

The Municipal Administration: Guidance for Public Health

FACT SHEET 2

MUNICIPAL GOVERNANCE AND PUBLIC HEALTH IN CANADA

2026

FOREWORD

This fact sheet presents the role of the municipal administration: the municipal staff, headed by the chief administrative officer. It is part of [a collection of fact sheets on municipal governance in Canada](#). This collection is intended for public health organization staff who wish to better understand how municipalities operate in order to position themselves strategically, collaborate effectively with the municipal sector, and exercise influence for health-promoting municipal decisions. This collaboration is important, as municipalities have a direct influence on living environments and therefore on key determinants of population health.

This publication was developed by the National Collaborating Centre for Healthy Public Policy as part of its regular scientific programming. The NCCHPP is financed by the Public Health Agency of Canada and hosted by the Institut national de santé publique du Québec.

KEY MESSAGES

- This fact sheet is part of a collection on municipal governance in Canada, intended for public health organizations seeking to collaborate with municipalities. It presents the municipal administration—that is, the municipal staff, who are key partners given their role and positioning.
- The administration influences municipal action by making recommendations to the municipal council and implementing its decisions.
- The chief administrative officer (CAO) heads the administration and serves as the interface with the municipal council.
- Municipal staff members are technical interlocutors and are generally more stable over time than elected officials—an advantage for ensuring continuity in collaborations.
- Depending on the size of the administration, the most relevant partners may vary: project officers, municipal department heads, the CAO, or the municipal clerk.
- The structure of municipal departments reflects the responsibilities exercised by the municipality, which are determined by provinces and territories. Understanding this legal framework helps identify the municipal responsibilities that can promote health and use them as levers for collaboration.



ABOUT THE COLLECTION OF FACT SHEETS ON MUNICIPAL GOVERNANCE

Municipal governments play a key role in shaping the communities in which we live, directly influencing population health and wellbeing (Lévesque et al., 2024; Morestin, 2020). This capacity for action makes municipalities relevant—and even essential—partners for public health. A better understanding of how municipalities operate makes it possible to position oneself strategically, identify the right contacts among municipal representatives, spot windows of opportunity and work effectively within municipal decision-making processes, while also setting realistic expectations.

With this in mind, the NCCHPP has developed [a collection of thematic fact sheets](#) on municipal governance in Canada, intended for the staff of public health organizations.

The content of this collection was developed in three phases:

- An analysis of guides for newly-elected municipal officials in Canada's ten provinces and three territories;
- A Canada-wide consultation with public health professionals (three focus groups and a questionnaire);
- A complementary review of scientific and government literature.

For more information, see [the fact sheet outlining the project's context and methodology](#).

1 INTRODUCTION

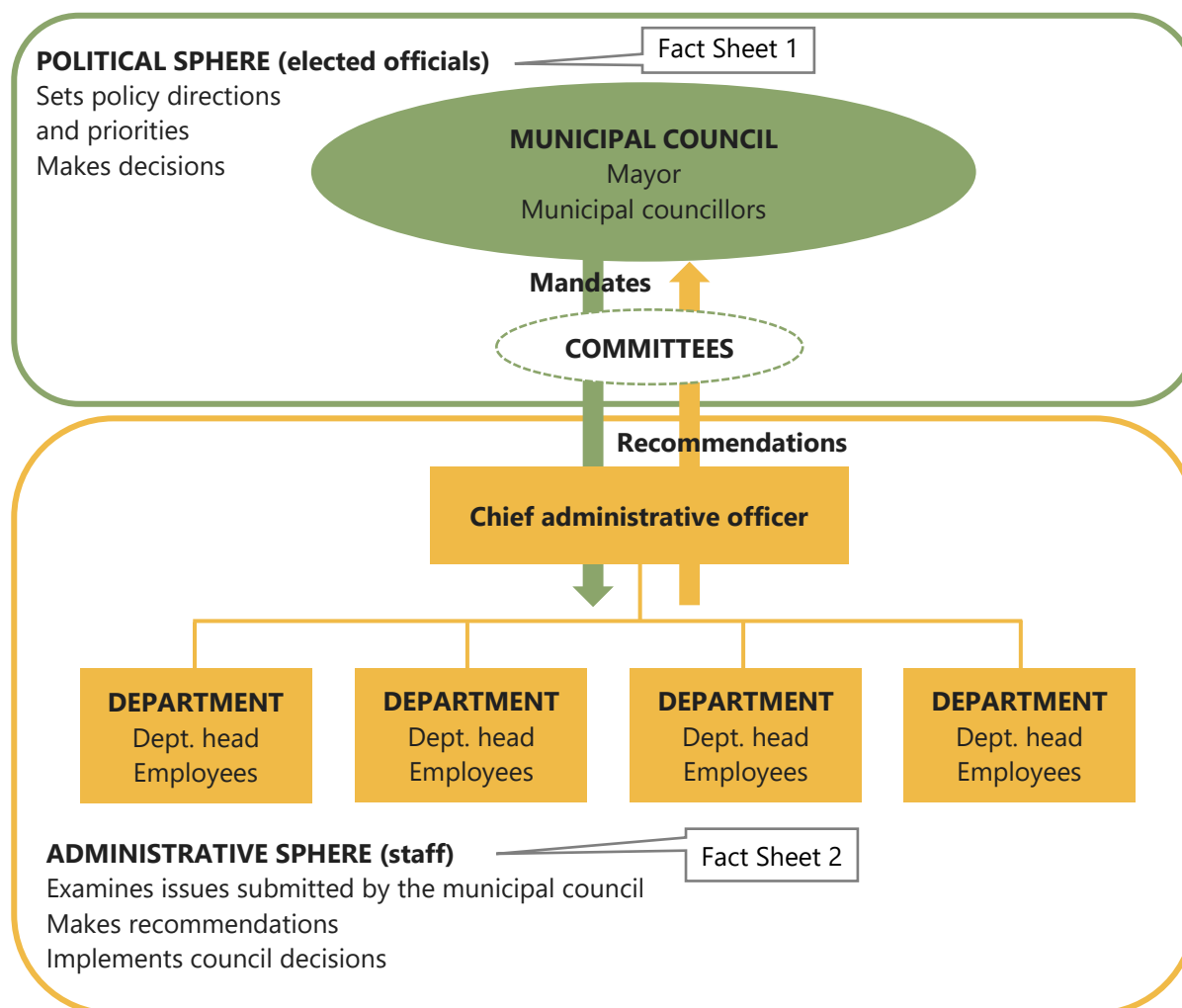
This fact sheet focuses on the municipal administration, which makes up one of the two spheres on which municipal governance is based (Figure 1):

- The political sphere: elected municipal officials who make up the municipal council (discussed in [Fact Sheet 1](#)).
- The administrative sphere: municipal staff, headed by the chief administrative officer.

This fact sheet covers the following topics, in order:

- The role and composition of the municipal administration
- The chief administrative officer
- Other key positions: the clerk and the treasurer
- The legal framework, including municipal responsibilities and powers
- The structure of the municipal administration, and modes of service provision.

Figure 1 Simplified structure of a municipality



2 WHAT IS THE ROLE OF THE MUNICIPAL ADMINISTRATION AND OF WHOM IS IT COMPOSED?

The municipal administration is made up of all municipal staff. It is responsible for:

- Studying the issues submitted to it by the municipal council and submitting recommendations to support the latter's decision-making process;¹
- Implementing the policy directions chosen by the municipal council – from program design, through logistical and financial management, to direct service provision (Tindal et al., 2016).

¹ For more information on the municipal decision-making process, see [Fact Sheet 3](#).

While municipal council members are elected, municipal staff (who hold public servant status) are recruited based on their experience and expertise. They remain in office regardless of changes to the municipal council following municipal elections (Fenn & Siegel, 2017).² In general, therefore, they are more stable contacts than elected officials. However, it is common for them, over the course of their careers, to move up within their municipality or to transition from one municipality to another.

There is a wide variety of profiles among municipal staff: public works employees who work on road repairs or maintain green spaces; client relations officers who register citizens' requests; specialists in urban planning, economic development, social development or other subjects; built environment inspectors; recreation facilitators; etc.



For some examples, see: [*Portraits of employees of the Plateau Mont-Royal*](#) (2- to 5-minute video capsules, in French).

The size of a municipal administration varies considerably depending on the size of the municipality (Tindal et al., 2016):

- **Large cities:**³ thousands of employees spread across numerous specialized departments, with formalized hierarchies and procedures. This scale provides for greater resources and expertise but can make coordination between departments more complex.
- **Small municipalities:** 60% of Canadian municipalities have 5 or fewer employees (Federation of Canadian Municipalities, 2024). Many of these municipalities have no specialized staff, but still have to perform the same basic functions as all other municipalities. Thus, their employees take on multiple functions.

IN PRACTICE – COLLABORATING WITH MUNICIPAL STAFF⁴

- Understand the work contexts of the staff members you may approach: is it a large administration in which each person plays a specialized role, or a small administration in which each person fulfills several roles?
- Adapt your message to your targeted contacts' level of qualification and specialization in the subject in question.
- Have at least two contacts for the same subject, when applicable, to ensure continuity in the event of staff turnover.

² However, refer to the special case of chief administrative officers in [section 3.4](#).

³ "Municipality" is a generic term that refers to municipalities of all sizes, from the smallest to the largest. The term "city" refers to a category of municipalities—those of relatively larger size. It is a commonly-used term, but one that does not have a uniform, objective definition across Canada; for example, the population threshold required to qualify as a city varies from one jurisdiction to another (Graham, 2018). In this collection of fact sheets, we sometimes use the term "city" with qualifiers (large cities, mid-sized cities) to give a sense of the type of context being discussed.

⁴ The content of all "In practice" boxes draws, among other things, on the experience shared by public health staff during the focus groups organized by the NCCHPP and during the external review of this Fact Sheet.

3 AT THE HEAD OF THE MUNICIPAL ADMINISTRATION: THE CHIEF ADMINISTRATIVE OFFICER

Most provinces and territories require the appointment of a chief administrative officer (CAO) (the title may vary by jurisdiction: see Table 1). Even when provinces do not require it, many municipalities have a CAO.

Table 1 The various titles of the head of the municipal administration

BC	Chief administrative officer, city manager
AB	Chief administrative officer, city manager
SK	Administrator, chief administrative officer, city manager
MB	Chief administrative officer, city manager
ON	Chief administrative officer, city manager Francophone municipalities: <i>Directrice générale</i> or <i>Directeur général</i>
QC	<i>Directrice générale</i> or <i>Directeur général</i>
NB	Chief administrative officer Francophone municipalities: <i>Directrice générale</i> or <i>Directeur général</i>
NS	Chief administrative officer
PE	Chief administrative officer
NL	Chief administrative officer, city/town manager
YT	Chief administrative officer, city manager
NT	Band manager, senior administrative officer
NU	Chief administrative officer, senior administrative officer

The person at the head of the administration occupies a strategic position: that person is both an influential advisor to the municipal council and the manager of day-to-day operations. The CAO plays an important role as the intermediary between the municipal council and the administration (Siegel, 2015). CAOs also maintain relationships with external partners: contractors, organizations operating within the community, other levels of government (Tindal et al., 2016).

The responsibilities of the CAO typically include:

- Advising the municipal council on policies, programs and strategic decisions;
- Implementing council decisions;
- Overseeing the work of the municipal administration;
- Managing the municipal budget;
- Directing and managing municipal staff (Siegel, 2015).

The two following subsections examine in greater depth the role of the CAO in relation to the municipal council and the municipal administration.

3.1 Role with respect to the municipal council

The power dynamic between the municipal council and the CAO is somewhat ambiguous. On the one hand, the council has been elected to exercise power. On the other hand, the council cannot accomplish anything in practice without the cooperation of the administration, which is headed by the CAO (Graham, 2018). For their part, the CAO is expected to serve the municipal council loyally (Fenn & Siegel, 2017).

In practice, the CAO's influence varies according to:

- The responsibilities of the position as set out in provincial or territorial legislation.
- The culture of the municipality.
- The involvement and dynamics of the municipal council:
 - Where elected officials work part-time (often in small municipalities), the CAO is generally more autonomous and assumes a greater decision-making role.
 - This is also the case when the municipal council struggles to establish clear and shared directions.
- The personalities of the CAO and key elected officials (mayor, committee chairs): since laws and regulations include few specifics about how roles are divided, power relationships are established through the informal testing of limits, immediately following municipal elections and then over time (Graham, 2018; Sancton, 2015; Siegel, 2015; Tindal et al., 2016).

A CAO with well-established influence is able to:

- Set limits on elected officials who attempt to overstep their powers with respect to the administration;
- Bring to the fore issues that the municipal council would prefer to ignore;
- Highlight contradictions in the council's directions (e.g., approving new initiatives while refusing to raise taxes to finance them);
- Support elected officials to give them the confidence to make a necessary but bold decision – e.g., to take out a substantial loan to repair essential infrastructure (Graham, 2018; Siegel, 2015).

3.2 Role with respect to the municipal administration

The CAO manages the municipal administration. That being said, in medium-sized and large cities with a fairly large public administration, CAOs have neither the time nor the specialized expertise to enter into the details of the various departments' subject areas. CAOs rely on the support of department heads for that purpose (Siegel, 2015).

However, CAOs are more directly involved in two areas:

- Personnel management, and in particular monitoring the administration's performance, for which department heads are accountable;
- Financial management, which is discussed in [Fact Sheet 4](#) (Siegel, 2015; Tindal et al., 2016).

When the municipal council asks the administration to study an issue, the CAO forwards the request to the relevant departments; once the issue has been studied, the CAO presents the completed report to the municipal council. [Fact Sheet 3](#) provides more detail on this process.

ARE CAOs THE ONLY STAFF MEMBERS WHO INTERACT WITH THE MUNICIPAL COUNCIL?

In theory, CAOs are the only municipal staff members who communicate with the municipal council. But in practice, in most municipalities, all department heads report to the municipal council (Sancton, 2015). Interaction with elected officials is even institutionalized in many municipalities, where department heads are members of standing committees that focus on the same issues as their departments (Tindal et al., 2016). Moreover, informal exchanges between elected officials and staff occur frequently in small and medium-sized municipalities, where administrative and political teams are smaller and often run into each other (Morestin, 2019). It is considered standard for elected officials to ask questions of staff. However, elected municipal officials are not supposed to give instructions to staff; this is the exclusive prerogative of the CAO (Fenn & Siegel, 2017).

Another essential role of the CAO is to coordinate the work of municipal departments when several of them need to collaborate to implement policies, programs, and services (Fenn & Siegel, 2017; Siegel, 2015).

Figure 2 summarizes the role of the CAO in the municipal administration.

Figure 2 In summary - The role of the CAO in the municipal administration



Specific to small municipalities

Whereas in large cities, the CAO supervises thousands of staff members, in small municipalities they work with a small team. In some villages, the CAO is the only municipal employee, and sometimes only works part-time or is shared between several municipalities (Graham & Helmer, 2023). In such situations, CAOs don't only supervise: they do hands-on work, performing municipal functions such as managing finances, drafting contracts, setting up service provision, etc. (Graham & Helmer, 2023; Siegel, 2015; Tindal et al., 2016). Their public role is also different: while CAOs are usually unknown to the public in large cities, in a small municipality they are known in their community, just like elected officials.

In some small municipalities, there is no CAO, and a clerk-treasurer acts as the municipality's administrator, while the municipal council assumes many of the functions that usually fall to a CAO.

3.3 What is the profile of CAOs?

Knowing the profile of the people you are engaging with is useful for tailoring the message you present to them.

Many CAOs are promoted from department heads, who are often specialists in a particular field: engineers, urban planners, lawyers, accountants, and so on. Once assuming the role of CAO, these individuals must broaden their perspectives to consider issues affecting all municipal departments and all areas of municipal authority (Graham & Helmer, 2023; Sancton, 2015).

Some CAOs are generalist administrators. They tend to be found in very large municipalities, where they are supported by a team of specialized policy analysts; or they are found in very small municipalities (Sancton, 2015). In the latter case, the salary offered is not always competitive, and it can be difficult to recruit qualified administrators (Graham & Helmer, 2023).

3.4 Do CAOs remain in place for long?

As a general rule, municipal staff members keep their positions longer than elected officials; but this is not always true for CAOs.

As mentioned above, CAOs must be loyal to the municipal council, while setting limits and presenting it with some uncomfortable realities. At the same time, CAOs are the only employees in the municipal administration directly employed by the municipal council, which appoints and dismisses them (Fenn & Siegel, 2017; Graham & Helmer, 2023). The post-election period is a delicate one for CAOs. A study in Alberta indicates that a significant proportion of CAOs are replaced within a year of an election, suggesting that such decisions are political, rather than based on the performance of the CAO in office (Graham & Helmer, 2023).



Protection of the CAO's position varies from one jurisdiction to another. Two cases at the extremes of the spectrum:

- **Newfoundland and Labrador:** dismissal of the CAO requires a two-thirds majority of the municipal council, in two votes held one month apart (Graham & Helmer, 2023).
- **"Strong mayors" in Ontario:**⁵ the decision to appoint or dismiss a CAO is the mayor's, regardless of the municipal council's position (Eidelman, 2023).

In addition, in small municipalities, where the CAO has a heavy workload, there is more turnover of CAOs: many start their careers in these small settings, only to move on to larger municipalities (Graham & Helmer, 2023).

In Alberta, the average tenure of CAOs is 3 years in medium and large cities, and even shorter in small municipalities; this is even shorter than a municipal electoral term, which is 4 years (Graham & Helmer, 2023).

IN PRACTICE – WORKING WITH THE CAO

- Observe the dynamic between the CAO and elected officials, at council meetings and by following local news. This gives an indication of the CAO's influence in a municipality.
- Consider whether the CAO has held their position for a long time – bearing in mind, however, that a change of municipal officials at the next election could lead to the CAO's replacement.
- Take into account the size of the municipal administration:
 - Large municipality: the CAO generally doesn't enter into the details of issues. It is best to approach a department head or project officer.
 - Small municipality: the CAO can be a valuable contact. That said, their workload may limit their availability and ability to support new projects.
- Adapt your message to the CAO's profile (qualifications, previous career).

4 TWO OTHER KEY POSITIONS: CLERK, TREASURER

The municipal clerk:

- Serves as the custodian of all municipal archives: minutes, by-laws, resolutions, public policies, and other strategic documents;
- Helps elected officials organize municipal council meetings and, where applicable, committee meetings;
- Handles requests for public participation in these meetings;
- Records debates taking place at these meetings;
- Prepares and distributes public notices as required by law (Association des directeurs municipaux du Québec, n.d.; Clerks on Call, 2025).

⁵ For more details on the strong mayor's status, see [Fact Sheet 1](#).

The treasurer manages the municipality's finances. Their role includes preparing the budget in conjunction with other municipal actors (see [Fact Sheet 4](#)), revenue collection, payment of sums due, and bookkeeping (Association des directeurs municipaux du Québec, n.d.).

In smaller municipalities, the same person may act as clerk, treasurer and even CAO. Elsewhere, the clerk and treasurer are department heads assisted by a team whose size varies according to the size of the municipality.

The positions of clerk and treasurer are required by law to be filled in certain jurisdictions. Even where they are not required, these positions (or their equivalents: corporate officer, financial officer) exist almost everywhere, as they perform essential functions.

IN PRACTICE – THE MUNICIPAL CLERK, THE CONTACT PERSON IN CERTAIN CIRCUMSTANCES

- Take into account the size of the municipal administration:
 - Small municipality: the clerk is a key contact because of their role in gathering and preserving all municipal information.
 - Bigger municipalities: the clerk cannot keep in mind all municipal activity. It is best to approach the staff members responsible for the issue you're interested in.
- Contact the clerk to make a request to participate in the question period at council meetings (see [Fact Sheet 1](#)) or to make a presentation before council or one of its committees (see [Fact Sheet 5](#)), if the procedure is not explained on the municipality's website.

5 THE MUNICIPAL LEGAL FRAMEWORK: JURISDICTION,⁶ POWERS, AND LIMITS

A municipality's administrative structure, i.e., how its departments are organized, is shaped by its organizational capacity, its history, its specific context, and political choices. It is also influenced by the areas in which the law allows it to act and by the powers it can exercise. The legal framework therefore defines the range of possibilities for municipal action.

Understanding this legal framework makes it possible to:

- Highlight the links between certain public health issues and municipal responsibilities and areas of action;
- Better grasp the possibilities and limits of municipal action;
- Adjust one's expectations.

⁶ "Jurisdiction" may refer to a province or territory. The same term is also used in Canadian municipal law to designate the areas of competence conferred on municipalities (e.g., "spheres of jurisdiction").

5.1 Sources of municipal Law

Municipalities have no autonomous powers. They can only act within the limits of the power that the province or territory expressly delegates to them by law. Each province and territory has its own legislation pertaining to municipalities.

Municipal legislation generally includes:

- General legislation that establishes municipalities and defines their jurisdictions, powers and responsibilities (Table 2).
- Sector-specific legislation (e.g., land use, the environment, transportation, public safety) that specifies or limits their action in specific areas.

Sector-specific legislation can serve as an important lever for public health, particularly in areas such as land-use planning, transportation, the environment, and municipal taxation (Solomon & Kim, 2025; Couture Ménard & Rioux Collin, 2019). However, their sheer number makes it difficult to compile a precise inventory (Graham, 2018; Taylor et al., 2026). This section therefore focuses on general municipal legislation.

Table 2 Key general municipal legislation

BC	<u>Community Charter, 2003</u> <u>Local Government Act, 2015</u>
AB	<u>Municipal Government Act, 2000</u>
SK	<u>The Cities Act, 2002</u> <u>The Municipalities Act, 2005</u> <u>Northern Municipalities Act, 2010</u>
MB	<u>The Municipal Act, 1996</u>
ON	<u>Municipal Act, 2001</u>
QC	<u>Code municipal du Québec, 1870</u> <u>Loi sur les cités et villes, 1903</u> <u>Loi sur les compétences municipales, 2005</u>
NB	<u>Local Governance Act, 2017</u>
NS	<u>Municipal Government Act, 1998</u>
PE	<u>Municipal Government Act, 2017</u>
NL	<u>Towns and Local Service Districts Act, 2023</u>
YT	<u>Municipal Act, 1998</u>
NT	<u>Cities, Towns and Villages Act, 2003</u>
NU	<u>Cities, Towns and Villages Act, 1988</u> <u>Hamlets Act, 1988</u>

5.2 Municipal jurisdiction and powers

5.2.1 Spheres of jurisdiction

Starting in the mid-1990s, several provinces gradually reformed their municipal legislation to give municipalities greater flexibility in how they take action (Frate & Robitaille, 2024; Dufresne, 2024). More recent legislation now delegates "spheres of jurisdiction" to municipalities, i.e., broad areas in which they can take action, such as the environment, safety, recreation, etc. This approach, now widespread across Canadian provinces and territories, generally gives municipalities greater leeway to adapt their interventions to the needs of their populations. However, the nature and scope of these spheres of jurisdiction vary from one province or territory to another (Taylor et al., 2026).

WHAT IS THE DIFFERENCE BETWEEN JURISDICTION AND POWERS?

There is often confusion as to the difference between jurisdiction and powers (Frate & Robitaille, 2024).

- **Jurisdiction** refers to an area in which a municipality can take action. For example: the environment, housing, health and safety.
- **Powers** refers to what concretely a municipality can do in this jurisdictional area. For example: adopt a by-law, issue a permit, impose a tax, enter into a contract, etc. (Couture Ménard & Rioux Collin, 2019).

Practical example: In Québec, the *Loi sur les compétences municipales* grants municipalities jurisdiction in local economic development. This jurisdiction allows them, among other things, to exercise the power to establish and operate a public market—for example, a fruit and vegetable market (Couture Ménard & Rioux Collin, 2019)—an action that contributes to promoting population health.

5.2.2 Examples of municipal actions that can help improve population health

Although municipal spheres of jurisdiction generally do not refer explicitly to public health, municipalities have many levers to act on health determinants. Figure 3 presents examples of municipal actions that can help improve population health, even if the municipalities undertaking them are not necessarily doing so with a public health objective in mind.

Figure 3 Examples of health-promoting municipal actions

Examples of municipal actions	Effects on determinants of health
Developing pedestrian and cycling networks, providing accessible recreational areas, locating facilities such that they serve the population equitably.	Encourage physical activity.
Creating spaces that encourage interaction, supporting civic participation, energizing community life.	Bolster mental health and social cohesion.
Creating green spaces, protecting biodiversity, promoting adaptation to extreme heat.	Increase climate resilience.
Supporting public markets, preserving farmland, regulating the establishment of different types of food businesses.	Improve the food environment.
Regulating the establishment of bars, installing waste collection points in public spaces for materials associated with substance use, training municipal frontline staff to administer naloxone.	Reduce the harms associated with alcohol and drugs.
Providing adapted, accessible, and stimulating environments.	Support families and early childhood.

Examples offered by the Association pour la santé publique du Québec (2025).



For additional concrete examples, see:

- Examples from Québec: [*Municipal Action to Create Environments Conducive to Health and Quality of Life—A systemic analysis framework*](#) (Lévesque et al., 2024) and [*Les compétences et les pouvoirs des municipalités pour créer des environnements favorables à la saine alimentation et au mode de vie physiquement actif*](#) (Couture Ménard & Rioux Collin, 2019);
- Examples from Québec and elsewhere in Canada: [*For healthy municipalities!*](#) (Association pour la santé publique du Québec, 2025).

5.2.3 Municipal jurisdiction and powers in relation to general welfare

In addition to delegating areas of jurisdiction to municipalities, municipal legislation generally includes provisions that enable municipalities to act to protect the health, safety and wellbeing of residents (Solomon & Kim, 2025; Taylor et al., 2026). Although their wording varies from one province or territory to another, these provisions are generally interpreted broadly (Solomon & Kim, 2025).

These provisions are particularly relevant from a public health perspective, as they can enable interventions on issues that do not fall explicitly within municipal spheres of jurisdiction (Couture Ménard & Rioux Collin, 2019; Lévesque et al., 2024). They can thus serve as a basis for a range of measures, such as certain interventions aimed at reducing alcohol-related harms (Solomon & Kim, 2025) or the adoption of by-laws on urban agriculture, for example relating to the keeping of hens or the installation of beehives (Dufresne, 2024; Couture Ménard & Rioux Collin, 2019).

In the *Spraytech* case, the Supreme Court of Canada confirmed that a municipality may ban or limit the use of pesticides to protect the population (*Spraytech*, 2001). This decision illustrates that municipalities sometimes have greater latitude than initial appearances would suggest to act on issues related to the health and wellbeing of the population (Couture Ménard & Rioux Collin, 2019).

5.3 Diversity of the legal framework within certain provinces and territories

In some provinces and territories, several separate statutes govern different types of municipalities (see Table 2). For example, in Saskatchewan, urban, rural, and northern municipalities are governed by separate statutes. In Nunavut, separate statutes govern cities, villages, and hamlets. Some provinces also grant special powers to certain municipalities—typically, large cities—through specific legislation (see the text box on charter cities). Municipal powers can therefore vary not only from one jurisdiction to another, but also within the same jurisdiction (Solomon & Kim, 2025).

CHARTER CITIES

A charter city is a municipality governed by a special statute (or "charter") that supplements or replaces general municipal legislation to grant the municipality powers tailored to its needs.

Taylor et al. (2026) distinguish two models of municipal charters:

- **First model:** The city is governed by a special statute and is excluded from the general municipal legislation (examples: Vancouver, Toronto).
- **Second model:** The city remains subject to the general municipal legislation, but receives additional powers by virtue of a specific statute or regulation (examples: Montréal, Calgary, Edmonton).

Charters do not grant powers that are radically different from those provided by general legislation. However, they sometimes offer greater autonomy (especially in taxation and regulatory matters).

Among the Canadian provinces, only New Brunswick and Saskatchewan have not adopted specific legislation for their largest cities (Graham, 2018; Solomon & Kim, 2025). Some medium-sized cities are also governed by a charter (for example, the city of Lévis).

Examples of noteworthy powers from a public health perspective

- **Vancouver (*Vancouver Charter*, 1953):** a building code specific to the city, a tax on vacant housing, the power to prohibit certain business activities, the power to grant building permits that do not comply with a zoning by-law, and the ability to delegate building permit approval to the Director of Planning—whereas elsewhere in British Columbia, such permits must comply with existing zoning and be approved by the municipal council.
- **Toronto (*City of Toronto Act*, 2006):** additional taxation powers, as compared to other Ontario municipalities (e.g., land transfer tax, vacant home tax) (Taylor et al., 2026).

5.4 Limits and control mechanisms restricting municipal action

Even when municipalities are granted broad authority, their actions remain tightly controlled.

Provincial legislative framework

- Not all municipal powers derive from "spheres of jurisdiction": many sector-specific statutes continue to grant specific and restrictive powers (Frate & Robitaille, 2024).
- Provincial law prevails in case of conflict.
- In many provinces, certain decisions require provincial approval, for example, for municipal development plans/official plans, or for expropriation (Solomon & Kim, 2025; Taylor et al., 2026). In British Columbia, municipal by-laws affecting public health must even be approved by the responsible minister or comply with a ministerial regulation (Solomon & Kim, 2025).

Overriding mechanisms



Four provinces can suspend or modify municipal powers when a provincial interest is at stake:

- In **Ontario**, provincial regulations can limit municipal powers for up to 18 months.
- In **British Columbia**, the provincial government, or a minister, may by regulation modify a requirement established by an enactment. This potentially allows them to retroactively amend municipal by-laws that have already been adopted (Taylor et al., 2026).
- In **Alberta**, as of 2025, the Lieutenant Governor has the authority to order a municipality to amend or repeal a by-law that is contrary to provincial government policy (*Municipal Government Act*, 2000).
- In **Nova Scotia**, as of 2025, the Minister of Public Works may impose decisions on municipalities in matters relating to transportation infrastructure (Taylor et al., 2026).

Provincial emergency measures or public health legislation may also grant provincial governments exceptional powers that can override certain municipal decisions, particularly during public health emergencies (Béland & Landry, 2021).

Constitutional limits

Municipalities cannot regulate areas that fall exclusively under federal jurisdiction (aeronautics, navigation, radio communications, oil and gas pipelines, interprovincial transportation). Courts generally invalidate municipal by-laws that encroach on these areas, although indirect intervention remains possible if the municipal objective is legitimate (e.g., environmental protection, safety) (Frate & Robitaille, 2024).

Moreover, the existence of a provincial or federal statute in a given area does not necessarily prevent a municipality from acting on the same issue. In certain circumstances, municipalities may adopt measures that are more restrictive than those of other levels of government in order to address specific local needs, provided they remain consistent with the applicable legislation—as confirmed, for example, in the *Spraytech* case (*Spraytech*, 2001).

Overall, even though their ability to act has been expanded, municipalities remain vulnerable to intervention by other levels of government (Taylor et al., 2026).

IN PRACTICE – GAINING A CLEARER GRASP OF MUNICIPAL LAW

Understanding the areas of jurisdiction and the powers set out in municipal legislation helps one to identify the links between municipal responsibilities and public health objectives, and to highlight these links when approaching municipalities.

How to identify the relevant laws

- Start with the general municipal law for your province or territory (e.g., *Municipal Act*, *Loi sur les compétences municipales*).
- Do not try to learn all the laws: for each area related to your work (urban planning, the environment, transportation, sanitation, etc.), identify one or two key sector-specific laws.
- In the case of charter cities: consult the charter, and if it indicates that the municipality is also subject to the general municipal law, consult the latter as well.

Provincial and territorial ministries of Municipal Affairs generally publish a list of relevant laws and regulations, including any charters. E.g.:

- Newfoundland and Labrador: <https://www.gov.nl.ca/mpa/departement/legislation/>
- Québec: <https://www.quebec.ca/gouvernement/ministeres-organismes/affaires-municipales/cadre-legal-transparence/lois-reglements>

Approaches to consulting the legal texts

Municipal and sectoral legislation is often lengthy and technical. Instead of reading laws in their entirety, you can follow the steps below:

- Start with the table of contents, which allows you to quickly locate the relevant sections.
- Pay particular attention to the sections entitled "powers", "jurisdiction", "by-laws" (in French: "*pouvoirs*", "*compétences*", "*règlements*"), as these define the responsibilities and powers of municipalities.
- Note the language used. In legislative texts, terms such as "must" or "shall" generally indicate an obligation, whereas terms such as "may" refer more to discretionary authority or a possibility to act.
- Use the search function (Ctrl + F) with keywords related to your issue (e.g., health, nuisance, environment, permit, inspection).
- Pay close attention to the definitions at the beginning of the law, which often clarify the actual scope of the terms used.

6 HOW JURISDICTION AND POWERS TRANSLATE INTO ACTION: THE STRUCTURE OF THE MUNICIPAL ADMINISTRATION AND SERVICE PROVISION

The municipal administration is divided into departments, which are the administrative units responsible for the delivery of programs, activities, and infrastructure under municipal authority. Municipal departments are usually organized by areas of responsibility (public works, urban planning, recreation, environment, finance, public safety, etc.).

- **In small municipalities**, several functions are often grouped together within the same department (e.g., roads, park maintenance, and water management). In some cases, certain departments (urban planning, recreation) do not exist at all, and the municipality hires external consultants as needed (Sancton, 2015).
- **In large cities**, the organizational chart is complex, with specialized departments, divisions and sub-divisions (e.g., urban planning may be split between planning, permits, and inspection). This complexity increases the challenges of coordinating the work of municipal departments, as there is an increased risk of staff working in silos.

Outsourcing of certain municipal services

Certain core services (issuing development permits, maintaining roads) are almost always provided directly by municipalities. Others are more often outsourced. Figure 4 shows the trends observed in the 65 largest municipalities in Canada for the provision of ten services (Horak et al., 2024). The services shown on the left side of the figure are most often delivered directly by municipalities, whereas moving toward the right, a growing number of municipalities delegate the delivery of the services represented.

Figure 4 Mode of provision of ten services in medium and large Canadian municipalities

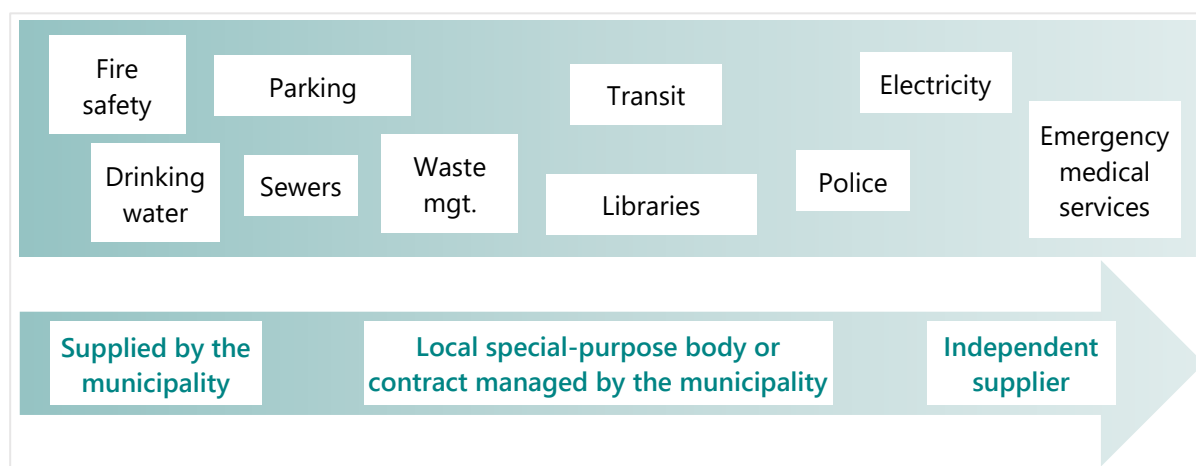


Figure based on data from Horak et al. (2024).

In addition, the smaller the municipality, the more services tend to be outsourced (Horak et al., 2024). In rural areas, mutualization is common: several small municipalities enter into intermunicipal agreements to share a service (e.g., fire safety, wastewater treatment).

When services are outsourced, they may be entrusted to:

- **Private companies:** through contracts for tasks such as snow removal or waste collection; through contracts with consulting firms for activities related to the development and evaluation of municipal policies and programs.
- **Community organizations:** through contracts for the provision of recreational activities, or social assistance, for example (Tindal et al., 2016).
- **Local special-purpose bodies:** these may be responsible for services such as policing, public transportation and social housing. These organizations may offer services to a single municipality, or to several municipalities in a region. They are tied to municipalities by virtue of:
 - The funding provided to them;
 - The fact that their administrators are chosen in whole or in part by municipal councils. In some such bodies, some or all of the administrators may even be municipal councillors (Horak et al., 2024; Lucas, 2013; Lyons & Spicer, 2024).

Note: Boards of Health in Ontario are local special-purpose bodies.

A municipality's decision to provide a service directly or to outsource it is influenced by:

- Legal or regulatory obligations (e.g., environmental standards, fire safety).
- Priorities defined by the municipality.
- Its human and financial resources.
- Characteristics of the territory and population.

IN PRACTICE – UNDERSTANDING WHICH STAFF PERSON TO CONTACT

The structure of municipal administrations varies from one municipality to another, requiring some identification work.

- **Consult the organizational chart or the list of municipal departments**, usually available on the municipality's website. This helps determine which department is likely to be responsible for the issue you wish to discuss (e.g., the urban planning department for active transportation, the recreation department for the promotion of mental health and social ties).
- **Turn to a generalist point of contact** (the municipal clerk or the CAO) in small municipalities lacking certain common municipal departments (for example, urban planning) that would otherwise serve as natural points of contact for the issue at hand.
- **Deal with the siloed functioning** of certain municipal administrations. Some public health actors choose to maintain bilateral relations with each of the municipal departments concerned by their subject.
- **Identify the right persons:**
 - Municipal websites usually list department heads, but rarely list other employees. A department head can therefore serve as an initial point of contact, redirecting the request to the appropriate individuals within their teams.
 - Municipal announcements for public participation activities⁷ often name the person responsible for the project, which makes it possible to contact them directly.
- **Check the mode of service provision:** is the issue you are interested in actually managed by a special-purpose body or an independent supplier?
- **Avoid relying solely on the names of service providers:** many use the municipality's name despite not being municipal departments.



The open-access database [Canadian municipal attributes portal](#) (Horak & Taylor, 2025) provides detailed information on the mode of service provision for certain municipal services in 189 municipalities across Canada (in the "Visualize" tab, select the themes "Service Category" and "Agencies, Boards, Commissions").

⁷ For more information on these activities and on how public health organizations can participate in them, see [Fact Sheet 5](#).
National Collaborating Centre for Healthy Public Policy
Institut national de santé publique du Québec



IN SUMMARY – KEY POINTS ABOUT THE MUNICIPAL ADMINISTRATION

- The municipal administration advises the municipal council and implements its decisions. It plays a significant influencing role, even though decision-making power rests with elected officials.
- The municipal council decides, the administration advises and implements. These roles are complementary, but their boundaries are less clear cut in practice: the administration holds informal power that is often significant.
- The manner in which you address municipal staff should be adapted to their profile (generalist or specialist of a given issue area). → See [textbox on p. 4](#)
- The chief administrative officer manages the municipal administration and plays a key role as the interface between the administration and the municipal council. However, for public health organizations, department heads and project officers are more accessible contacts and are more closely involved in the details of the issues. → See [textbox on p. 9](#)
- The clerk is a useful contact for understanding municipal processes and for making a request to participate in them. → See [textbox on p. 10](#)
- By becoming familiar with the municipal legal framework, public health staff can propose collaborations that align with municipal areas of jurisdiction and powers. → See [textbox on p. 16](#)
- The structure of the municipal administration varies from one municipality to another. Identifying the right contacts requires examining how municipal services are organized. → See [textbox on p. 19](#)

The municipal administration is a key partner in collaborations between public health organizations and municipalities. Understanding the role of its various components helps identify the most appropriate contacts depending on the issue at hand and the municipal context.

REFERENCES

- 114957 *Canada Ltée (Spraytech, Société d'arrosage) v. Hudson (Town)* [2001] 2 RCS 241 (Supreme Court of Canada, June 28, 2001).
<https://www.canlii.org/en/ca/scc/doc/2001/2001scc40/2001scc40.html>
- Association des directeurs municipaux du Québec (n.d.). *Director general, clerk, and treasurer*.
<https://admq.qc.ca/learn-about-the-roles-of-the-director-general-clerk-and-treasurer/>
- Association pour la santé publique du Québec. (2025). *For healthy municipalities!*
<https://aspq.org/outils/municipalites/>
- Béland, A.-A., & Landry, I. (2021). Les pouvoirs municipaux et provinciaux en contexte d'urgence. In *Développements récents en droit municipal, volume 490* (pp. 3-34). Éditions Yvon Blais.
- Clerks on Call (2025, April 22). *The evolving role of the municipal clerk: Beyond the minutes*.
<https://www.clerksoncall.ca/the-evolving-role-of-the-municipal-clerk-beyond-the-minutes>
- Couture Ménard, M.-È., & Rioux Collin, J. (2019). *Les compétences et les pouvoirs des municipalités pour créer des environnements favorables à la saine alimentation et au mode de vie physiquement actif*. Institut national de santé publique du Québec.
https://www.inspq.qc.ca/sites/default/files/publications/2528_pouvoirs_municipalites_environnements_saine_alimentation_mode_vie_actif.pdf
- Dufresne, J. (2024). Chapitre 4 – les municipalités québécoises et la réalisation du droit à l'alimentation. In *Le droit à l'alimentation en contexte canadien* (pp. 177-294). Wilson & Lafleur.
- Eidelman, G. (2023). Making the mayor more accountable. In Z. Taylor (Ed.), *Strong(er) Mayors in Ontario – What Difference Will They Make?* (pp. 10-12). Institute on Municipal Finance & Governance. <http://hdl.handle.net/1807/127410>
- National Collaborating Centre for Healthy Public Policy
Institut national de santé publique du Québec
- Federation of Canadian Municipalities. (2024). *Making Canada's growth a success: The case for a municipal growth framework*.
<https://media.fcm.ca/documents/issues/MGF/FCM-MGF-Paper-June-2024.pdf>
- Fenn, M., & Siegel, D. (2017). *The evolving role of city managers and chief administrative officers*. Institute on Municipal Finance & Governance.
https://imfg.org/uploads/420/imfgpaper_no31_cao_fennsiegel_may_5_2017.pdf
- Frate, B., & Robitaille, D. (2024). Pouvoirs municipaux. In S. Breux & A. Mévellec (Eds.), *Dictionnaire politique de la scène municipale québécoise* (pp. 320-324). Presses de l'Université Laval.
- Graham, K. (2018). *Leading Canada's cities? A study of urban mayors* [Doctoral dissertation, University of Western Ontario].
<https://uwo.scholaris.ca/items/af22fbc0-7585-4eef-990e-3ddd4fd18343>
- Graham, K., & Helmer, J. (2023). Lonely at the top: An examination of the changing dynamics for chief administrative officers in Alberta municipalities. The School of Public Policy, University of Calgary, *Future of Municipal Government*, 16(1), 1-37.
<https://doi.org/10.55016/ojs/sppp.v16i1.77298>
- Horak, M., Kurs, C., & Taylor, Z. (2024). Dimensions of local authority: Mapping local political institutions in Canada's cities. *Canadian Journal of Political Science/Revue Canadienne de Science Politique*, 57(1), 139-155.
<https://doi.org/10.1017/S0008423923000768>
- Horak, M., & Taylor, Z. (2025). *Canadian municipal attributes portal (CMAP)* [Database].
https://westernurban.shinyapps.io/cmap_app/

- Lévesque, J., Gervais, M.-J., Robitaille, É., & Couture Ménard, M.-È. (2024). *Municipal action to create environments conducive to health and quality of life—A systemic analysis framework*. Institut national de santé publique du Québec. <https://www.inspq.qc.ca/sites/default/files/2024-06/3262-quality-life-municipal-action.pdf>
- Lucas, J. (2013). *Hidden in plain view: Local agencies, boards, and commissions in Canada*. Institute on Municipal Finance & Governance. https://imfg.org/research/doc/?doc_id=253
- Lyons, J. R., & Spicer, Z. (2024). Organismes paramunicipaux. In S. Breux & A. Mévellec (Eds.), *Dictionnaire politique de la scène municipale québécoise* (pp. 274-278). Presses de l'Université Laval.
- Morestin, F. (2019). *Approaching municipalities to share knowledge: Advice from municipal civil servants to public health actors*. National Collaborating Centre for Healthy Public Policy. <https://ccnpps-ncchpp.ca/approaching-municipalities-to-share-knowledge-advice-from-municipal-civil-servants-to-public-health-actors/>
- Morestin, F. (2020). *How to collaborate with municipalities: A practical guide for public health actors*. National Collaborating Centre for Healthy Public Policy. <https://ccnpps-ncchpp.ca/how-to-collaborate-with-municipalities-a-practical-guide-for-public-health-actors/>
- Sancton, A. (2015). *Canadian local government: An urban perspective* (Second Edition). Oxford University Press.
- Siegel, D. (2015). *What do CAOs really do?* Association of Municipal Managers, Clerks and Treasurers of Ontario. <https://www.amcto.com/sites/default/files/2023-05/Siegel-Brief.pdf>
- Solomon, R., & Kim, E. (2025, September 16). *Webinar 2: A legal framework for developing a municipal alcohol policy* [Webinar]. Alcohol policy in Canadian municipalities. <https://www.youtube.com/watch?v=Z4QnEy62gdE>
- Taylor, Z., Mutter, C., Lyons, J., & Dobson, A. (2026). *Power and purpose: The quiet evolution of Canadian municipal law*. Institute on Municipal Finance & Governance. https://imfg.org/research/doc/?doc_id=671
- Tindal, C. R., Nobes Tindal, S., Stewart, K., & Smith, P. J. (2016). *Local government in Canada* (Ninth Edition). Nelson Education.

The Municipal Administration: Guidance for Public Health

AUTHORS

Laure Baglinière
Florence Morestin
National Collaborating Centre for Healthy Public Policy

UNDER THE COORDINATION OF

Marianne Jacques
National Collaborating Centre for Healthy Public Policy

IN COLLABORATION WITH

Gabrielle Lorimier Dugas under the coordination of Carole Clavier
Université du Québec à Montréal and Groupe d'études sur les
politiques publiques et la santé des populations

Alice Koeke under the coordination of Marie-Ève Couture-Ménard
Université de Sherbrooke, Faculté de droit

REVIEWERS

Scientific reviewer who requested anonymity

Laura Chow
Vancouver Coastal Health

Z'Anne Harvey-Jansen
Retired (2025) Health Promotion Facilitator (Alberta)

Louise Hopper
Nova Scotia Health Authority

Marie Poirier
Direction de santé publique, Santé Québec Outaouais

Sue Shikaze
Lakelands Public Health

The reviewers were invited to comment on the pre-final version of
this document and have therefore not reviewed or endorsed its
final content.

The authors and reviewers have duly completed their declarations
of interest, and no real, apparent or potential conflicts of interest
were identified.

EDITING

Mylène Maguire
National Collaborating Centre for Healthy Public Policy

SUGGESTED CITATION

Baglinière, L., & Morestin, F. (2026). *The Municipal Administration:
Guidance for Public Health*. Municipal Governance and Public Health in
Canada – Fact Sheet 1. National Collaborating Centre for Healthy Public
Policy.

*Production of this document has been made possible through a financial
contribution from the Public Health Agency of Canada (PHAC) through
funding for the National Collaborating Centre for Healthy Public Policy
(NCCHPP). The NCCHPP is hosted by the Institut national de santé
publique du Québec (INSPQ). The views expressed herein do not
necessarily represent the views of the PHAC.*

*Reproductions for private study or research purposes are authorized by
virtue of Article 29 of the Copyright Act. Any other use must be
authorized by the Government of Québec, which holds the exclusive
intellectual property rights for this document. Authorization may be
obtained by sending an e-mail to droits.dauteur.inspq@inspq.qc.ca.*

*Information contained in the document may be cited provided that the
source is mentioned.*

Legal deposit – 3rd quarter 2026
Bibliothèque et Archives nationales du Québec
ISBN: 978-2-555-04509-5 (French PDF [Set])
ISBN: 978-2-555-04506-4 (French PDF)
ISBN: 978-2-550-04511-8 (PDF English [Set])
ISBN: 978-2-555-04505-7 (PDF)
DOI: <https://doi.org/10.64490/BVMI4684>

© Gouvernement du Québec (2026)

Publication No.: 3855