

The Corporation of the Town of Tecumseh

By-Law Number 2022-15

Being a By-law to delegate certain authorities during a “Lame Duck” Council Period during the 2022 Municipal Election

Whereas Section 275 of the Municipal Act S.O. 2001, S.O. c.25, as amended, (Municipal Act, 2001) provides that if less than three-quarters of the members of the outgoing council of the municipality will not be returning, the following authorities of the council will cease on Nomination Day (August 19, 2022,) or Election Day (October 24, 2022), also known as the ‘Lame Duck’ period:

- 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;

And Whereas the Council for The Corporation of the Town of Tecumseh (Council), pursuant to Section 268 of the Municipal Act, 2001 adopted By-law No. 2003-09 establishing procedures for the transfer of surplus real property;

And Whereas Section 23.1 of the Municipal Act, 2001 states that a Council is authorized to delegate certain powers and duties;

And Whereas Council deems it expedient and necessary to delegate the restricted acts of Council set out Section 275(3) of the Municipal Act, 2001 during the Lame Duck period, if it applies, between August 19, 2022, and November 14, 2022;

And Whereas Section 5 of the Municipal Act, 2001 provides that a municipality's power shall be exercised by by-law.

Now Therefore the Council of The Corporation of The Town of Tecumseh 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, but not greater than \$150,000.
2. **That** the Chief Administrative Officer is hereby delegated authority, including authority to execute an 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 delegated authority to:
 - A) repeal by-laws appointing Officers of the Corporation which have ceased employment, and
 - B) appointment or removal from office of any officer of the municipality, and
 - C) hire or dismiss any employee of the Corporation if the authority is not otherwise granted under the Town's Hiring Policy.
4. **That** the sitting Council shall be informed by way of an information report at the next Regular Meeting of Council or a Special Meeting of Council should a delegated authority be exercised.
5. **That** this by-law shall come into force and take effect on the date of the third and final reading thereof and expire on January 15, 2022.

Read a first, second, third time and finally passed this 22nd day of March, 2022.

Gary McNamara, Mayor

Laura Moy, Clerk