

## THE CORPORATION OF THE TOWN OF HANOVER

### BY-LAW NO. 3030-18

**BEING** a by-law to authorize the Delegation of Authority for the restricted acts period, known as "Lame Duck" for 2018.

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**WHEREAS** Section 8 of the Municipal Act 2001, S.O. 2001, as amended provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues; and;

**AND WHEREAS** Section 275 of the Municipal Act S.O. 2001, C.25 as amended provides that if less than 75% percent of the current members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Elections (July 27, 2018) or Election Day (October 22, 2018), the following acts are restricted:

- 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;
- Making any expenditure or incurring any other liability which exceeds \$50,000; and;

**AND WHEREAS** Sections 8, 9 and 11 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular subsection 11(2) 2 authorizes by-laws respecting the accountability and transparency of the municipality and its operations; and

**AND WHEREAS** Sections 23.1 and 23.2 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize a municipality to delegate its powers and duties, including legislative and quasi-judicial powers under the Municipal Act, 2001, S.O. 2001, c. 25, to an individual who is an officer, employee or agent of the Municipality;

**NOW THEREFORE** the Council of The Corporation of The Town of Hanover hereby enacts as follows:

1. THAT pursuant to the restrictions as set out in Section 275 (3), Council hereby delegates authority as follows:
  - a. THAT the CAO/Clerk and the Director of Corporate Services/Treasurer are granted jointly delegated authority as financial signing authority for expenditures outside the current approved budget exceeding \$50,000;
  - b. THAT the CAO/Clerk and the Director of Corporate Services/Treasurer are granted jointly delegated authority to execute the agreement of purchase and 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;
  - c. THAT the CAO/Clerk and the Director of Corporate Services/Treasurer, are granted jointly delegated authority for the appointment or removal from office of any officer of the municipality;
  - d. THAT the CAO/Clerk and the Director of Corporate Services/Treasurer, are granted jointly delegated authority for the hiring and/or dismissal of any employee of the municipality;
2. THAT pursuant to Section 275 (4.1) nothing shall prevent the Municipality from taking any action in the event of an emergency nor shall it prevent any person or body from exercising authority delegated by Council;
3. THAT "jointly delegated authority" means that the authority is required to be exercised together. Authority is not granted to only one person.
4. THAT the Chief Administrative Office/Clerk will report to Council at the next regularly scheduled meeting following the exercise of power, if the delegation of authority is exercised.

5. THAT this by-law shall come into full force and effect as of the date of its passing.

**READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED** this 16th day of July, 2018.

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Susan Paterson, Mayor

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Brian Tocheri, CAO/Clerk