

The Corporation of the City of Kenora

By-Law Number 58 - 2022

A By-Law to Designate Authority to the Chief Administrative Officer during the Lame Duck Restrictions of Council Following the Nomination Day Provision

Whereas Section 275 of the Municipal Act, 2001, as amended, provides that where three quarters (3/4) of the members of the outgoing Council of the municipality will not be returning, the following authorities of the Council will cease on Nomination Day (August 19, 2022):

- (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; and
 - (d) making any expenditures or incurring any other liability which exceeds \$50,000.
- 2001, c. 25, s. 275 (3); 2006, c. 32, Sched. A, s. 114 (1); and

Whereas Section 23.1 of the Act states that Council is authorized to delegate certain powers and duties; and

Whereas Section 5 of the Act provides that a municipality's power shall be exercised by by-law; and

Whereas the Council of the Corporation of the City of Kenora deems it expedient and necessary to delegate certain authorities for the restricted authority "Lame Duck" period, if it applies between August 19, 2022 and November 14, 2022;

Now Therefore the Council of the Corporation of the City of Kenora hereby enacts as follows that:

1. **That** the Chief Administrative Officer is hereby delegated authority as the financial signing authority for expenditures, outside the current approved budgets, exceeding \$50,000.
2. **That** the Chief Administrative Officer is hereby delegated authority, including 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.
3. **That** in the extended absence of the CAO the Clerk shall have the same authority as the CAO under this by-law.
4. **That** should delegated authority be exercised, the sifting Council shall be informed by way of an information report at the next regularly scheduled or special meeting called for this purpose.
5. **That** this by-law shall be in force and effect upon passing only in the event that in one or both of the time periods Council, as determined by the Clerk, becomes "Lame Duck" and expire on November 15, 2022.

6. That this delegation of authority remains in effect until the swearing in of the new City of Kenora Council, following the 2022 municipal election.

7. That this By-Law shall come into force and take effect on final passing.

By-Law Read a First and Second Time This 17th Day of May, 2022

By-Law Read a Third and Final Time This 17th Day of May, 2022

The Corporation of the City of Kenora:

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Daniel Reynard, Mayor

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Heather L. Pihulak, City Clerk