

CITY OF NANAIMO

BYLAW NO. 7236

A BYLAW TO PROVIDE FOR THE DELEGATION OF PURCHASING POWERS

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WHEREAS pursuant to the *Community Charter*, Council may provide for the delegation of its powers, duties and functions including those specifically established by any enactment to its officers and employees, its committees or its members, or other bodies established by Council;

AND WHEREAS it is deemed desirable and expedient to delegate the powers, duties and functions set out in this Bylaw;

NOW THEREFORE the Council of the City of Nanaimo in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited for all purposes as the "PURCHASING POWER DELEGATION BYLAW 2017 NO. 7236".

2. Delegation of Purchasing Power

The City of Nanaimo hereby delegates all of the powers, duties and functions of Council to authorize the execution of contracts and/or purchases of goods and services on behalf of the City to the following officers and employees:

- a. Chief Administrative Officer;
- b. Chief Financial Officer; and,
- c. Manager of Purchasing and Stores.

Subject to the limitations on that delegated in the City of Nanaimo's Purchasing Policy.

This Bylaw does not authorize the execution of any agreement that requires elector approval under Section 175 of the *Community Charter*, whether as a result of the stated term of the agreement or any provision for extension or renewal.

3. Scope of Bylaw

Subject to the *Community Charter*, unless a power, duty or function of Council has been expressly delegated by this Bylaw or another City bylaw, all of the powers, duties and functions of Council remain with Council.

4. Delegation of Persons Holding Position

Where this Bylaw delegates a power, duty or function to a named position, the delegation of the power, duty or function is to the person whom from time to time holds the position and to any person who, from time to time, is the deputy of that position or is acting in that position.

5. No Delegation by a Delegate

A person to whom a power, duty or function has been delegated under this Bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.

6. Severability

If any section, subsection, or paragraph of this Bylaw is found invalid by a decision of a Court of competent jurisdiction, the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the Bylaw.

PASSED FIRST READING 2017-JAN-16  
PASSED SECOND READING 2017-JAN-16  
PASSED THIRD READING 2017-JAN-16  
ADOPTED 2017-FEB-06

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W. B. MCKAY

MAYOR

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S. GURRIE

CORPORATE OFFICER