



THE CORPORATION OF THE TOWN OF LATCHFORD

BY-LAW No.: 2026-026

Being a By-Law to delegate authority to the CAO/Clerk-Treasurer or their designate during the Lane Duck restrictions of Council following Nomination Day.

Whereas, Section 275 (1) of the *Municipal Act, 2001, c.25 as amended* states 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. 2001, c. 25, s. 275 (1).

And Whereas, Section 23 of the Municipal Act, 2001, as amended permits Council to delegate its administrative powers;

And Whereas, Section 275(3) of the Municipal Act, 2001, S.O. 2001, c.25 restricts council from taking action on items including:

1. The appointment or removal from office of any officer of the municipality
2. The hiring or dismissal of any employee of the municipality
3. The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
4. Making any expenditure or incurring any other liability which exceeds \$50,000;

And Whereas, Section 275(6) of the Municipal Act, 2001, S.O. 2001, c.25 states that nothing in this section prevents any person or body exercising 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 Town of Latchford has appointed a Chief Administrative Officer/Clerk-Treasurer whose duties are to exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and to perform such other duties that are assigned;

And Whereas, Council deems it expedient to delegate authority to the CAO/Clerk-Treasurer or their designate to take action, where necessary, during the “Lame Duck” period;

Now Therefore, the Council of the Corporation of the Town of Latchford hereby enacts as follows:

And That, Council delegates authority to the CAO/Clerk-Treasurer or their designate of the Corporation of the Town of Latchford to take action, where necessary, on restrictions listed in Section 275 (3) of the Municipal Act, 2001, c.25 as amended, between Nomination Day and the commencement of the Council Term;

And That, the CAO/Clerk-Treasurer or their designate of the Corporation of the Town of Latchford will report to Council on any actions taken under the restrictions listed in Section 275 (3) of the Municipal Act, 2001, c.25 as amended, between Nomination Day and the commencement of the Council Term;

And That, the Clerk is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-law, after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law or its associated schedule.

And That, all other By-laws delegating authority are hereby repealed.

And Finally That, this By-law shall come into full force and effect upon final passing.

Read a first, second and third time and finally passed on the 14th day of July, 2026.

Sharon Gadoury-East, Mayor

Malorie Robinson, Clerk