



MAYORAL DIRECTION PROTOCOL

Protocol Title: **Responsible Use of Staff Direction Powers**

Effective Date: 2025-09-18

Revised Date:

1.0 PURPOSE AND SCOPE

This protocol establishes a clear, transparent, and accountable framework for the exercise of the Head of Council's authority under Section 284.3 of the Municipal Act, 2001, which permits written direction to municipal employees in connection with Strong Mayor Powers as defined in Part VI.1 of the Act.

The protocol is designed to:

- a) Support effective and respectful collaboration between the Head of Council, the CAO, and municipal staff;
- b) Ensure compliance with legislative requirements, including Ontario Regulation 530/22;
- c) Promote transparency and public confidence in the use of Strong Mayor authorities.

2.0 GUIDING PRINCIPLES

The Head of Council shall be guided by the following principles in the exercise of Section 284.3 powers:

2.1 Written Format and Recordkeeping

- a) All directions to municipal employees under Section 284.3 will be made in writing, citing the relevant Strong Mayor Power being exercised.
- b) Copies will be filed with the Clerk in accordance with O. Reg. 530/22 and maintained in the municipal record.

2.2 Respect for Administrative Hierarchy

While direct communication with staff is permitted under Section 284.3, the mayor will make all reasonable efforts to coordinate direction through the CAO, to preserve operational clarity and uphold the statutory role of the CAO under Section 229.

2.3 Transparency and Public Access

Where appropriate and not subject to confidentiality, written directives will be made available to Council and the public via the Clerk, in accordance with Section 3 of O. Reg. 530/22.

2.4 Limiting Scope to Strong Mayor Powers

The Head of Council will ensure that staff directions issued under Section 284.3 are strictly limited to actions related to powers and duties under Part VI.1, and will not duplicate or override Council-approved workplans or unrelated administrative matters.

2.5 Staff Workload and Feasibility

Where directives involve significant time or resource commitments, the Mayor will consult with the CAO to assess feasibility and avoid operational conflict with existing staff responsibilities.

3.0 IMPLEMENTATION AND REVIEW

- a) The Clerk and CAO will collaborate with the Head of Council to ensure this protocol is reflected in internal governance manuals and staff training where applicable.
- b) This protocol shall be reviewed annually, or as required, to reflect any legislative changes or organizational needs.
- c) Amendments to the protocol shall be reported to Council and made available for public review.

4.0 PUBLIC AVAILABILITY

This protocol shall be made publicly available on the municipal website and upon request through the Clerk's Office to ensure transparency in governance and public understanding of the Head of Council's use of Strong Mayor Powers.

Appendix A: Council Approved Resolution -June 5, 2025

WHEREAS Section 284.3 of the Municipal Act, 2001 authorizes the Head of Council, for the purposes of exercising powers or duties under Part VI.1 (Strong Mayor Powers), to direct municipal employees in writing to:

- (a) undertake research and provide advice to the Head of Council and the municipality related to policies and programs under Part VI.1; and
- (b) carry out duties related to the exercise of Strong Mayor Powers, including the implementation of related decisions;

AND WHEREAS Section 284.4 requires that any such direction be made in writing, and Ontario Regulation 530/22 requires the retention and public disclosure of these directives where practicable;

AND WHEREAS Council including the Head of Council recognizes the importance of maintaining organizational clarity, respect for the administrative structure of the municipality, and transparency in communications with staff;

NOW THEREFORE BE IT RESOLVED THAT Council encourages the Head of Council to adopt a governance protocol for the responsible use of Section 284.3 powers, guided by the following principles:

- Written Format and Recordkeeping
 - All directions to municipal employees under Section 284.3 will be made in writing, citing the relevant Strong Mayor Power being exercised.
 - Copies will be filed with the Clerk in accordance with O. Reg. 530/22 and maintained in the municipal record.
- Respect for Administrative Hierarchy
 - While direct communication with staff is permitted under Section 284.3, the mayor will make all reasonable efforts to coordinate direction through the CAO, to preserve operational clarity and uphold the statutory role of the CAO under Section 229.
- Transparency and Public Access
 - Where appropriate and not subject to confidentiality, written directives will be made available to Council and the public via the Clerk, in accordance with Section 3 of O. Reg. 530/22.
- Limiting Scope to Strong Mayor Powers
 - The Head of Council will ensure that staff directions issued under Section 284.3 are strictly limited to actions related to powers and duties under Part VI.1, and will not duplicate or override Council-approved workplans or unrelated administrative matters.

- Staff Workload and Feasibility
 - Where directives involve significant time or resource commitments, the Mayor will consult with the CAO to assess feasibility and avoid operational conflict with existing staff responsibilities.

AND THAT the Clerk and CAO be directed to work with the Head of Council to develop a written protocol consistent with these principles, to be incorporated into the municipality's governance framework and made available for public reference.