

The Corporation of the City of Guelph

By-law Number (2022) - 20700

A by-law to delegate authority to the Chief Administrative Officer for the restricted acts period.

Whereas section 275 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the Act), restricts certain actions the council of a local municipality can take after nomination day for the election of the new council;

And whereas subsection 275(6) of the Act provides that nothing in section 275 prevents any person or body exercising any 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, pursuant to section 23.1 of the Act, a municipality is authorized to delegate its powers and duties under the Act or any other Act to a person or body, subject to the restrictions set out in Part II of the Act;

And whereas to ensure the efficient and effective management of The Corporation of the City of Guelph (the City) during a possible restricted acts period, it is prudent that Council delegates certain authority to the Chief Administrative Officer for that period of time;

And whereas the delegation of authority during a restricted acts period is consistent with the goals set out in the City's Strategic Plan;

The Council of the Corporation of the City of Guelph enacts as follows:

1. The Chief Administrative Officer is hereby delegated authority, for the period following nomination day in 2022 during which a restricted acts period for Council is in effect, in order to address the following matters:
 - a. the disposition of any real or personal property of the City that has a value exceeding \$50,000 at the time of disposition, except in those cases where the disposition was included in the most recent budget adopted by Council before nomination day in the election; and
 - b. making any unbudgeted expenditures or incurring any other liability that exceeds \$50,000, except in those cases where the liability was included in the most recent budget adopted by Council before nomination day in the election.
2. The Chief administrative Officer shall advise Council in writing prior to exercising the authority delegated pursuant to this By-law.
3. The Chief Administrative Officer shall report to Council in the first quarter of 2023 regarding any exercise of the authority delegated pursuant to this By-law.
4. The authority delegated pursuant to this By-law will only take effect when Council is deemed to be restricted in accordance with the Act and shall expire when the restricted acts period is no longer applicable, or when the Council-elect takes office.
5. This By-law comes into force and takes effect immediately upon passage.

Passed this 30th day of May, 2022.

Cam Guthrie, Mayor

Stephen O'Brien, City Clerk