

# The Corporation of the City of Clarence-Rockland

## By-law 2026-43

Being a By-Law of the City of Clarence-Rockland to Delegate Certain Powers and Duties to the Chief Administrative Officer, during the Restriction Period following Nomination Day, pursuant to Section 275 of the Municipal Act 2001.

Whereas Section 275 of the Municipal Act 2001, as amended, provides that the council of a local municipality shall not take any action described in subsection (3) after the first day during the election for a new council on which it can be determined that one of the following applies to the new council that will take office following the election:

1. If the new council will have the same number of members as the outgoing council, the new council will include less than three-quarters of the members of the outgoing council.
2. If the new council will have more members than the outgoing council, the new council will include less than three-quarters of the members of the outgoing council or, if the new council will include at least three-quarters of the members of the outgoing council, three-quarters of the members of the outgoing council will not constitute, at a minimum, a majority of the members of the new council.
3. If the new council will have fewer members than the outgoing council, less than three-quarters of the members of the new council will have been members of the outgoing council or, if at least three-quarters of the members of the new council will have been members of the outgoing council, three-quarters of the members of the new council will not constitute, at a minimum, a majority of the members of the outgoing council.

Whereas Section 275 (3) of the Municipal Act 2001, as amended, provides that the following restrictions will apply to Council as of after the first day during an election for a new Council on which it can be determined that one of the above noted sections apply, and will remain in effect until the swearing in of the new Council:

- 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 a value exceeding \$50,000 at the time of disposal;

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

Whereas section 275 (6) of the Municipal Act, 2001 states nothing in this section prevents any person or body exercising any 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 the Council of the Corporation of the City of Clarence-Rockland deems it expedient and necessary to delegate certain authorities to the Chief Administrative Officer during the Restriction Period following Nomination Day set out in the Municipal Act, 2001, to ensure the continued efficient operations of the municipal organization;

Therefore, the Council of the City of Clarence-Rockland enacts as follows:

1. That Council delegates authority to the Chief Administrative Officer to take action, where necessary, on restrictions listed in Section 275 (3) of the Municipal Act 2001, as amended, between Nomination Day and the commencement of the new Council Term.
2. That the Chief Administrative Officer shall report to Council on any actions taken under the restrictions listed in Section 275 (3) of the Municipal Act 2001, as amended, between Nomination Day and the commencement of the new Council Term.
3. That this By-law shall come into force and effect only in the event that it is determined that the restrictions under section 275 of the Municipal Act 2001, as amended, apply, in any election.

Read, passed and adopted in open council this 8<sup>th</sup> day of April 2026.

Mario Zanth, Mayor

Monique Ouellet, Clerk