

THE CORPORATION OF THE MUNICIPALITY OF CALVIN

BYLAW NUMBER 2023-042

**BEING A BY-LAW TO APPOINT AN DEPUTY CLERK/RECORDS MANAGEMENT
COORDINATOR**

Legal Authority

Scope of Powers

Section 8(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, ("*Municipal Act*") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

Powers of a Natural Person

Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

Powers Exercised by Council

Section 5(1) of the *Municipal Act* provides that the powers of a municipality shall be exercised by its Council

Powers Exercised by By-law

Section 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

Municipal Administration

Section 227 of the *Municipal Act* provides it is the role of the officers and employees of the municipality to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.

Deputy Clerk

Section 228(2) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended ("*Municipal Act*") provides that Council may by by-law appoint a Deputy Clerk who shall have all the powers and duties of the Clerk under the *Municipal Act* and every other Act.

Preamble

The *Municipal Act* allows municipalities to appoint a Deputy Clerk who has the powers and authorities of the Clerk.

It is important for the municipal business to continue in the absence of the Clerk Council for the Corporation of the Municipality of Calvin requires a Deputy Clerk.

Decision

Council of the Corporation of the Municipality decides it in the best interest of the Corporation to appoint a Deputy Clerk on an Interim basis.

Direction


NOW THEREFORE the Council of the Corporation of the Municipality of Calvin directs as follows:

1. That Teresa Scroope is hereby appoints as the Deputy Clerk for the Corporation of the Municipality of Calvin effective hiring date of August 25 2023.
2. That the powers and duties of the Deputy Clerk shall be those powers and duties of the Clerk as set forth in the *Municipal Act* and every other Act.
3. This by-law takes effect on the day of its final passing.

Read and adopted by Resolution 2023-293 this 14th Day of November 2023.



Mayor



Clerk