



The Municipal Corporation of the Town of Fort Erie

By-law No. 98-2018

Being a By-law to Delegate Authority With Respect to Restricted Acts After Nomination Day ("Lame Duck Period")

Whereas Section 275 of the *Municipal Act, 2001*, as amended, (the "Act") provides for restrictions on the actions of Council after Nomination Day in the Municipal and School Board Elections in the event that three-quarters (3/4) of the outgoing Municipal Council will not be returning during or one or both of the periods provided for in Section 275 of the Act, known as the "Lame Duck Period"; and

Whereas at the Council-in-Committee meeting held on July 9, 2018, Report No. CAO-14-2018 was considered and approved to delegate one authority to the Chief Administrative Officer, and other authorities jointly to the Chief Administrative Officer and Director, Corporate Services / Treasurer, and in the absence of one, to the Manager, Accounting Services / Deputy Treasurer, to carry out the restricted actions, in the event a "Lame Duck Period" occurs; and

Whereas it is deemed desirable to make the delegation of authority in accordance with Report No. CAO-14-2018;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** authority is delegated to the Chief Administrative Officer and Director, Corporate Services / Treasurer, jointly, and in the absence of one, to the Manager, Accounting Services / Deputy Treasurer, to authorize the disposal of properties on behalf of the municipality with a value exceeding \$50,000.00.
2. **That** authority is delegated to the Chief Administrative Officer and Director, Corporate Services / Treasurer, jointly, and in the absence of one, to the Manager, Accounting Services / Deputy Treasurer, to authorize any expenditure or liability exceeding \$50,000.00 not previously approved in the 2018 Budget.
3. **That** authority is delegated to the Chief Administrative Officer to appoint or remove from office any officer of The Corporation of the Town of Fort Erie.
4. **That** the delegated authorities given in this By-law shall only be exercised in the event that three-quarters (3/4) of the outgoing Municipal Council will not be returning during one or both of the "lame duck" periods provided for in Section 275 of the *Municipal Act, 2001*, as amended, for the year 2018;
5. **That** the Chief Administrative Officer shall report the exercise of authority for the disposal of properties on behalf of the municipality with a value exceeding \$50,000.00 and for any expenditure or liability exceeding \$50,000.00 not previously approved in the 2018 Budget, to the current Council, and to the newly elected Council, as soon as practical.

6. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 16th day of July, 2018.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 98-2018 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20