

# The Corporation of the Municipality of Brockton



## By-Law 2026-038

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Being a By-Law to Delegate Authority to the Chief Administrative Officer for Certain Acts During a “Lame Duck” Period

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**Whereas** the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 275, as amended, restricts acts that a Council can take after Nomination Day (August 21, 2026) and after Voting Day (October 26, 2026) if the Council is in a lame duck position;

**And Whereas** the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 275(3), as amended, restricts Council from taking action in relation to the following:

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

**And Whereas** the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 275(6), as amended, 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** Council deems it expedient to delegate authority to the Chief Administrative Officer to take action, where necessary, on certain acts during the “Lame Duck” period.

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

- 1.0 That the Council of the Corporation of the Municipality of Brockton hereby delegates authority under Section 275(3) of the *Municipal Act, 2001* between Nomination Day (being August 21, 2026) and commencement of the Council Terms (November 15, 2026) as follows:
  - a) The Chief Administrative Officer be delegated authority as the financial signing authority for expenditures, outside the current budget, exceeding \$50,000;
  - b) That the Chief Administrative Officer be delegated the authority to execute and authorize the agreement of Purchase and Sale, pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal for the acquisition of property, and further that the Chief Administrative Officer and Director of Legislative and Legal Services (Clerk) be authorized to sign any and all documentation to effect the transfer of any such property, including any extensions or amendments;
  - c) The Chief Administrative Officer be delegated the authority to hire or remove any employee from/to employment with the Municipality of Brockton;
  - d) The Chief Administrative Officer be delegated the authority to appoint or removal from office of any Officer of the Municipality aside from the offices specifically required by the *Municipal Act, 2001*.
- 2.0 The Chief Administrative Officer will report to Council on any actions taken under the restrictions listed in Section 275(3) of the *Municipal Act, 2001* between Nomination Day and the commencement of the Council Term.
- 3.0 This By-Law shall come into force and effect upon final passage in accordance with the provisions in Section 275(3) of the *Municipal Act, 2001*.
- 4.0 This By-Law may be cited as the “Lame Duck Delegation of Authority By-Law”.

**Read, Enacted, Signed and Sealed this 28th day of April, 2026.**

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Mayor – Chris Peabody

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Director of Legislative and Legal Services (Clerk) – Fiona Hamilton