

# THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

## BY-LAW NO. 2018-11

Being a by-law to Delegate Authority to the CAO-Clerk-Treasurer for Certain Acts During a "Lame Duck" Period

**WHEREAS** Section 275 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, restricts acts that a Council can take after Nomination Day (July 27<sup>th</sup>, 2018) and after Voting Day (October 22<sup>nd</sup>, 2018) if the Council is in a lame duck position;

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

- The appointment or removal from office any officer of the municipality;
- The hiring or dismissal of any employee of the municipality;
- The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- Making any expenditure or incurring any other liability which exceeds \$50,000;

**AND WHEREAS** Section 275 (3) of the *Municipal Act* S.O. 2001, c. 25 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** Council deems it expedient to delegate authority to the CAO-Clerk-Treasurer to action, where necessary, on certain acts during the "Lame Duck" period.

**NOW THEREFORE** the Council of the Corporation of the Township of Matachewan hereby enacts as follows:

1. That the Council of the Corporation of Matchewan hereby delegates authority under Section 275(3) of the *Municipal Act* S.O. 2001 between Nomination day and commencement of the Council Term as follows:
  - a) The CAO-Clerk-Treasurer be delegated authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000;
  - b) That the CAO-Clerk-Treasurer be delegated the authority to execute the 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 or for the acquisition of property;
  - c) The CAO-Clerk-Treasurer be delegated the authority to hire or remove any officer from/to employment with the Township of Matachewan;
2. That CAO-Clerk-Treasurer will report to Council on any actions taken under the restrictions listed in Section 275(3) of the *Municipal Act* S.O. 2001 between Nomination Day and the commencement of the Council Term.
3. That approval to execute agreements be delegated to the CAO-Clerk-Treasurer as necessary.
4. That the Mayor and the CAO-Clerk-Treasurer are hereby authorized and directed to execute this by-law.
5. That all previous by-laws and/or motions, or parts thereof, in conflict with or contrary hereto or inconsistent herewith, be and the same are hereby repealed.
6. That this by-law shall come into force and effect upon final passage in accordance with the provisions in Section 275(3) of the *Municipal Act*.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL THIS 17<sup>th</sup> DAY OF May 2018. SIGNED, SEALED AND NUMBERED 2018-11.

**Signature on File**

Cheryl Drummond  
Mayor

**Signature on File**

Anne Kmyta  
CAO-Clerk-Treasurer