

Council Policy

F4: Signing Authority



References:
Municipal Government Act
(Section 213)
Records Management Bylaw

Effective Date **May 8, 2023**
Council Resolution **2023-118**

POLICY STATEMENT

In accordance with the Municipal Government Act, authority is delegated to sign cheques, Agreements, and other municipal documents to those elected officials and employees in the positions indicated in this policy. Specific signing authorities may be designated in the Municipal Government Act (MGA), and in other various bylaws and council policies.

PURPOSE

The purpose of this policy is to:

- clarify who in the organization may sign or authorize which municipal documents;
- support accountability for financial and non-financial transactions; and
- provide clarity of roles and responsibilities.

SCOPE

This policy applies to signing authority held by Council, the Chief Administrative Officer, and designates.

DEFINITIONS

Agreement(s) means a document, intended to be enforceable by law, that records an arrangement between the Town and one or more other parties to perform a course of action, and includes Agreements, contracts, memorandums of understanding, and settlements.

Negotiable Instrument(s) means a legal document that is payable to the bearer.

RESPONSIBILITIES

Responsibility for the implementation of this policy will be the Chief Administrative Officer (CAO) and/or designate.

STANDARDS

1. Unless specified elsewhere in this policy, authority is delegated to a position as opposed to a person.
2. Unless otherwise specified, authority delegated to a position extends to any person acting in the position.
3. Only positions that have been delegated signing authority through this policy, or through further delegation permitted by this policy, may sign municipal documents referenced here.

4. Persons who have been delegated signing authority are responsible for:
 - being aware of and complying with all relevant bylaws, policies, procedures as well as external legislative requirements when exercising delegations;
 - ensuring documents are signed in accordance with this policy, and
 - ensuring the accuracy of the document being signed.

5. Prescribed Authorities

5.1. Corporate Seal

The presence of the **Town of Milk River’s** 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, and/or designate 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, Land Titles documentation). The CAO shall maintain a permanent record of any such delegations.

5.2. Bylaws

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

First Signature	Second Signature	Corporate Seal	Location of Original
Required	Required	Required	Records
Mayor	CAO		

The Mayor’s and CAO’s signing authority may be delegated to anyone acting in this capacity. The CAO shall maintain a permanent record of any such delegations.

5.3 Policies

Policies are approved by Council motion; no formal signing is required.

5.4. 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	Second Signature	Corporate Seal	Location of Original
Required	Required	Not Required	Records
Chair of Meeting	CAO or delegate		

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 Recording Clerk for the meeting as applicable. The minutes themselves shall serve as a record of any such delegation.

5.5. 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.

5.5.1 Cheques

Authority for signing cheques is as follows, in accordance with Section 213(4) of the MGA and the Chief Administrative Officer Bylaw. This authority may not be further delegated.

First Signature	Second Signature
Chief Administrative Officer	Mayor or in their absence, any other authorized member of Council

5.5.2 Contracts and Agreements

All Agreements or contracts made or executed on behalf of the Town of Milk River requires both the Mayor or Deputy Mayor (in the **Mayors'** absence) and the Chief Administrative Officers signature.

First Signature	Second Signature
Chief Administrative Officer	Mayor or in their absence, the Deputy Mayor

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.

5.5.3 Other Documents

Authority may be delegated by bylaw or policy allowing other employees of the Town of Milk River to sign documents not listed or outlined above.

6.0 Electronic Signatures

Council authorizes the use of printed or lithographed signatures for the signing of cheques, bylaws, minutes, and other relevant documents.