



The Corporation of the Municipality Of South Huron

By-Law #62-2018

Being a By-Law to Delegate Authority to the Chief Administrative Officer for Certain Acts During a “Lame Duck” Period for the Corporation of the Municipality of South Huron

Whereas Section 23.1 of the *Municipal Act* S.O. 2001, c 25 states that Council is authorized to delegate certain powers and duties; and

Whereas Section 5 of the *Municipal Act* S.O. 2001, c 25 provides that a municipality’s power shall be exercised by by-law; and

Whereas Section 275 of the *Municipal Act* S.O. 2001, c 25, as amended, restricts the actions described in subsection (3) after the first day during the election period for a new Council; and

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

- 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
- d) value exceeding \$50,000 at the time of disposal; and
- e) Making any expenditure or incurring any other liability which exceeds \$50,000; and

Whereas Section 275 (6) 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 Chief Administrative Officer to take action, where necessary, on certain acts during the “Lame Duck” period of July 27, 2018 to December 3, 2018;

Now Therefore the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That the Chief Administrative Officer is hereby delegated authority as the financial signing authority for expenditures outside the current approved budgets exceeding \$50,000.
2. That the Chief Administrative Officer is hereby delegated authority, including 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.
3. That the Chief Administrative Officer is hereby delegated the authority to appoint or remove from office any officer of the municipality, and to hire or dismiss any employee of the municipality.
4. 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.
5. This by-law shall come into effect upon final passage thereof.
6. That this By-law is in effect for the 2018 Municipal Elections and will expire on December 3rd, 2018 (commencement of Council Term).
7. This By-Law may be cited as the "Lame Duck Delegation of Authority By-Law".

Read a first and second time this 18th day of June, 2018.

Read a third and final time this 18th day of June, 2018.

Maureen Cole, Mayor

Rebekah Msuya-Collison, Clerk