

**The Corporation of the Municipality of Powassan**

**By-Law No. 2020-09**

**Being a By-Law to Confirm Delegated Authorities  
During a Provincially Declared Emergency  
(Human Emergency or Pandemic)**

**WHEREAS** Section 23.1 to 23.5 of the *Municipal Act, 2001, c. 25*, as amended, authorizes a municipality to delegate its powers and duties under this or any other Act to a person or body subject to restrictions under the Act;

**AND WHEREAS** Section 23.3 of the *Municipal Act, 2001, c. 25* restricts Council from delegating powers and duties:

1. The power to appoint or remove from office an officer of the municipality whose appointment is required by this Act.
2. The power to pass by-laws under Parts VIII, IX and X.
3. The power to incorporate corporations in accordance with Section 203.
4. The power to adopt an official plan or an amendment to an official plan under the *Planning Act*.
5. The power to pass a zoning by-law under the *Planning Act*.
6. The power to pass a by-law under subsections 108(1) and (2), and 110 (3), (6) and (7).
7. The power to adopt a community improvement plan under section 28 of the *Planning Act*.
8. The power to adopt or amend the budget of the municipality.
9. Any other power or duty that may be prescribed.

**AND WHEREAS** Council deems it expedient to delegate authority to the Chief Administrative Officer/Clerk-Treasurer or their designate to take action, where necessary, on certain acts during a Provincially declared emergency.

**Now Therefore, The Council of The Corporation of the Municipality of Powassan Hereby enacts as follows:**

1. That the Chief Administrative Officer/Clerk-Treasurer, or their delegate, be delegated the authority to approve contracts for projects approved by the Budget; and that the Chief Administrative Officer/Clerk-Treasurer be authorized to sign approved contracts.


2. That Council delegates authority to the Chief Administrative Officer/Clerk-Treasurer, or their delegate, of The Corporation of the Municipality of Powassan to take action, where necessary, during a Provincially declared emergency.

Such action may include:

- (a) Waiving fees and penalties for Billings;
  - (b) Authority to determine and/or alter the Billing due dates and methods of payment; and
  - (c) Authorized spending limit for the Chief Administrative Officer/Clerk-Treasurer shall be set for \$150,000.00 per sale.
3. That the Chief Administrative Officer will report to Council on any actions taken during a Provincially declared emergency.
  4. That this By-Law shall be in effect during a Provincially declared emergency.
  5. That this By-Law shall come into force and effect upon its final passage.
  6. That this By-Law may be cited as the "Emergency Delegation of Powers By-Law".
  7. That the Mayor and Clerk be and hereby authorized to execute this By-Law on behalf of the Corporation and to fix the corporate seal thereto.

**Read a First and Second Time** this 24<sup>th</sup> day of March, 2020.

**Read a Third Time and Finally Passed** this 24<sup>th</sup> day of March, 2020.

  
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Mayor Peter McIsaac

  
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CAO/Clerk-Treasurer Maureen Lang