

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW No. 2022-26

**BEING A BY-LAW TO AUTHORIZE DELEGATED AUTHORITY DURING THE
“LAME DUCK” PERIOD OF COUNCIL DURING THE 2022 MUNICIPAL
ELECTION**

WHEREAS under the provisions outlined in Section 275 of the *Municipal Act, 2001*, c. 25, as amended, any administration that will “with certainty” not retain 75 per cent of the current members in an upcoming election becomes “Lame Duck”;

AND WHEREAS Section 275 of the *Municipal Act, 2001*, c. 25, as amended, restricts acts that a Council can take after Nomination Day (August 19, 2022) and after Voting Day (October 24, 2022) if the Council is in a lame duck position;

AND WHEREAS Section 275(3) of the *Municipal Act, 2001*, c.25, as amended, restricts Council from taking action on the following:

- 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 \$50,000.00 at the time of disposal; and
- d) Making any expenditure or incurring any other liability which exceeds \$50,000.00

AND WHEREAS Section 275(6) of the *Municipal Act, 2001*, c.25, as amended, states that nothing in this section prevents any person or body exercising authority of a municipality that is delegated to the person or body prior to nomination day for the election of the new council;

AND WHEREAS Section 23.1 of the *Municipal Act, 2001*, c.25, as amended authorize a municipality to delegate its powers and duties;

AND WHEREAS Council deems it expedient to delegate authority to the CAO/Clerk-Treasurer to take action, where necessary, on certain acts during the “Lame Duck” period;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN ENACTS AS FOLLOWS:**

1. **THAT** Council delegates authority to the CAO/Clerk-Treasurer of the Corporation of the Township of Matachewan to take action, where necessary, on certain restrictions listed in Section 275(3) of the *Municipal Act, 2001* between Nomination Day and the commencement of the new Council Term.
2. **THAT** the Clerk-Treasurer will report to Council on any actions to be taken under the restrictions listed in Section 275(3) of the *Municipal Act, 2001*, between Nomination Day and the commencement of the new Council Term.
3. **THAT** this by-law is in effect for the 2022 Municipal Election.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 25th day of July, 2022.

Anne Commando-Dubé
Mayor

Janet Gore
CAO/Clerk-Treasurer