

# THE CORPORATION OF THE CITY OF ELLIOT LAKE

## BY-LAW NO. 22-80

Being a by-law to delegate authority to the Chief Administrative Officer (CAO) to act, where necessary, on certain restricted issues as listed in Section 275(3) of the Municipal Act, 2001.

**WHEREAS** Section 275 (1) and (2) of the Municipal Act (the Act), 2001, as amended provides that certain acts of Council shall be restricted if less than 75 percent of the current members of Council will be returning to sit on the new Council (a) after nomination day but before voting date, the determination shall be based on the nominations to the new council that have been certified and any acclamations made to the new council; or (b) after voting day, the determination shall be based on the declaration of the election including declarations of election by affirmation;

**AND WHEREAS** Section 275(3) of the Municipal Act, 2001, as amended restricts Council from taking action on the following:

- 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 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** clauses 3 (c) and (d) do not apply if the disposition or liability was included in the most recent budget adopted by Council before nomination day in the election;

**AND WHEREAS** Section 275(4.1) of the Municipal Act, 2001, as amended, provides that nothing in this section prevents a municipality taking any action in the event of an emergency;

**AND WHEREAS** Council deems it expedient to delegate authority to the Chief Administrative Officer (CAO) to act, where necessary, on these certain acts during "Lame Duck" period.

**NOW THEREFORE** the Council for the City of Elliot Lake, duly assembled in public meeting, does hereby enact as follows:

1. That Council delegates the authority to the CAO of the Corporation of the City of Elliot Lake to act, where necessary, on certain restricted issues as listed in Section 275(3) of the Municipal Act, 2001 during any lame duck period in an election year.
2. 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 Council meeting.
3. This By-law is in effect for the 2022 Municipal Election from August 22, 2022 until the first regular meeting of council.

**PASSED** this 8<sup>th</sup> day of August, 2022.

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**MAYOR**  
**D. MARCHISELLA**

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**DEPUTY CLERK**  
**K. DOYLE**