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Title: *Delegation of Authority Bylaw*	Publication: *External*
Department: *Administration*	Bylaw Number: *TOCPAB-004-BL*
Approval Date: *April 29th, 2025*	Implementation Date: *April 29th, 2025*

SECTION 1: APPLICATION

1.1 TITLE

This Bylaw shall be known and cited as the *Delegation of Authority Bylaw for the Town of Channel - Port Aux Basques.*

1.2 PURPOSE

To ensure that the Town of Channel - Port Aux Basques (the "Town") can effectively delegate building, development and enforcement powers to the Town Manager.

1.3 AUTHORITY

This Bylaw is adopted in accordance with subsection 285(9) of the *Towns and Local Service Districts Act, Chapter T-6.2, 2023,* subsection 109(2) of the *Urban and Rural Planning Act, 2000, Chapter U-8* and Part 1 (7) of the *Channel – Port Aux Basques Development Regulations (2019 – 29).*

SECTION 2: DEFINITIONS

Building - means:

I. A structure, erection, excavation, alteration or improvement placed on, over or under Land, or attached, anchored or moored to Land.
II. Mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other similar Uses.
III. A part of and fixtures on buildings referred to in (a) and (b), and
IV. An excavation of Land whether or not that excavation is associated with the intended or actual construction of a building or thing referred to in subparagraphs (a) to (c). [Urban and Rural Planning Act Section 2(c)]

Development - The carrying out of building, engineering, mining or other operations in, on, over or under Land, or the making of a material change in the Use, or the intensity of use of Land, Buildings, or premises and the:

I. Making of an Access onto a highway, road or way.
II. Erection of an advertisement or Sign.
III. Construction of a Building.
IV. The parking of a trailer, or vehicle used for the sale of refreshments or merchandise, or as an Office, or for living accommodation; <u>And Excludes</u>:
V. The carrying out of works for the maintenance, improvement or other alteration of a Building, being works which affect only the interior of the Building or which do not materially affect the external appearance or Use of the Building.
VI. The carrying out by a highway authority of works required for the maintenance or improvement of a road, being works carried out on Land within the boundaries of the road reservation.

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VII. The carrying out by a local authority or statutory undertaker of works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of Streets or other Land for that purpose.

VIII. The Use of a Building or Land within the courtyard of a dwelling house for a purpose incidental to the enjoyment of a dwelling house as a dwelling. [Urban and Rural Planning Act Sec. 2 (g)]

Development Regulations - Regulations made under sections 34 to 38 of the Urban and Rural Planning Act 2000.

Town - a geographical area incorporated or continued as a Town under the *Towns and Local Service Districts Act, Chapter T-6.2, 2023* or the corporation, as the context requires, but does not include an Inuit community government.

Town Manager – As defined in the *Towns and Local Service Districts Act, Chapter T-6.2, 2023*

SECTION 3: DELEGATION OF AUTHORITY BYLAW

3.1 Delegation

The Town of Channel - Port Aux Basques Town Council hereby delegates the following building/development and enforcement authority to the Town Manager:

3.1.1 Pursuant to subsection 109(2) of the *Urban and Rural Planning Act, 2000*, the authority *to approve or reject applications, as designated by the council or regional authority, to develop land in accordance with the appropriate plan and regulations and that employee may outline the conditions applicable to that development.*

3.1.2 This delegation shall include all authority to render decisions on all development/building permit application types under section 1.5 *Municipal Code and Regulations, The Building Code including the Plumbing Code, the Fire Code, the Electrical Code, and any other ancillary code and any Building Regulations, Waste Disposal Regulation and/or any other municipal regulations regulating or controlling the development, conservation and use of land in force in the Town of Channel-Port Aux Basques, shall, under these Regulations apply to the entire area within the boundaries of the Town of Channel-Port Aux Basques,* as amended from time to time.

3.1.3 Pursuant to subsection 285(9) of the *Towns and Local Service Districts Act, 2023* and subsection 109(3) of the *Urban and Rural Planning Act, 2000,* the authority to issue orders. The issuance of orders under this delegation shall be in accordance with Part I section 1.5 *Municipal Plan Administration: Role of Development Regulations of the Delegated Employee' of the Town of Channel – Port Aux Basques Development Regulations (2019 – 29),* as amended from time to time and,

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3.1.4 This standing delegation for the position of Town Manager shall remain in effect until otherwise repealed in part or in whole by the Channel – Port Aux Basques Town Council.

In accordance with Part 1(7) *Delegation of Authority* of the Town of Channel – Port Aux Basques Development Regulations (2019 – 29), outlining the above noted resolution of Council – shall constitute the delegation of Council's powers in writing.

SECTION 4: REVIEW OF BY-LAW

This Bylaw will be reviewed as deemed necessary. Any revisions to this Bylaw are subject to approval of Council. This Bylaw rescinds all previous policies or Bylaws pertaining to this subject matter.

[end of by-law statement]

Dated at the Town of Channel - Port Aux Basques this 29th day of April, 2025.

Brian Button
Mayor

Nadine Osmond
Town Manager