



The Corporation of the Municipality of West Grey

Bylaw 27-2022

Being a bylaw to authorize the delegation of authority for restricted acts of council during a restricted acts period in an election year, known as lame duck period.

Whereas section 5(3) of the Municipal Act, S.O. 2001, as amended, provides that the powers of a municipality shall be exercised by-law unless the municipality is specifically authorized to do otherwise; and

Whereas section 275(1) and (2) of the Municipal Act S.O. 2001, as amended, provides that certain acts of council shall be restricted if less than 75% percent of the current members of Council will be returning to sit on the new Council (a) after nomination day but before voting day, the determination shall be based on the nominations to the new council that have been certified and any acclamations made to the new council; or (b) after voting day, the determination shall be based on the declaration of the results of the election including declarations of election by acclamation; and

Whereas section 275(3) of the Municipal Act S.O. 2001, as amended, provides that the restricted acts noted above are:

- (a) the appointment or removal from office of any officer of the municipality,
- (b) the hiring or dismissal of any employee of the municipality,
- (c) the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal,
- (d) making any expenditures or incurring any other liability which exceeds \$50,000; and

Whereas clauses (3) (c) and (d) do not apply if the disposition or liability was included in the most recent budget adopted by the council before nomination day in the election; and

Whereas section 275(4.1) of the Municipal Act, S.O. 2001, as amended, provides that nothing in this section prevents a municipality taking any action in the event of an emergency; and

Whereas council deems it expedient to delegate authority to the appropriate staff to take action, where necessary, on certain acts during the "Lame Duck" period,

Now therefore be it resolved that the council of the Corporation of the Municipality of West Grey hereby enacts as follows;



1. That the Council of the Corporation of the Municipality of West Grey hereby delegates authority under Section 275 (3) of the Municipal Act S.O. 2001 during any lame duck period in an election year as follows:
 - a) The CAO/Deputy Clerk continues to have the authority to hire or dismiss any employee of the municipality.
 - b) The CAO/Deputy Clerk is delegated the authority to appoint or remove from office any officer of the municipality.
 - c) The CAO/Deputy Clerk and Director of Finance/Treasurer are jointly delegated the authority, including the authority to execute any agreement of purchase and sale, pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal.
 - d) The CAO/Deputy Clerk and Director of Finance/Treasurer are jointly delegated the authority to act as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000.
2. That should any authority delegated under this by-law be exercised the sitting Council shall be informed by way of an information report at the next regularly scheduled or special Council meeting.
3. That this bylaw shall come into force and take effect upon the date of final passing.

Read a first, second and third time and finally passed this 5th day of April, 2022.



Mayor Christine Robinson



Clerk Genevieve Scharback