



Report n° CLERK2026-06

Date: April 8, 2026

Submitted by: Monique Ouellet, City Clerk

Subject: Delegation of Powers– Restricted Acts
(Lame Duck Council)

Nature/Goal

To modernize and clarify the delegation of authority to the Chief Administrative Officer (CAO) during a “lame duck” council period under section 275 of the Municipal Act, 2001, and to ensure the continued efficient operation of the municipal organization while maintaining Council- approved mandates, service levels, and financial controls.

Directive/Previous policy

By-law 2010-128 was adopted on August 9, 2010.

Department’s recommendation

THAT the Committee of the Whole recommends that Council considers the adoption of a by-law to delegate certain powers to the Chief Administrative Officer during the restriction period, in accordance with Section 275 of the Municipal Act.

QUE le Comité plénier recommande au conseil de considérer l’adoption d’un règlement visant à déléguer certains pouvoirs au directeur général pendant la période d’interdiction conformément à l’article 275 de la Loi de 2001 sur les municipalités, soit adopté.

Background

In 2010, Council opted to adopt By-law 2010-128, which provides a limited delegation to the CAO the powers and authority to appoint or remove from office of any officer of the municipality, as well as to hire or dismiss any employee of the City.

Discussion

This updated proposed by-law ensures that the municipality can respond to operational needs during a lame duck period without delay, while maintaining accountability, fiscal discipline, and respect for Council’s governance role.

Consultation

The proposed delegation framework aligns with existing administrative practices and legislative requirements. The CAO has confirmed that such authority is necessary to ensure continuity of operations and effective workforce management should a lame duck period arise.

Recommendations or comments from committee/ other departments

n/a

Financial impact (expenses/material/etc.)

There is no direct financial impact associated with the adoption of the proposed by-law.

Legal implications

The proposed by-law is authorized under sections 9, 23.1, and 275 of the Municipal Act, 2001. Delegation of administrative authority is permitted by legislation, provided it is exercised by by-law and does not include powers that are statutorily reserved to Council. Repealing and replacing By-law 2010-128 will ensure the City's delegation framework remains current, clear, and legally sound.

Risk management

Failure to adopt an updated delegation by-law could result in delays in critical staffing or organizational decisions; disruption to service delivery; and increased operational risk during a lame duck council period. The proposed by-law mitigates these risks by clearly defining limits, safeguards, and financial controls on the CAO's delegated authority.

Strategic implications

The proposed by-law supports good governance and responsible delegation, operational continuity and service excellence, sound financial management, and organizational resilience during election transition periods.

Supporting documents

- By-law 2010-128 (current by-law)
- Proposed By-law