

# The Corporation of the Municipality of Brockton



## By-Law 2021-172

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### Being a By-Law to Appoint Fiona Hamilton as Director of Legal and Legislative Services (Clerk) for the Municipality of Brockton.

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**Whereas** the Municipal Act, R.S.O. 2001, S.O. 2001, Chapter 25, Section 9, as amended assigns to Municipal Councils the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under the Act or any other Act which includes the hiring of employees; and

**Whereas** Section 228(1) of the Municipal Act directs that a municipality must appoint a Clerk and specifies the duties of the position; and

**Whereas** the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, Chapter M.56, Section 3(1) as amended provides that the members of the council of a municipality may by by-law designate from among themselves an individual or a committee of the council to act as head of the municipality for the purposes of the Act;

**Whereas** Section 49 (1) provides that a head may in writing delegate a power or duty granted or vested in the head to an officer or officers of the institution or another institution subject to such limitations, restrictions, conditions and requirements as the head may set out in the delegation;

**Whereas** the Council of the Corporation of the Municipality of Brockton appointed Fiona Hamilton as Clerk effective August 20, 2018 as per By-Law 2018-063;

**Whereas** the Council for the Corporation of the Municipality of Brockton authorized restructuring the Clerk position to Director of Legal and Legislative Services (Clerk) at the November 23, 2021 Council Meeting;

**Now Therefore** the Council of the Corporation of the Municipality of Brockton enacts as follows;

- 1.0 That the Corporation of the Municipality of Brockton Council hereby appoints Fiona Hamilton as Director of Legal and Legislative Services (Clerk) for the Municipality of Brockton effective January 1, 2022.
- 2.0 That the position description for the Director of Legal and Legislative Services (Clerk) position be attached as "Schedule A" and forms part of this By-Law.
- 3.0 That the Council Corporation of the Municipality of Brockton hereby designates the Mayor as Head for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.
- 4.0 That the Mayor be authorized to delegate all powers and duties under the Municipal Freedom of Information and Protection of Privacy Act to the Director of Legal and Legislative Services (Clerk).
- 5.0 This By-Law shall come into full force and effect upon final passage.
- 6.0 This By-Law may be cited as the "Appoint Fiona Hamilton as Director of Legal and Legislative Services (Clerk) By-Law".

**Read, Enacted, Signed and Sealed this 14th day of December, 2021.**

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Mayor – Chris Peabody

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Clerk – Fiona Hamilton