

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

BY-LAW 51-2018

BEING A BY-LAW TO DESIGNATE A HEAD OF THE MUNICIPAL CORPORATION AND DELEGATE ALL POWERS AND DUTIES OF THE HEAD TO THE CLERK FOR THE PURPOSES OF THE MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, as amended, provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

WHEREAS under Section 3(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O 1990, as amended, the council of a municipality may by by-law designate from among themselves an individual or a committee of the council to act as the head of the municipality for the purposes of the *Act*; and

WHEREAS under Section 49 (1) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O 1990, as amended, a head may in writing delegate a power or duty granted or vested in the head to an officer or officers of the institution or another institution subject to such limitations, restrictions, conditions and requirements as the head may set out in the delegation; and

WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford deems it necessary and expedient to designate a head for the purposes of the *Act* and delegate all powers and duties of the head under the *Act* to the Clerk;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford enacts as follows:

1. That the Mayor of the Village of Merrickville-Wolford is hereby designated as head for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O 1990, as amended ("MFIPA"); and
2. That the Mayor of the Village of Merrickville-Wolford shall, in writing, delegate all powers and duties under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O 1990, as amended, to the Clerk; and
3. That where the Clerk is aware of a situation where the Clerk is unable to exercise the powers and duties under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O 1990, as amended, the Clerk shall designate, in writing, an alternate to exercise those powers and perform those duties; and
4. That this by-law shall take effect on the date of final passing thereof; and
5. That should any other existing by-laws, resolutions, or actions of the Council of the Corporation of the Village of Merrickville-Wolford be deemed to be inconsistent with the provisions of this by-law, the provisions of this by-law shall prevail.

Read a first, second and third time and passed on the 24th day of September, 2018.



David Nash, Mayor



Doug Robertson, CAO/Clerk