



# MUNICIPALITY OF **West Elgin**

## **The Corporation Of The Municipality Of West Elgin**

### **By-Law No. 2022-17**

#### **Being a By-Law to Delegate Authority to the Chief Administrative Officer for Certain Acts during a “Lame Duck” Period for the Corporation of the Municipality of West Elgin**

**Whereas** Section 23.1 of the *Municipal Act, S.O. 2001, c. 25* states that Council is authorized to delegate certain powers and duties; and

**Whereas** Section 5 of the *Municipal Act, S.O. 2001, c. 25* provides that a municipalities power shall be exercised by by-law; and

**Whereas** Section 275 of the *Municipal Act, S.O. 2001, c. 25*, as amended, restricts the actions described in subsection (3) after the first day during the election period for a new Council; and

**Whereas** Section 275 (3) of the *Municipal Act, S.O. 2001, c. 25*, as amended, restricts Council from taking the following action:

- 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 \$50,000.00 at the time of disposal; and
- d) Making any expenditure or incurring any other liability which exceeds \$50,000.00; and

**Whereas** Section 275 (6) of the *Municipal Act, S.O. 2001, c. 25* 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 a new Council; and

**Whereas** Council deems it expedient to delegate authority to the Staff to take action, where necessary, on certain acts during the “Lame Duck” period of August 19, 2022 to November 16, 2022;

**Now therefore** the Council of the Municipality of West Elgin enacts as follows:

1. That the Chief Administrative Officer is hereby delegated authority to be the financial signing authority for expenditures, outside the current budget, exceeding \$50,000 and/or for the disposition of any real or personal property of the municipality which has value exceeding \$50,000 at the time of disposal.
2. That the Chief Administrative Officer is hereby delegated the authority to hire or remove any officer from/to employment with the Municipality of

West Elgin. That the authority to hire as delegated be restricted to not exceed the overall previously allotted compliment number of staff positions excluding those that are 100% provincially funded.

3. That the Chief Administrative Officer is hereby delegated to have discretion to bind the Corporation for projects/ new funding opportunities with the Provincial and/or Federal governments(s) in instances where the contribution of other levels of government totals 66% or greater with a cap of \$100,000 for the municipal contribution.
4. That should any authority delegated under this By-Law be exercised the sitting Council shall be informed by way of an information report at the next regularly scheduled or special Council meeting.
5. This By-Law shall come into force and effect upon the final passage thereof.
6. That this By-Law is in effect for the 2022 Municipal Elections and will expire on November 16, 2022.

Read a first, second, and third time and finally passed this 14<sup>th</sup> day of April, 2022

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Duncan McPhail  
Mayor

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Jana Nethercott  
Clerk