

Department: Corporate Services

Division: Legal

Reports to: Director, Corporate Services

Purpose:

Lead and direct the delivery of legal services to achieve departmental and organizational goals; co-ordinate the activities of the Law Clerk and serve as Corporate Legal Counsel and Deputy Clerk.

Duties & Responsibilities

1. Provides general legal advice and counsel of all kind to Council and Corporation staff; acts as The Corporation's primary contact for all legal communications.
2. Coordinates all legal matters with respect to planning/land matters; real estate transactions; insurance claims, public highway matters and road closures.
3. Negotiates, drafts (or oversees drafting), reviews and approves the form and content of by-laws, contracts, leases, agreements and other legal instruments; executes agreements and other legal documents on behalf of The Corporation.
4. Administers the Town's insurance portfolio; negotiates annual renewals and consults with insurers on issues such as claims, liability and risk management strategies.
5. Conducts research and prepares and/or approves reports, resolutions and motions for consideration of Council and Council-in-Committee in consultation with the Chief Administrative Officer, other associates and stakeholders.
6. Remains current of statutory and regulatory enactments/amendments, common law and recommends appropriate operational, compliance and/or policy responses.
7. Oversees and directs the coordination of statutory notices, letters, advertisements, and postings.
8. Supervises the preparation for and represents The Corporation at judicial, quasi-judicial and administrative proceedings, as well as outcomes and appeals; acts as co-counsel if and when The Corporation requires specialized legal expertise.
9. As Deputy Clerk, exercises all the statutory powers and duties in absence of Clerk.
10. Develops or recommends amendments to corporate and departmental policies, procedures and business practices; proactively identifies, develops and implements/recommends process improvements.
11. Participates in senior corporate decision-making, policy/goal-setting and sits on administrative committees, including the Emergency Management Program Committee.

Education & Experience

- Bachelor of Law Degree or equivalent and successful completion of the Ontario Bar Admission Course
- Member in good standing of the Law Society of Upper Canada

- Barrister and Solicitor entitled to practice law in Ontario
- Demonstrated success in a senior management position in a municipal corporation
- Experience leading prosecutions and representing both plaintiffs and defendants
- Experience appearing before the courts and quasi-judicial bodies, particularly the Ontario Municipal Board
- Experience with records management

Knowledge

- Technical knowledge of relevant statutes and regulations i.e. Municipal Act, Municipal Elections Act, Assessment Act, Limitations Act, Land Titles Act, Building Code Act, Registry Act, Highway Traffic Act, Planning Act, Heritage Act, Statutory Powers and Procedures Act, Interpretation Act, freedom of information legislation and their predecessors/successors
- Technical knowledge of judicial, quasi-judicial and administrative rules of procedure
- Technical knowledge of risk management/mitigation strategies
- Advanced, applied knowledge of computers and office software
- General knowledge of local government structure, protocol, procedures, budgeting and funding
- General knowledge of municipal council procedures and practices
- General knowledge of routine office procedures, practices and equipment
- General knowledge of by-law enforcement procedures
- General knowledge of customer service
- Competent within the meaning of the Occupational Health and Safety Act

Skills & Ability

- Excellent negotiation, presentation and communication skills; listens, understands, responds
- Develops and sustains positive relationships with peers, the public and stakeholders
- Partners with other staff and stakeholders to define problems/issues, identify and recommend innovative, practical solutions
- Resourceful, self-confident, self-managing; accepts multiple, challenging assignments
- Advocates for the municipality
- Demonstrates ethical conduct, political sensitivity, discretion, integrity and reliability

Supervision

Supervises Law Clerk and Legislative Assistant (shared resource with the Clerk)

Work Demands

- Work is primarily self-directed or assigned as broad objectives and goals, in accordance with Council and Corporation directives and policies and subject to available resources
- Legal decisions are generally made independently, but can involve consultation with subject-matter experts, stakeholders, external legal resources
- Target completion dates vary widely from days to years
- Some administrative matters require consultation with Chief Administrative Officer
- Pressure to provide immediate opinions based on incomplete facts
- Communication involves clarification, explanation and negotiation
- Frequent periods of highly concentrated mental alertness
- Frequent deadlines and interruptions
- Work is performed in an office environment
- Long periods of sitting; occasional exposure to dust, dirt, noise; rare exposure to weather and water
- Some evening meetings; some attendance out of town
- Desire to represent and serve the public's interest
- Errors may result in further litigation, involve council and other departments, re-work, additional costs and embarrassment to The Corporation

Position History

This position of Director, Legal & Legislative Services was created in April 2006 as the result of an internal reorganization. The job description was amended in September 2006. The position was vacated in April 2012. In November 2013, Council decided to recruit a part-time Town Solicitor on a pilot basis. The job description was updated in March 2017.

This Job Description was reviewed in July 2017 for AODA compliance and organizational changes and reporting.

Chief Administrative Officer

Date