

**THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD**

**BY-LAW 36-2018**

**A BY-LAW TO DELEGATE AUTHORITY TO THE CAO FOR CERTAIN ACTS DURING A "LAME DUCK" PERIOD**

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

**WHEREAS** Section 275 (3) of the Act restricts Council from taking action on the following:

- The appointment or removal from office of 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 (6) of the Act 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 to take action, where necessary, on certain acts during the "Lame Duck" period.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD HEREBY ENACT AS FOLLOWS:**

1. **THAT** the Council of the Corporation of the Village of Merrickville-Wolford hereby delegates authority under Section 275 (3) of the Act between Nomination Day and commencement of the Council term as follows:
  - a. The CAO be delegated authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000;
  - b. The CAO be delegated authority to execute the Agreement of Purchase and Sale, pertaining to the disposition of any real property, exceeding \$50,000;
  - c. The CAO 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; and
2. **THAT** this by-law only come into force in the event, when determined by the Clerk with certainty, that less than 75% of the current members of Council have registered as certified candidates in the 2018 Municipal Election after Nomination Day or that less than 75% of the current members of Council will be returning as members of Council after Election Day as certified by the local municipal Clerk.
3. **THAT** any by-laws or parts of by-laws contrary to or inconsistent with this by-law are hereby repealed.

By-law read a first, second and third time, and finally passed this 23<sup>rd</sup> day of July, 2018.

  
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David Nash, Mayor

  
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Doug Robertson, CAO/Clerk