



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 038-2018

**A BY-LAW TO DELEGATE AUTHORITY TO THE CHIEF ADMINISTRATIVE OFFICER FOR CERTAIN ACTS DURING A “LAME DUCK” PERIOD**

**WHEREAS** Section 275 of the *Municipal Act S.O. 2001, c 25*, as amended, restricts acts that 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 *Municipal Act S.O. 2001, c 25*, 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 (3) 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 the new council;

**AND WHEREAS** Council passed a resolution at the August 21, 2017 Regular Council Meeting to delegate authority to the Chief Administrative Officer to take action, where necessary, on certain acts during the “Lame Duck Period”

**NOW THEREFORE** the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the Council of the Corporation of the Town of Cobourg hereby delegates authority under Section 275 (3) of the *Municipal Act S.O. 2001* between Nomination Day and Commencement of the next Council Term as follows:
  - a) The Chief Administrative Officer be delegated authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000;

- b) The Chief Administrative Officer be delegated authority to execute the agreement of Purchase of 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 for the acquisition of property;
  - c) The Chief Administrative Officer be delegated the authority to hire or remove any officer from/to employment with the Corporation of the Town of Cobourg, with the exception of the Integrity Commissioner, Municipal Ombudsman and Closed Meeting Investigator.
2. THAT the Chief Administrative Officer 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.
  3. THAT this by-law shall come into force and effect upon final passage in accordance with the provisions in Section 275 (3) of the *Municipal Act S.O. 2001*.
  4. THAT this By-law shall expire following the inaugural meeting of the new term of Council in December, 2018.

READ and finally passed in Open Council this 23<sup>rd</sup> day of July, 2018

  
MAYOR

  
MUNICIPAL CLERK