

**THE MUNICIPAL CORPORATION OF NORTH ALGONA
WILBERFORCE TOWNSHIP**

BY- LAW NO. 2026 - 21

**Being a By-law to Designate Authority to the CAO/Clerk during the
Restricted Acts (Lame Duck) Period of Council between Nomination Day to
the swearing in of the new Council for
The Corporation of North Algona Wilberforce Township**

WHEREAS Section 275 of The Municipal Act, 2001, c.25 as amended, restricts the actions described in subsection (3) after the first day during the election period for a new council on which it can be determined that one of the following applies to the new council that will take office following the election:

1. If the new council will have the same number of members as the outgoing council, the new council will include less than three-quarters of the members of the outgoing council.
2. If the new council will have more members than the outgoing council, the new council will include less than three-quarters of the members of the outgoing council or, if the new council will include at least three-quarters of the members of the outgoing council, three-quarters of the members of the outgoing council will not constitute, at a minimum, a majority of the members of the new council.
3. If the new council will have fewer members than the outgoing council, less than three-quarters of the members of the new council will have been members of the outgoing council or, if at least three-quarters of the members of the new council will have been members of the outgoing council, three-quarters of the members of the new council will not constitute, at a minimum, a majority of the members of the outgoing council.

AND WHEREAS under Section 275 (3) of The Municipal Act, 2001, c.25 the following restrictions may apply to the Council of the Corporation of North Algona Wilberforce Township as of after the first day during the election for a new council on which it can be determined that one of the above noted conditions apply, and will remain in effect until the swearing in of the new Council:

1. The appointment or removal from office of any officer of the Municipality;
2. The hiring or dismissal of any employee of the Municipality;
3. The disposition of any real or personal property of the Municipality which has a value exceeding \$50,000 at the time of disposal; and
4. Making any expenditures or incurring any other liability which exceeds \$50,000;

AND WHEREAS Section 275(6) of The Municipal Act, 2001, as amended, states that nothing 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 take action, where necessary, on certain acts during any lame duck period;

NOW THEREFORE THE COUNCIL OF NORTH ALGONA WILBERFORCE HEREBY ENACTS AS FOLLOWS:

1. **THAT** Council delegates authority to the CAO/Clerk to act, where necessary, on restrictions listed in Section 275(3) of The Municipal Act, 2001 c.25 between Nomination Day and the commencement of the Council Term.

2. **THAT** the CAO/Clerk will report to Council on any actions taken under the restrictions listed in Section 275(3) of The Municipal Act, 2001 c. 25 between Nomination Day and the commencement of the new Council Term;
3. **THAT** this By-law shall come into force and effect only in the event that it is determined that the “Restricted Acts” provisions apply for the 2026 election.
4. **THAT** By-Law 2022-25 is hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS 19th DAY OF MAY 2026.

MAYOR

CAO CLERK TREASURER