



Corporation of the Municipality of Temagami

Memorandum to Council

Memo No.
2018-M-041

Staff
 Committee

Subject: Restricted Acts

Agenda Date: July 26, 2018

Attachments:

RECOMMENDATION

This memorandum is:

To be received for information

INFORMATION

It could be the case that at 2:00 pm on July 27th, Council may be in a 'lame duck' position. Section 275 of the Municipal Act 2001, as amended, restricts certain acts while Council is in this position.

To determine whether the section outlining restricted acts applies there are two tests. The first is on Nomination Day or July 27th for the 2018 election. If it is not possible to have 75% of the present Members of Council be on the new Council, or in our case 6 Members, then Section 275 applies. The second test is after the results of the election are known and less than 75% of the present Members have been reelected and/or acclaimed.

Council may, prior to Nomination Day, delegate responsibility until the new Council has taken their Oath of Office at the Inaugural Meeting. This delegation would only become effective in a period of restricted acts and any actions taken as a result of this delegation would be reported to Council for ratification at the first business meeting of the new term. All legislation and policies that presently guide decision making would still exist during the period of delegation.

Respectfully Submitted.

Prepared by:

Reviewed by:

Craig Davidson Treasurer/Administrator	
Name, Position	Name, Position