

THE TOWN OF FORT FRANCES

August 1, 2014

REPORT TO: Mayor & Council

FROM: Kathryn Lawson, Deputy Clerk

SUBJECT: Delegation of Council's Authority

Pursuant to the *Municipal Act, 2001*, at section 275, there are provisions that, under certain circumstances, Council would be prevented from doing certain acts, possibly as early as the day following nomination day in the year of a municipal election, or possibly following the day of the election and until after the newly elected council takes office in December of the election year.

These actions include:

The appointment or removal from office of any officer of the municipality;
The hiring or dismissal of any employee of the municipality;
The disposition of any real or personal property which has a value exceeding \$50,000 at the time of disposal;
Making any expenditures or incurring any other liability which exceeds \$50,000 unless included in the current year's budget.

The circumstances would be realized if:

On nomination day (September 12, 2014) less than 75% of the incumbent members of current council were to be nominated for election to the new council;

Or

On election day, (October 27, 2014) less than 75% of the members of current council are re-elected to the new council.

If Council considers that there is a risk that certain proposed unbudgeted sizable expenditures/property transactions or other actions may be jeopardized through the application of this section of the *Municipal Act, 2001*, then I would recommend that Council enact a by-law that I have drafted to delegate these authorities to the Chief Administrative Officer until the new Council is sworn into office.

It would be in order to repeal the previous by-law no. 50/10.


/KL

<p>Council's approval of this report will direct the Deputy Clerk to prepare a by-law to effectively delegate to the Chief Administration Officer, certain of Council's authorities that may be restricted to Council pursuant to section 275, the <i>Municipal Act, 2001</i>. and repeal By-law 50/10.</p>
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