

THE CORPORATION OF THE TOWNSHIP OF PELEE

By-Law Number: 2022 – 37

“To Delegate Authority – Restricted Acts”

Being A By-Law to Delegate Authority for Decisions to the Clerk and Treasurer for Restricted Acts After Nomination Day and/or Election Day to the Commencement of the New Term of Council in the Township of Pelee.

WHEREAS Section 23.1 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes Council to delegate its powers and duties;

AND WHEREAS Section 275 of the Municipal Act, 2001, restricts Council from taking certain acts after nomination day or the election of a new Council, depending on the results of the nominations or election;

AND WHEREAS under Section 275(6) of the Municipal Act, 2001, nothing prevents any person or body exercising any 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 the Council of the Corporation of the Township of Pelee deems it expedient to delegate certain duties during that period that Council is restricted in its actions under Section 275;

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

1. That if Council is in a restricted position (Lame Duck) after Nomination Day (August 19, 2022) and/or Election Day (October 24, 2022) to the commencement of the new term of council, Council delegates authority to the Clerk and Treasurer to take action, where necessary, on certain restrictions listed in Section 275(3) of the Municipal Act, 2001, as follows:
 - 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; and,
 - d) making any expenditures or incurring any other liability which exceeds \$50,000 (that have not already received budget approval).
2. That this By-Law shall apply to all applicable aspects of pending and potential

grant projects, including but not limited to, the funding under the Universal Broadband Fund (UBF) and the Improving Connectivity for Ontario Program (ICON).

3. That Council direct the Clerk to report on any actions taken under the restrictions listed in 275(3) of the Municipal Act, 2001, between Nomination Day and the commencement of the Council term; and,
4. That this delegation expires at the commencement of the new term of council.
5. That this By-Law come into force and effect on the date of final passing thereof.

BY-LAW 2022 – 37 READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8TH DAY OF AUGUST, 2022.

Original Signed By:

**Ray Durocher,
Mayor**

Original Signed By:

**Kristine Horst,
Interim Clerk**