



**AMCTO**  
THE MUNICIPAL EXPERTS

# **Strong Mayor Authorities Scan**

How Mayors are Using their Powers

October 2024

# Introduction

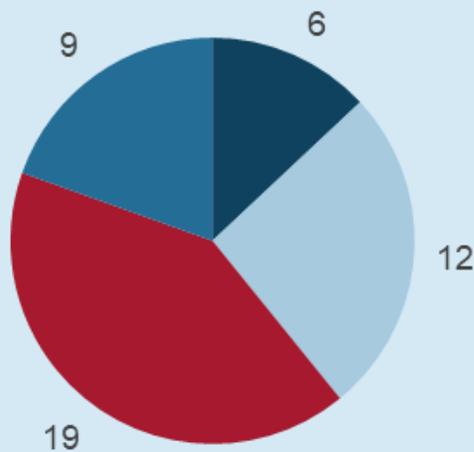
- In 2022, through changes to the [Municipal Act](#) and [O. Reg. 530/22](#), the Province first gave the 'head of council' in this case the mayors of Toronto and Ottawa, followed by the mayors of 48 additional municipalities in 2023, powers to:
  - Appoint municipal CAOs and other non-statutory department heads and restructure departments;
  - Exercise powers of a municipality under section 229 of the *Municipal Act* with respect to the CAO;
  - Create new committees and appoint chairs and vice-chairs;
  - Direct items to council that could potentially advance a provincial priority and direct staff to develop proposals to be brought forward for council consideration;
  - Propose the municipal budget and veto changes proposed by council; and
  - Veto council's passing of a bylaw if all or part of the bylaw could interfere with a provincial priority.
- The use of powers vary between mandatory (i.e. budget) vs. optional (i.e. establishing committees).
- The head of council may choose to delegate powers with respect to chief administrative officer, organizational structure (including employment matters), local boards; and/or committees.
- Generally intended to streamline municipal governance and decision-making, for the additional municipalities, expansion of powers was tied to the municipality signing the Province's housing pledge. Four municipalities declined the pledge and therefore the powers.
- As of July 2024, a total of 46 mayors were granted the powers by regulation.

# Research Notes

- This deck was prepared to provide AMCTO members with key information to:
  - compare strong mayor power use and practice across the Province;
  - better understand the impacts to municipal governance, structures and staff;
  - continue to support municipalities who are transitioning or may be added to strong mayor systems; and
  - encourage discussion of better legislative solutions that meet government objectives.
- AMCTO circulated the draft scan to CAOs and Clerks of the strong mayor municipalities, with about 74% response rate.
- Where more information was required, AMCTO connected with municipal staff and referred to publicly provided information from municipal webpages listing mayoral decisions up to and including July 19, 2024.
- This provides a snapshot in time, as decisions may be amended, rescinded, etc. at any time.
- Oftentimes, the report compares data across population groupings, as well as [AMCTO Zones](#).
- For further clarification or questions regarding this report, and our resources, please contact [advocacy@amcto.com](mailto:advocacy@amcto.com)

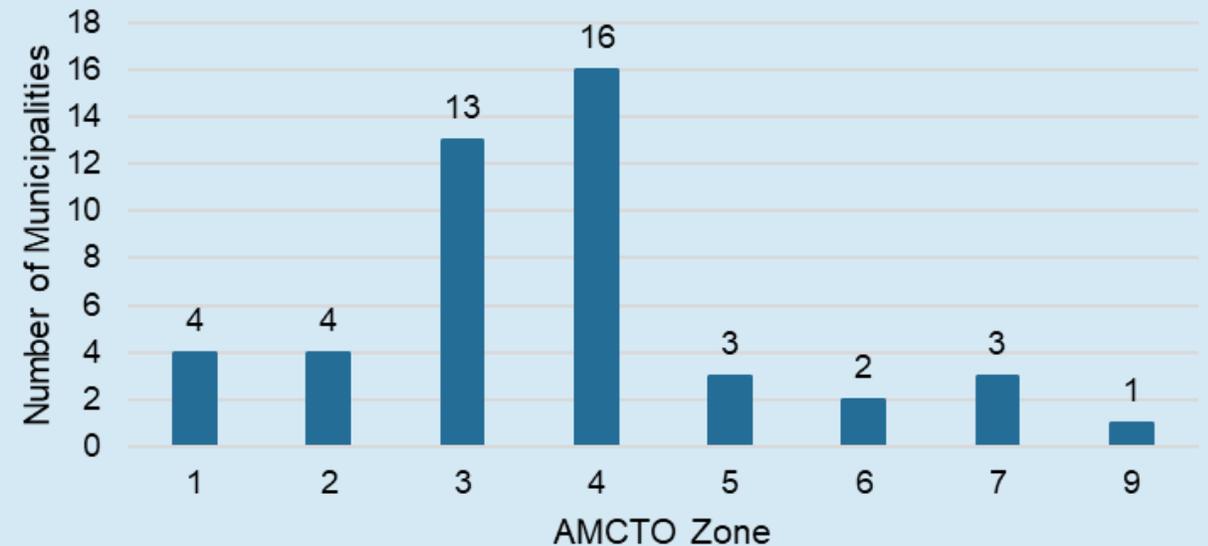
# Strong Mayor Municipalities by Population and AMCTO Zones

Strong Mayor Municipalities by Population (N=46)



■ 10,000 – 50,000 
 ■ 50,000 – 100,000 
 ■ 100,000 – 250,000 
 ■ More than 250,000

Number of Strong Mayor Municipalities by Zone (N=46)



*Note: There is no 'Strong Mayor' municipality in Zone 8.*

# Context

- AMCTO supports municipal administrators by providing training, networking, and supporting continued advocacy efforts for improving accountability and transparency frameworks to operate effectively and manage local relationships.
- AMCTO raised concerns with the new legislation such as:
  - Effective removal of non-partisan local government leaders;
  - Potential for the politicization of senior and other local government officials; and
  - The additional administrative burden it would create for our members and other municipal staff.
- In our [submissions](#), we also put forward several recommendations for consideration.
- AMCTO tracks how strong mayor powers have been used across the Province, collecting administration and operational information since the powers were introduced.
- We asked our members to review the scan for accuracy and update as required. The data collected was cleansed, updated and analyzed for key findings.

# Key Data

Of the 46 municipalities granted strong mayor powers:

## Administration

- 54% of mayors retained the power to appoint/dismiss the CAO, while 46% of mayors delegated it to council. While 85% did not exercise the power, of which four confirmed the employment of the current CAO, 15% directly changed the CAO.
- About 67% of mayors delegated their power regarding organizational structure, all to the CAO, while 33% retained it.
- While 93% of mayors did not exercise the power, two of which confirmed the current structure, 7% directly changed the structure.
- 74% of mayors delegated power over employment matters, while 26% of mayors retained the power. 15% directly made staffing changes.

# Key Data

Of the 46 municipalities granted strong mayor powers:

## **Accountability and Transparency in Decision-Making**

- 24% of mayors brought forward matters or bylaws under 'provincial priorities' for council consideration.
- About 7% of mayors vetoed a decision of council.
- 87% of mayors directed municipal employees to undertake research, provide advice or carry out duties related to municipal policies, programs or strong mayor powers/duties.
- 100% of municipalities have a public webpage or section of a webpage dedicated to strong mayor authority and documents.
- 50% of municipalities post the required mayoral decisions, while the other 50% are posting mayoral decisions and directives.

# Key Data

Of the 46 municipalities granted strong mayor powers:

## **Budget**

- About 76% of mayors directed staff to prepare the budget. For 13%, the Mayor or Mayor's Office prepared the budget, 4% directed their Budget Committee to prepare the budget, and the remainder are unclear.
- Where staff or the Budget Committee prepared the draft budget, about 17% of mayors outlined content, policy or outcome specifics as to how staff should develop the budget.
- 2% or one municipality experienced the mayor using the budget veto.

# Key Data

Of the 46 municipalities granted strong mayor powers:

## **Committees**

- About 65% of mayors retained the power to establish/assign functions of committees. With 35% having delegated the powers, all chose to delegate to council.
- 26% of mayors exercised their powers to change committees.
- 67% of mayors retained the power to appoint committee chairs and vice chairs. With 33% having delegated the powers.
- 26% of mayors exercised their powers to change the chair/vice-chair of committees.

# Impacts to Municipal Operations

- A variety of municipalities had staff provide presentations to their councils and the public regarding strong mayor legislation and powers, though legal interpretation of such powers differs.
- Several municipalities changed their procedural bylaw to consider procedures related to use of strong mayor powers as well as updated processes for signing bylaws.
- In some cases, the community became quite vocal and involved in the use of powers, eg. In Burlington community members petitioned for the Mayor to delegate powers, while in Caledon community members formed a resident group to discuss concerns regarding the Mayor's intention to use the powers to fast-track development applications.

# Impacts to Senior Leaders and Staff

- Though powers are afforded to the mayor, there is reliance or burden on staff, especially where mayor's office staff is limited, to support the interpretation and implementation of powers.
- While municipal staff are adapting to the new legislation and powers, updating various policies and processes, there is significant inconsistency in interpretation and administration of powers.
- Legislation may be too specific in some areas and not specific enough in others as municipality to municipality there are differences in how people are reading and interpreting it, making implementation challenging for staff and resulting in inconsistency in how it is applied and documented.
- Inconsistency in interpretation and administration affects the level of accountability and transparency in decision-making as well as results in varying details provided in publicly available decisions or directives, outcomes of which could result in negative perceptions of municipal staff.

# Impacts to Senior Leaders and Staff

- For example:
  - Where staff have been directed to change policies, whether there is public consultation on such change is often at the mayor's discretion.
  - In some instances, the mayor may be making more politically motivated policy decisions rather than seeking or considering the advice of staff.
  - Staff as the non-partisan local government management professionals, typically provide recommendations that are subject to research, collaboration and consultation, brought through an open forum to be discussed or debated, a process a selection of mayors have evaded or attempt to evade.
  - There may be instances where via decision or directive, staff are being asked to supersede or waive policy. Mayors may be afforded immunity (s. 284.14 of the *Municipal Act*) regarding use of powers, but the legislation is unclear on what liability staff may face for abiding by mayoral decisions.
- Staff are tasked with implementing mayoral decisions, including examples like those mentioned above, that can reduce openness and transparency. Even though it is a decision by the mayor, it may still reflect poorly on staff for carrying it out.

# Impacts to Senior Leaders and Staff

- Based on the number of mayors that delegated their powers regarding organizational structure and employment matters, it appears these areas are still generally considered to be within the purview of the Chief Administrative Officer.
- Where there is higher tendency for use of powers, especially where there are changes to the senior staff, there tends to be broader turnover in general staff which may negatively impact corporate culture, employee morale and institutional knowledge, and as a result service delivery.
- While many mayors have advised that they do not intend to use the powers, generally over half have retained powers related to committees as well as to appointing/dismissing CAOs.
- This leaves staff employment, well-being and effectiveness subject to the discretion of the mayor who may decide at any time to use the powers or change a process.

# Summary

- At the introduction of this legislation, AMCTO clearly articulated, on behalf of its membership, concerns about the effective removal of non-partisan local government management professionals, especially the Chief Administrative Officer (CAO), and the impact this could have on the politicization of senior and other local government officials.
- We also emphasized the additional undue administrative burden this change could have on our members and other municipal staff. AMCTO's research indicates mayors' retention, use and implementation of the powers afforded to them are:
  - Creating an operational and administrative burden on municipal staff to support the interpretation and implementation of powers;
  - Blurring the lines of political and administrative authority, particularly between the mayor and chief administrative officer;
  - Leading to inconsistent and at times lack of accountability and transparency in decision-making; and
  - Leaving staff employment, well-being and effectiveness at the discretion of the mayor.
- Much of the outcomes of which can and have changed the dynamic between staff and decision-making with some negative impacts to staff as well as disruption to municipal timelines, policies, procedures and resources.

# Conclusion

- At times, the powers appear to have streamlined governance and decision-making, but they have also put municipal service and administration at risk with uncertainty and changes to organizational structure and staffing.
- Though only time will tell what kind of outcome mayoral decisions will have on municipal financial sustainability, budget decisions taken, as well as those related to organizational structure and staffing may in turn have a cascading effect for municipal financial sustainability.
- AMCTO has long held the position that there remain opportunities to strengthen municipal administration through clarifying the roles and responsibilities between the CAO and mayor (or head of council) to distinguish between administrative and political responsibilities.
- It is with this in mind and the impacts of strong mayor powers, specifically the politicization of local government leadership, that we reaffirm our opposition to strong mayor powers related to the CAO and staff.

# Conclusion

- Municipalities need further guidance and clarity in legislation and regulation that will:
  - improve accountability and transparency frameworks,
  - strengthen local relationships,
  - support effective municipal operations, and
  - reduce impacts to municipal leaders and staff.
- It is important to consider opportunities to leverage benefits of the strong mayor model while mitigating the risks.
- In our previous [submission](#), we put forward several recommendations.

# Next Steps

- With various provisions and limitations of powers yet to be tested, AMCTO will continue to track how strong mayor powers are used and the impacts to municipal leaders and staff.
- Further areas to explore include:
  - The relationship between the mayor and CAO/staff
  - Extent of division between oversight and administration
  - Impact to municipal staff integrity and reputation
  - Application of powers during municipal election period
  - Further outcomes and impacts to municipalities and respective communities
- Ongoing Project: AMCTO is conducting research and analysis of the strong mayor model in Ontario and internationally, along with other governance models, to help identify opportunities for improvement and solutions that would clarify the role and increase effectiveness of the CAO.

# Thank you for participating

- This work would not be possible without input from municipalities.
- Thank you to staff from the following municipalities for taking the time to review, complete and/or verify information within our scan:

- The Town of Ajax
- The Town of Aurora
- The City of Barrie
- The City of Belleville
- The City of Burlington
- The City of Cambridge
- The Municipality of Chatham-Kent
- The Municipality of Clarington
- The City of Guelph
- The Town of Halton Hills
- The City of Hamilton
- The Town of Innisfil
- The City of Kawartha Lakes

- The City of Kitchener
- The City of London
- The City of Markham
- The City of Mississauga
- The City of North Bay
- The Town of Oakville
- The City of Oshawa
- The City of Ottawa
- The City of Peterborough
- The City of Pickering
- The City of Richmond Hill
- The City of Sarnia
- The City of Sault Ste. Marie
- The City of St. Catharines

- The City of Toronto
- The City of Thunder Bay
- The City of Vaughan
- The City of Waterloo
- The City of Welland
- The Town of Whitby
- The City of Woodstock