

THE CORPORATION OF THE VILLAGE OF SOUTH RIVER

By-law 28-2018

Being a By-law of the Village of South River to Delegate Council's Authority during a Restrictive Period following the Nomination close or following the announcement of the election results.

WHEREAS the *Municipal Act, 2001, Section 275* describes the Restricted Period of Council (Lame Duck) in the following terms: "*following nomination day but before voting day, the determination shall be based on the nominations to the new council that have been certified and any acclamations made to the new council; or after voting day, the determination shall be based on the declaration of the results of the election including declarations of election by acclamation*"; and

WHEREAS Council has approved, by the 2018 budget, some projects and expenses which are still to be completed prior to the end of 2018; and

WHEREAS the Council has been working with the Village planner to sell a portion of the Happy Landing Commercial Court to a private company and are currently seeking tendered bids on a piece of vacant residential property north of Roselawn Boulevard for the purposes of continuing the economic growth which has been important to this council; and

WHEREAS the Council entered into a Collective Agreement with the Local Union which will expire in December of 2020; and it is Council's right to manage situations either known or unknown during the restrictive period; and

WHEREAS all possible scenarios for the above have been accounted for within the 2018 municipal budget (both revenues and expenses) as per *Section 4 of the Municipal Act, 2001* provides for an exception from the restrictions, Clauses 3 (c) and (d); and

WHEREAS *Section 23.1 of the Municipal Act, 2001* provides the Village of South River to authorize the delegation of powers and duties to a person or body subject to the restrictions set out in *Section 23.2 of the Municipal Act, 2001*; now

THEREFORE the Council of the Village of South River does hereby delegate its authority to the Clerk Administrator for the completion of property sales, severance of the identified property which pertains to the sales and the right to manage the staff and operations of the municipality in the event the municipality finds itself in a Lame Duck scenario following the close of Nominations on Friday, July 27, 2018 at 2:00 p.m. The delegation will commence at that time and remain in force until the new council terms begins on December 1, 2018. This authority will allow the Clerk Administrator to incur any expense which is a direct and eligible cost to the sale of land or in the course of management of the staff and the municipality to the maximum amount identified within the 2018 budget. The Clerk Administrator will keep the current council informed of all decisions and will seek guidance from the exiting council and from relevant professionals working on the Village's behalf prior to making any major financial commitments.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF JULY, 2018

Jim Coleman, Mayor

Susan L. Arnold, Clerk Administrator