



## The Corporation of the Town of Tecumseh

Legislative & Clerk Services

**To:** Mayor and Members of Council

**From:** Robert Auger, Director Legislative Services & Clerk

**Date to Council:** Tuesday, August 12, 2025

**Report Number:** LCS-2025-18

**Subject:** Strong Mayor Powers Regulations and Administrative Procedures and Requirements

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### Recommendations

It is recommended:

**That** Report LCS-2025-18 Strong Mayor Powers Regulations and Administrative Procedures and Requirements **be received**;

**And that** the Strong Mayor Powers Framework as outlined in Report LCS-2025-18 **be approved**;

**And further that** the Town's Procedural By-Law 2023-076 **be revised** as necessary to account for the Strong Mayor Power legislation with such revisions to be brought to a future Council meeting.

### Background

Bill 3, *the Strong Mayor, Building Homes Act, 2022* and Bill 39, *the Better Municipal Governance Act, 2022* received Royal Assent respectively on September 8 and December 8, 2022. These legislative changes added "Part VI.1 - Special Powers and Duties of the head of Council" being Sections 284.3 to 284.17 to the *Municipal Act, 2001* ("the Act"). These sections contain the rules commonly referred to as the "Strong Mayor Powers." The proposed recent amendments to O. Reg. 530/22 would extend the Strong Mayor framework to apply to the Town of Tecumseh as of May 1, 2025. Part

VI.1 of the Act does not allow a municipality to “opt-out” of the Strong Mayor Powers, but some of the Strong Mayor Powers may be exercised on a discretionary basis and/or possibly delegated. These legislative powers are connected to the Provincial Priorities which are defined in O. Reg. 580/20 as: building 1.5 million new residential units by December 31, 2031, and constructing and maintaining infrastructure to support housing, including:

- i. transit,
- ii. roads,
- iii. utilities, and
- iv. servicing.

As of May 1, 2025, 216 municipalities out of 444 now have Strong Mayor Powers.

To better understand Strong Mayor Powers, they essentially fall into three broad categories:

- **Legislative Powers** (e.g. the power to veto by-laws, the power to require Council to consider a matter)
- **Budget Duties** (e.g. the duty and responsibility to present a budget to Council, and to approve the budget)
- **Administrative and Political Powers** (e.g. the power to appoint or remove a chief administrative officer, the power to establish committees, and change organizational structure)

It should be noted that the Mayor cannot delegate legislative powers or budget duties but can delegate administrative and political powers. Looking at the three broad categories, below is a more in-depth outline of the specific powers. This information has been obtained from the Province through their [guidance documents](#).

## Legislative Powers

1. **Bring forward matters for Council consideration related to provincial priority.** The head of Council can bring forward matters for Council consideration if they are of the opinion that considering the matter could potentially advance a provincial priority in this regulation. When bringing forward such a matter for Council consideration, the head of Council should consider whether any rules with respect to notice and public consultation apply to the exercise of a particular municipal authority.
2. **By-law power related to provincial priorities.** The head of Council can propose certain municipal by-laws if they are of the opinion that the proposed by-

law could potentially advance a prescribed provincial priority. When using this power, the head of Council can only propose by-laws made under the *Municipal Act, 2001*; the *City of Toronto Act, 2006*; the *Planning Act*; and section 2 of the *Development Charges Act*.

When proposing the by-law, the head of Council must provide a copy of the proposed by-law and their reasons for the proposal to the Clerk and each member of Council. The head of Council can require Council to consider and vote on the proposed by-law at a meeting (and can do this notwithstanding any rules to the contrary in the procedural by-law). By-laws proposed by the head of Council using this power are deemed as passed if more than one-third of all Council members vote in favour of the by-law. The head of Council is also able to vote on passing that by-law. **Veto power and Council override.** The head of Council can also choose to veto certain by-laws if of the opinion that all or part of the by-law could potentially interfere with a provincial priority. Only by-laws approved by Council made under the *Municipal Act, 2001*, the *City of Toronto Act, 2006*, the *Planning Act*, and section 2 of the *Development Charges Act* may be vetoed by the head of Council. There is a separate veto process related to the municipal budget which is outlined later in this report. It is up to the head of Council to determine if they will consider vetoing a by-law, regardless of whether they attend a Council meeting. The head of Council must provide written notice to Council of their intent to consider vetoing the by-law on or before two days after Council voted in favour of the by-law. If the head of Council decides to use their veto within 14 days after the day Council voted in favour of the by-law, the head of Council must provide a written veto document (which includes the veto and reasons for the veto) to the clerk on the day they use the veto power.

The Clerk must then share the written document with each member of Council by the next business day and also make the written document available to the public. If the head of Council uses their veto power, Council then has the ability to override the veto. Within 21 days after the Clerk provides the written veto document to the members of Council, Council may override the veto if two-thirds of all Council members vote to override the veto. During this process, the head of Council remains as a member of Council for Council decision-making with one vote.

3. **Direct staff.** The head of Council can direct staff to do certain things related to their additional powers and duties. Direction from the head of Council to staff under this authority must be provided in writing. For example, the head of Council could direct staff to undertake research and provide advice on policies and programs or to implement any decisions related to their additional powers and duties.

## Budget Duties

[O. Reg. 530/22](#) defines the new process for approving budgets under the Strong Mayor Powers legislation which includes strict timelines for proposal, amendments, vetoes and overrides. Report FS-2025-11 entitled “Business Plan and Budget Timeline – Strong Mayor Legislative Framework” which is also presented on the August 12, 2025, agenda outlines in detail the proposed budget processes moving forward for the 2026 Business Plan and Budget and future budgets.

## Administrative and Political Powers

1. Under the Strong Mayor legislation, the following Administrative and Political Powers have been assigned to the head of Council, but these powers can be delegated in writing by the head of Council: **Appoint a Chief Administrative Officer**. The head of Council has the power to appoint or dismiss their municipality’s Chief Administrative Officer (CAO). This Power alternatively can be delegated to Council. Under *the Municipal Act, 2001*, the main responsibilities of the CAO are to:
  - a. Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
  - b. Perform such other duties as are assigned by the municipality.

These powers were specifically delegated to Council by the Mayor via [Mayoral Decision](#) No. 2025-02 dated May 8, 2025, and as published on the May 13, 2025 Regular council Meeting Agenda.

2. **Hire municipal division heads and change organizational structure.** The head of Council can hire or dismiss certain municipal division heads — excluding statutory positions. Positions that are excluded from this power include:
  - i. the clerk or deputy clerk;
  - ii. a treasurer or deputy treasurer;
  - iii. an Integrity Commissioner;
  - iv. an Ombudsman;
  - v. an Auditor General;
  - vi. a registrar, as described in section 223.11 of the Act;
  - vii. a chief building official, as defined in the Building Code Act, 1992;

- viii. a chief of police, as defined in the Police Services Act;
- ix. a fire chief, as defined in the Fire Protection and Prevention Act, 1997;
- x. a medical officer of health, as defined in the Health Protection and Promotion Act;
- xi. other officers or heads of divisions required to be appointed under the Municipal Act, 2001, the City of Toronto Act, 2006, or any other Act;
- xii. any other persons identified in regulation.

These powers were specifically delegated to the CAO by the Mayor via [Mayoral Decision](#) No. 2025-01 dated May 8, 2025, and as published on the May 13, 2025 Regular council Meeting Agenda.

3. **Organizational structure.** The head of Council can also choose to create and re-organize the structure of the municipality. When making any changes to the organizational structure of the municipality, the head of Council and municipality are subject to legal requirements including any terms in existing collective agreements or contracts that may apply. This Power alternatively can be delegated to Council or to the Chief Administrative Officer if one is appointed.

These powers were specifically delegated to the CAO by the Mayor via [Mayoral Decision](#) No. 2025-01 dated May 8, 2025, and as published on the May 13, 2025 Regular council Meeting Agenda.

4. **Create, assign functions and appoint chairs of committees.** The head of Council can create new committees of Council made under the *Municipal Act, 2001* where all members are Council members, and assign their functions. The head of Council is also able to appoint the chairs and vice-chairs of such committees of Council. This Power can alternatively be delegated to Council.

These powers were specifically delegated to Council by the Mayor via [Mayoral Decision](#) No. 2025-02 dated May 8, 2025, and as published on the May 13, 2025 Regular council Meeting Agenda

## What has changed

To summarize, what has essentially changed? At the very core, the Town has now officially shifted to a Strong Mayor System. Below is table that has been created by

AMCTO that succinctly identifies the key differences between a Strong Mayor System and a “Weak Mayor System”.

Strong Mayor System	Weak Mayor System
Head of Council has more power and authority than other members of Council	Head of Council role a figurehead for Council with the same authority as other members of Council
Uses authority to make decisions in some areas	No formal authority outside of Council
Has authority over administrative matters	Role is political and provides oversight when acting with the whole of Council
Provided with veto in some areas	Uses relationships and influence to collaborate with other members to make decisions for the municipality

### Accountability and Transparency in Strong Mayor Powers

The head of Council in a strong mayor municipality is subject to existing accountability and transparency rules as well as additional rules. Generally, when the head of Council uses their Strong Mayor Powers, they are required to provide written documentation to the Clerk and members of Council by the next business day. They must also make this written documentation available to the public. Written requirements vary with respect to some of the powers and duties, such as the veto, aspects of the budget process and power to direct staff. Additionally, when a head of Council directs municipal staff to do certain things related to their Strong Mayor Powers, they must do so in writing and are required to provide written documentation to the Clerk and CAO by the next business day.

The head of Council is also subject to the *Municipal Conflict of Interest Act* which still governs the use of their Strong Mayor Powers when they have certain pecuniary interest (financial) in a municipal matter. If the head of Council is prohibited from preparing aspects of the budget due to a financial interest, the Council can pass a resolution to amend the budget to address the matter. The head of Council cannot veto these amendments due to that pecuniary interest.

## Comments

Since the Town's implementation of Strong Mayor Powers in May, Administration has been working on a municipal Strong Mayor Power Framework to assist with standard operating procedures for when these powers are exercised. To date, seven mayoral decisions have been issued and can be found on the new public registry found on the Town's website [here](#) which features information on the Strong Mayor Powers.

At this point Legislative Powers have been exercised by the Mayor with respect to two Mayoral Delegation Decisions: one to delegate to the CAO responsibility for the Town's organizational structure and employment matters and the second to delegate powers to Council to appoint or dismiss the CAO, the power to establish or dissolve committees and appoint Chairs and assign functions to these committees. The remaining five Mayoral Decisions to date have been records created which document, as required, the Mayor's approval of Town by-laws passed since the strong Mayor Powers came into force.

Prior to posting a Mayoral Decision on the Town's public registry, Administration has developed a framework to process such decisions in a manner that is transparent and accountable to members of Council, staff and the public. This framework outlines the internal process for when such Mayoral Decisions are made. There are three (3) processes identified:

- a. Mayoral Decisions for approving by-laws;
- b. Mayoral Decisions to veto a by-law; and
- c. Mayoral Decisions on the Budget.

### The Process for Mayoral Decisions for Approving the By-laws

Once a Council meeting has occurred and a by-law has been approved, the Legislative and Clerk Services Department staff will prepare a standard Mayoral Decision for the approval of the by-laws approved at that Council meeting. The Mayor has 48 hours after the meeting to provide notice of intent to veto an approved by-law passed at that Council meeting. The Mayoral Decision will be circulated to be considered and signed by the Mayor prior to the 48-hour deadline. If signed, the Mayoral Decision will be circulated to Members of Council for their awareness, posted on the Town's registry and, for public accountability, added as a communication item for information on the next Regular Council Meeting.

### The Process for Mayoral Decisions to Veto a By-Law

If a veto is being considered by the Mayor, then within the 48-hour timeframe, the Mayor shall provide a written Notice of Intent to the Clerk. From the Clerk's receipt of the Notice, the Mayor will have an additional 14 days to either give written approval of the

by-law in question or formally complete the written veto identifying the by-law being vetoed and the reason. The Clerk shall in the next day after receipt of the written veto, circulate to members of Council and post to the Town's registry. Council then has 21 days to override the veto with a 2/3 majority vote. During this timeframe, the noted by-law is deemed as not being approved, and any action would be paused by staff until further notice.

The veto and the identified by-law will be placed on the next Regular Council meeting agenda under Unfinished Business for Council to consider the exercise of an override within the 21 days. If there is no scheduled meeting within the 21-day period, then a special Council meeting will be held. Any decisions on the veto will be noted in the minutes.

## **The Process for Mayoral Decisions on the Budget**

Section 284.16 of the Act requires a head of Council granted the Strong Mayor Powers to prepare a proposed budget and provide it to Council for Council's consideration in accordance with the regulations.

Administrative Report FS-2025-11 entitled "Business Plan and Budget Timeline – Strong Mayor Legislative Framework," presented on the August 12, 2025, agenda, outlines in greater detail the budget processes moving forward for the 2026 Business Plan and Budget and future budgets.

## **Consultations**

Ministry of Municipal Affairs and Housing  
Association of Municipal Managers, Clerks and Treasurers in Ontario

## **Financial Implications**

There are no financial implications with this report.



## Link to Strategic Priorities

Applicable	<a href="#">2023-2026 Strategic Priorities</a>
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

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Reviewed by:

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Director Legislative Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
None	None