

**THE CORPORATION OF THE TOWNSHIP OF PICKLE LAKE**



**BY-LAW NO. 2018-26**

**BEING A BY-LAW TO AUTHORIZE THE DELEGATION OF AUTHORITY TO THE CLERK-TREASURER FOR CERTAIN ACTS DURING A "LAME DUCK" PERIOD**

**WHEREAS** Section 275 of the Municipal Act, 2001, c.25 as amended, restricts acts that a 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, 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 \$50,000.00;

**AND WHEREAS** notwithstanding subsection 1 of this section, prior to exercising the delegated power to hire or dismiss any employee, the Clerk-Treasurer shall confer with Council in such a manner and to such extent as he or she deems reasonable in his or her discretion, but nothing in this subsection derogates from the delegated power.

**AND WHEREAS** Section 275 (6) of the municipal Act, 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 deems it expedient to delegate authority to the Clerk-Treasurer to take action, when necessary, on certain acts during the "Lame Duck" period.

**NOW THEREFORE** the Council for the Corporation of the Township of Pickle Lake enacts as follows;

1. **THAT** Council delegates authority to the Clerk-Treasurer of the Corporation of the Township of Pickle Lake to take action, where necessary, on certain restrictions listed in Section 275 (3) of the Municipal Act, 2001 between Nomination Day and the commencement of the Council Term.
2. **THAT** the Clerk-Treasurer will report to Council on any actions taken under the restrictions listed in Section 275 (3) of the Municipal Act, 2001 between Nomination Day and the Commencement of the Council Term.
3. **THAT** this By-law is in effect for the 2018 Municipal Election.
4. **THAT** this By-law shall come into force and effect upon its final passage.
5. **THAT** this by-law may be cited as the "Lame Duck Delegation of Powers By-Law"

BY-LAW READ A FIRST AND SECOND AND THIRD TIME AND FINALLY PASSED THIS 10th DAY OF July, 2018.

Karl Hopf  
Mayor

Jamie Hussey  
Acting Clerk-Treasurer