

THE CORPORATION OF THE TOWNSHIP OF MADAWASKA VALLEY

**BY-LAW 2026-41**

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

**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. That if three-quarters of the members of the outgoing Council of the municipality will not be returning, the following authorities of the Council will cease on Nomination Day or Election Day of any municipal year.

**AND WHEREAS** under Section 275 (3) of The Municipal Act, 2001, c.25 the following restrictions may apply to Council of the Corporation of the Township of Madawaska Valley 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 sections apply, and will remain in effect until the swearing in of the new Council: a)The appointment or removal from office of any officer of the Municipality; b)The hiring or dismissal of any employee of the Municipality; c)The disposition of any real or personal property of the Municipality which has a value exceeding \$50,000 at the time of disposal; and d)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 in this section 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;

**AND WHEREAS** the Mayor and CAO/Clerk are hereby authorized to sign this By-Law and affix the corporate seal thereto and;

**AND WHEREAS** this By-Law is enacted upon the third and final reading hereof, and be finally passed, signed, sealed and numbered.

**NOW THEREFORE** the Council of the Corporation of the Township of Madawaska Valley hereby enacts as follows:

1. **THAT** Council delegates authority to the CAO/Clerk of the Corporation of the Township of Madawaska Valley 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 of the Corporation of the Township of Madawaska Valley 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 #2022-46 is hereby repealed.

**READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED THIS 21 DAY OF April, 2026.**



A handwritten signature in black ink, appearing to read "David Shulist".

Mayor - David Shulist

A handwritten signature in black ink, appearing to read "Suzanne Klatt".

CAO/CLERK - Suzanne Diane Klatt