

The Corporation of the Township of Southgate

By-law Number 2017-011

being a By-law to Authorize the Appointment of the Clerk as Head of the Municipality for the Purposes of the Municipal Freedom of Information and Protection of Privacy Act

Whereas Section 3 (1) of the Municipal Freedom of Information and Protection of Privacy Act, RSO 1990 Chapter M. 56 as amended provides that the members of the council of a municipality may by by-law designate from among themselves an individual or a committee of the council to act as the head of the municipality for the purposes of this Act;

And Whereas Section 3 (3) (a) of the Municipal Freedom of Information and Protection to Privacy Act, RSO 1990 Chapter M. 56 as amended states that if no person is designated as head under this section, the head shall be the council, in the case of a municipality;

And Whereas Section 49 (1) of the Municipal Freedom of Information and Protection to Privacy Act, RSO 1990 Chapter M. 56 as amended outlines that a head may in writing delegate a power or duty granted or vested in the head to an officer or officers of the institution or another institution subject to such limitations, restrictions, conditions and requirements as the head may set out in the delegation;

And Whereas the Council of the Corporation of the Township of Southgate deems it expedient to delegate such powers and duties of the head for the purposes of the Municipal Freedom of Information and Protection of Privacy Act to the Clerk;

And Whereas in the absence of the Clerk, it is deemed expedient that the Deputy Clerk shall exercise the delegated powers and duties of the head for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.

Now therefore the Council of the Corporation of the Township of Southgate enacts as follows:

- 1. That** the Council for the Corporation of the Township of Southgate hereby delegates its powers and authority to the Clerk to act as head of the municipality for the purposes of administering the Municipal Freedom of Information and Protection of Privacy Act and for decisions made thereunder; and
- 2. That** the Council for the Corporation of Township of Southgate hereby authorizes the Clerk to further delegate this authority to the Deputy Clerk in the absence of the Clerk; and
- 3. That** all by-laws inconsistent with this by-law are hereby repealed and replaced; and
- 4. That** this by-law shall come into full force and effect upon the final passage thereof.

Read a first, second and third time, and finally passed this 15th day of February, 2017.



Anna-Marie Fosbrooke - Mayor



Joanne Hyde - Clerk