

APPENDIX “B”

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 38-2020

**Being a By-law to authorize the delegation of authority to the
Director of Corporate Services/Clerk and to
the Director of Financial Services
for certain acts during the Provincially declared state of emergency
under *the Emergency Management and Civil Protection Act***

WHEREAS on March 17, 2020 Premier Ford declared a state of emergency in the Province of Ontario under the *Emergency Management and Civil Protection Act* as the Province tries to rapidly slow the spread of COVID-19;

AND WHEREAS The Town’s Procurement Policy currently requires Council’s approval for all contracts awarded in excess of \$50,000.00;

AND WHEREAS Subsection 23.1 of the Act provides that a municipality may delegate its powers and authority subject to the restrictions as set out in such Subsection 23.1;

AND WHEREAS Council deems it expedient to delegate authority to the Director of Corporate Services and the Director of Financial Services during this provincially declared state of emergency to jointly approve contracts up to Five Hundred Thousand Dollars (\$500,000.00), provided that such works are within the scope and budget limits approved in the 2020 Municipal Budget.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. **THAT** Council delegates authority to Director of Financial Services R. McLeod and to Director of Corporate Services J. Astrologo during this provincially declared state of emergency to jointly approve contracts up to Five Hundred Thousand Dollars (\$500,000.00), provided that such works are within the scope and budget limits approved in the 2020 Municipal Budget.
2. **THAT** the delegated authority as outlined in Section 1 above shall take effect and be limited to the period during the provincially declared state of emergency under the *Emergency Management and Civil Protection Act*, which declaration was made on March 17, 2020, by Premier Ford, and which declaration may be extended, renewed or re-declared.
3. **THAT** notwithstanding the pre-condition outlined in Section 2, the delegated authority shall remain in force and effect if the Mayor of the Town of Kingsville declares a state of emergency for the municipality and that declaration remains in effect following the expiry or removal of the emergency declaration ordered by the province.
4. **THAT** prior to the exercise of the delegation of authority outlined in Section 1 and 2 above:
 - i) The Director of Financial Services and the Director of Corporate Services will consult with the relevant Departmental Director/Manager on such contracts; and that
 - ii) The Director of Financial Services will advise Council in writing of the exercise of the authority prior to that authority being exercised.

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5. This By-law shall come into force and effect upon its final passage and shall continue until such time as the Province and Municipality lift the aforementioned state of emergency declaration(s).

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
23RD DAY OF MARCH, 2020.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo