

SUMMARY:

The Delegation of Authority to Enter into Agreements Bylaw, delegates powers, duties and functions, including those specifically established by an enactment, to officers and employees of the City.

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CITY OF KELOWNA

BYLAW NO. 11961

Delegation of Authority to Enter into Agreements

WHEREAS Section 154(1) of the *Community Charter*, as amended from time to time, empowers the City to, by bylaw, delegate powers, duties and functions, including those specifically established by an enactment, to officers and employees of the City;

AND WHEREAS Council wishes to delegate to its officers and employees' certain powers, duties and functions;

AND WHEREAS Council wishes to specify which officers and employees may act as signatories on behalf of the City as it relates to agreement transactions;

NOW THEREFORE, the Council of the City of Kelowna, in open meeting lawfully assembled, enacts as follows:

SECTION 1 - INTRODUCTION

1.1 This bylaw may be cited for all purposes as the "Delegation of Authority to Enter into Agreements Bylaw No. 11961";

1.2 Definitions

1.2.1 In this Bylaw:

"**Agreement**" means a negotiated and typically legally binding arrangement between two or more parties as to a course of action;

"**Airport**" means the airport operated by the City of Kelowna known as Kelowna International Airport;

"**Airport Director**" means the person hired in this position by the City Manager;

"**City**" means The Corporation of the City of Kelowna or the area within the Municipal boundaries thereof; and

"**Council**" means the Municipal Council for the City of Kelowna;

SECTION 2 - Authorized Signatories for Airport Agreements

2.1 Provided that all necessary prerequisites of the *Community Charter* the *Local Government Act*, other applicable federal and provincial enactments, City bylaws, and City policies have been met, the Airport Director is assigned the authority within the parameters established by Section 2 to negotiate, approve, execute and amend Agreements related to the Airport Improvement Fee, airlines operating at the Airport, ground handlers operating at the Airport, NAV Canada, revenues including but not limited to parking, car rental, food and beverage, and advertising, on behalf of the City;

- 2.2 The maximum term of an agreement shall be twenty years inclusive of any rights of renewal;
- 2.3 The Airport Director shall provide a report to Council to be received for information regarding any transactions approved pursuant to this Bylaw on an annual basis;

SECTION 3 - SEVERABILITY

- 3.1 In the event that any section of this bylaw is for any reason held invalid by a decision of a court of competent jurisdiction, the invalid section or sub-section shall be severed from and not affect the remaining provisions of this bylaw;

SECTION 4 – EFFECTIVE DATE

- 4.1 This bylaw comes into full force and effect and is binding on all persons as from the date of adoption.

Read a first, second and third time by the Municipal Council this 25th day of November, 2019.

Adopted by the Municipal Council of the City of Kelowna this 2nd day of December, 2019.

Mayor

City Clerk