
Signing Authority Policy

Policy Number: CA356/2018

Approval Date: October 23, 2018

Supersedes Policy: Signing Authority Policy - CA183/2015

SECTION A

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 Morinville employee. A delegate may not sub-delegate their duties.
- 1.3 Unless otherwise noted in this policy, signing authorities may be further delegated to Morinville 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 Officer 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 Morinville 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 Morinville and the Mayor.

2.3 **"Mayor"** means the Chief Elected Official of Morinville as voted for by the electors or anyone acting in the capacity of Mayor.

2.4 **"Morinville"** means the municipality of Morinville in the Province of Alberta.

3.0 Policy Statements

3.1 Corporate Seal

The presence of the Morinville 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, Director of Financial Services, Legislative Officer or Executive Assistant 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 Officer shall maintain a permanent record of any such delegations.

3.2 Bylaws

Section 213(3) of the *MGA* requires bylaws be signed as follows:

First Signature Required	Second Signature Required	Corporate Seal Required	Location of Original
Mayor	CAO	Yes	Vault

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 Officer 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

First Signature Required	Second Signature Required	Corporate Seal Required	Location of Original
Mayor	CAO	No	Legislative 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. A delegate may not sub-delegate their duties. The Legislative Officer shall maintain a permanent record of any such delegations.

3.3.2 Administrative Policies

First Signature Required	Second Signature Required	Corporate Seal Required	Location of Original
CAO	No	No	Legislative Officer

The CAO's signing authority may be delegated at the discretion of the CAO. A delegate may not sub-delegate their duties. The Legislative Officer 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. This signing authority is delegated as follows:

First Signature Required	Second Signature Required	Corporate Seal Required	Location of Original
Chair of Meeting	CAO or delegate	No	Vault

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 Legislative Officer or recording secretary for the meeting as applicable. The minutes themselves shall serve as a record of any such delegation.

During a General Election the last formal minutes of an outgoing Council shall be presented during the Organizational Meeting of the newly elected Council for acceptance. 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 Morinville. As per Section 213(4) of the *MGA*, Council authorizes the Director of Financial Services with the CAO to sign cheques for all budget approved operational and capital expenditures. The CAOs signing authority for cheques may only be delegated to a Senior Management position that is not the Director of Financial Services with no further sub-delegation permitted. The Legislative Officer shall maintain a permanent record of any such delegations.

Mayor shall receive a monthly cheque register.

Morinville cheques must be signed as follows:

First Signature

CAO

or

Senior Manager
(as delegated)

Second Signature

Director of Financial Services

or

Finance Manager
(as delegated)

3.5.1.1 Signatures for Cheques

Council authorizes only the CAO in the use of a stamped signature for the signing of cheques in value as per section 213(5) of the *MGA*. All other signatures must be in ink.

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 Morinville. Municipal agreements may include those which go beyond the fiscal year, are either operating or capital, are within the limits of the 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 Officer 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:

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

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

	1 st Signature Required	2 nd Signature Required	Corporate Seal Required	Location of Original
Development Agreements	Mayor	CAO	Yes	Central Records Office
Any documents for registration with Land Titles, unless otherwise noted	CAO	No	Yes	Land Titles
Rights of Way / Access Agreements	CAO	No	Yes	Land Titles / Land owner / Property File
Encroachment Agreement	CAO	No	Yes	Land Titles / Land owner / Property File
Grants of Easement	Department Directors	No	Yes	Property File
Discharges of Tax Recovery Notification	Department Directors	No	Yes	Financial Services
Subdivision and Condominium Plans	Subdivision Signing Authority	No	No	Land Titles
Construction / Service Contracts and Agreements	Department Directors	No	Yes	Central Records Office
Registration of Deferred Reserve Caveats	Subdivision Signing Authority	No	Yes	Land Titles
Discharge of Deferred Reserve Caveats	Subdivision Signing Authority	No	Yes	Land Titles
Environmental Reserve Easements	Subdivision Signing Authority	No	Yes	Land Titles
Statutory Declarations Pertaining to Ownership of Land	Department Directors	No	No	Property File

	1 st Signature Required	2 nd Signature Required	Corporate Seal Required	Location of Original
Tax Certificates	Department Directors	No	Yes	Property Owner; report to Financial Services – no copy

3.6 Stamped or Electronic Signature

Council authorizes the use of a stamped or electronic signature by Mayor and Council. Each use must be authorized in writing by the signature holder. Types of documents for which these types of signatures may be used include but are not limited to letters, Community Guide, Council approved proclamations.

3.7 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

Morinville 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 Morinville related business only.

4.0 Review

4.1 For the purposes of ensuring that this Policy is revised for ongoing relevancy and necessity, a review will occur prior to December 31, 2021. The policy shall be brought forth and repassed in its present or an 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 and / or delegate
Directors and / or delegate

3.0 Review/Revision History

CA183/2015	176/2006	219/99	52/93
CF252/2012	271/2005	192/98	360/91
CF194/2011	263/2004	182/97	328/90
CF216/2010	283/2003	224/96	457/86
CF12/2010	286/2002	91/96	
167/2007	212/2001	473/95	
231/2006	229/2000	326/94	



Barry Turner,
Mayor



Stephane Labonne,
Chief Administrative Officer