

The Corporation of the Town of Essex

By-Law Number 2534

Being a By-Law to Temporarily Delegate Certain Authorities during a
"Lame Duck" Council Period

Whereas Section 275 of the *Municipal Act, 2001, S.O. 2001 c.25* as amended, (the "**Act**") provides that certain actions of a Council become restricted on the first day in an election year in which it can be determined that the new Council may have less than three quarters of the members of the outgoing council. If so determined then the following authorities of the Council will cease beginning on Nomination Day (August 21, 2026) and continuing until Election Day (October 26, 2026). Then again, beginning Election Day (October 26, 2026) and continuing until the beginning of the next term of Council, also known in this By-Law as the "**Lame Duck Period**":

- 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; and

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

Whereas Council deems it expedient and necessary to delegate the restricted acts of Council set out in Section 275(3) of the Act during the Lame Duck Period; and

Whereas Section 5 of the Act provides that a municipality's power shall be exercised by By-Law.

Now therefore the Council of the Corporation of the Town of Essex enacts as follows:

1. **That** "jointly delegated authority" means an authority that shall be exercised

Administrative Officer be delegated authority to:

- a. Repeal By-Laws appointing Officers of the Corporation which have ceased employment;
 - b. Appoint or remove from office any Officer of the municipality; and
 - c. Hire or dismiss any employee of the Corporation if the authority is not otherwise granted to them under the Town's Hiring Policy;
5. **That** the sitting Council shall be informed by way of an information report at the next Regular Meeting of Council or a Special Meeting of Council should a delegated authority under this By-Law be exercised;
6. **That** the Chief Administrative Officer by way of an information report at a Regular Meeting of Council in the first quarter of 2027, will provide a summary regarding any exercise of the authority delegated by the Restricted Acts By-Law during the applicable period; and
7. **That** this By-Law shall come into force and take effect on the date of the third and final reading hereof and expire on December 14, 2026.

Read a first and a second time and provisionally adopted on May 19, 2026.



Mayor



Clerk

Read a third time and finally passed on June 1, 2026.



Mayor



Clerk