



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY- LAW NO. 2026-22

Being a by-law to delegate authority for restricted acts during a "Lame Duck" period and to repeal By-laws 2022-14 and 2022-73.

WHEREAS Section 275 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, restricts certain actions that Council may take in an election year when it can be determined that the incoming Council will include less than three-quarters (75%) of the members of the outgoing Council;

AND WHEREAS subsection 275(3) of the Municipal Act, 2001 restricts Council from taking action with respect to:

- 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 value exceeding \$50,000 at the time of disposition; and
- d) making any expenditure or incurring any other liability which exceeds \$50,000;

AND WHEREAS subsection 275(6) of the Municipal Act, 2001 provides that nothing in section 275 prevents any person or body from exercising authority of a municipality that has been delegated prior to Nomination Day for the election of the new Council;

AND WHEREAS section 23.1 of the Municipal Act, 2001 authorizes a municipality to delegate its powers and duties by by-law;

AND WHEREAS Council of the Township of Southwold deems it expedient to delegate authority to the Chief Administrative Officer/Clerk to ensure the continued operation of the municipality during any restricted acts ("lame duck") period;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

1. DELEGATION OF AUTHORITY

- 1.1 The Chief Administrative Officer/Clerk is hereby delegated authority, during any period in which Council is restricted under section 275 of the Municipal Act, 2001, to take such actions as may be necessary on behalf of the municipality with respect to the matters described in subsection 275(3) of the Act.

2. CONDITIONS

- 2.1 This by-law shall only come into force and effect if it is determined that the Council of the Township of Southwold is subject to the restricted acts provisions of section 275 of the Municipal Act, 2001.

3. TERM

- 3.1 The authority delegated by this by-law shall expire when the restricted period under section 275 of the Municipal Act, 2001 ends, or when the new Council takes office, whichever occurs first.

4. REPORTING

- 4.1 The Chief Administrative Officer/Clerk shall report to Council on any actions taken pursuant to this by-law, at the first regular meeting of the new Council or as soon as reasonably practicable.

5. EFFECTIVE DATE

- 5.1 This by-law shall come into force and take effect upon its passing, subject to Section 2.1.

6. REPEAL PRIOR BY-LAWS

- 6.1 That By-laws 2022-14 and 2022-73 be repealed.

READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME, AND FINALLY PASSED THIS 9th DAY OF MARCH, 2026.

Original signed by:

Mayor
Grant Jones

Original signed by:

CAO/Clerk
Jeff Carswell