

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2022-045

A by-law to amend By-law 2021-077, a By-law to delegate certain powers and duties under the *Municipal Act, S.O. 2001 c.25*, the *Planning Act, R.S.O. 1990 c. P. 13*, and other Acts

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

WHEREAS the Delegation of Municipal Powers and Duties By-law 2021-077 to delegate certain powers and duties under the *Municipal Act, 2001, S.O. 2001 c.25*, the *Planning Act, R.S.O. 1990 c. P. 13*, and other Acts came into force on September 28, 2021;

WHEREAS voting day in a regular election is the fourth Monday in October, subject to section 10 of the *Municipal Elections Act, 1996*, as amended.

WHEREAS nomination day for a regular election is the third Friday in August in the year of the election.

WHEREAS it is possible that Council may be restricted on nomination day or thereafter as a result of the operation of Section 275 of the *Municipal Act, 2001*; and

WHEREAS it is desirable for Council to delegate certain limited authority for the purpose of ensuring the efficient operation of the Corporation of the Town of Oakville in the event that, and for so long as Council is restricted as a result of the operation of Section 275 of the *Municipal Act, 2001*.

COUNCIL ENACTS AS FOLLOWS:

1. Schedule A to the Delegation of Municipal Powers and Duties By-law 2021-077 is hereby amended by adding paragraphs 3.1, 3.2, and 3.3, as set out in Schedule A to this By-law 2022-045.

PASSED this 25th day of April, 2022

MAYOR

CLERK

SCHEDULE A: Delegated Municipal Powers and Duties

| | Delegation | Delegate | Limitation |
|------------|--|----------|---|
| CAO | | | |
| 3.1 | The hiring or dismissal of any Commissioner or Fire Chief of the municipality | CAO | <p>Delegated authority only during 'Restricted Act' period ('lame duck' provision), in accordance with Section 275 of the <i>Municipal Act</i>.</p> <p>Following the exercise of the authority, must go to the new Council to ratify.</p> |
| 3.2 | The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal, that was not included in the most recent budget adopted by the council before nomination day in the election. | CAO | <p>Delegated authority only during 'Restricted Act' period ('lame duck' provision), in accordance with Section 275 of the <i>Municipal Act</i>.</p> <p>Following the exercise of the authority, must go to the new Council to ratify.</p> |
| 3.3 | Authority to make any expenditures or incurring any other liability which exceeds \$50,000, that was not included in the most recent budget adopted by the council before nomination day in the election. | CAO | <p>Delegated authority only during 'Restricted Act' period ('lame duck' provision), in accordance with Section 275 of the <i>Municipal Act</i>.</p> <p>Following the exercise of the authority, must go to the new Council to ratify.</p> |