonably incidental to the authority given to the Chief of Police or their designate, as the case may be, to carry out their duties and responsibilities on behalf of the Board.

#### **4. General**

4.1 Where authority has been given by the Board, or under this By-law to any person to approve any matter or execute any document, such authority includes the authority to execute any ancillary documents necessary to give effect to the delegated authority and shall include the authority to amend any document, including extending the term of any agreement, provided such amendment does not result in any additional financial obligation to the Board.

4.2 The approval of any matter and the execution of any document under this By-law shall be subject to compliance with any policies adopted by the Board from time to time with respect to the transaction or activity to which the matter or document relates and to administrative procedures established by the Chief of Police.

#### **5. Schedule**

5.1 Schedule A attached shall form part of this By-law.

Enacted and Passed on March 20, 2023