



## **Municipality of Port Hope**

56 Queen Street  
Port Hope, ON  
L1A 3Z9

**REPORT TO:** Corporate Services Committee

**FROM:** Shrishma Davé, Manager, Legislative Services/Deputy Clerk

**SUBJECT:** 2022 Council/Committee of the Whole Meeting Schedule

**DATE:** November 2, 2021

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### **RECOMMENDATION:**

That a resolution be presented to Council to approve the proposed 2022 Council/Committee of the Whole Meeting Schedule.

### **BACKGROUND:**

In accordance with Section 7 of the Procedural By-law 49/2015, as amended, being a By-law to govern the proceedings of the Council of the Municipality of Port Hope and of its Committees, the proposed 2022 Council/Committee of the Whole Meeting Schedule has been prepared and is attached for Council's consideration (Appendix 1).

Section 7.2.1 of By-law 49/2015 indicates both Regular and Committee of the Whole meetings are to be held on the first and third Tuesdays of each month. Accordingly, a meeting schedule for 2022 has been prepared and is being presented with a two-meeting cycle. As has been the practice for the past several years, the attached meeting schedule proposes one meeting in the months of July and August to facilitate Council business while still accommodating a modified recess period.

In consideration of the 2022 municipal election on October 24, 2022, the final Council meeting of the 2018-2022 Council term will be on September 20, 2022, and no Committee of the Whole meeting will take place on this date. The Inaugural Meeting of the new Council is scheduled for November 15, 2022, in accordance with Subsection 6(1) of the Municipal Election Act. This will further allow Clerks staff to concentrate limited staff resources on implementing the election and ensure that candidates are able to focus on their electoral campaigns for that critical period.

It is worth noting that for both above scenarios, the Procedural By-law provides Council the discretion to call Special Council meetings, should the need arise, subject to the notice provisions outlined in Section 7.3 of By-law 49/2015.

2020 received Royal Assent which moved Nomination Day from the fourth Friday in July to the third Friday in August. As the last cycle of Committee of the Whole (September 6, 2022) and Council (September 20, 2022) takes place after Nomination Day, there are restrictions prescribed on Council in accordance with Section 275 of the Municipal Act for these meetings if it can be determined that there is the possibility of less than three-quarters of the Members of the outgoing Council being on the incoming Council. This is referred to as the 'Lame Duck' period.

There are two different scenarios provided for in the Municipal Act when a lame duck situation could be in effect:

1. After nomination day but before voting day, the determination shall be based on the nominations to the new council that have been certified and any acclamations made to the new council; and,
2. After voting day, the determination shall be based on the declaration of the results of the election including declarations of election by acclamation. (Note: This situation will not present itself since there are no Council meetings scheduled after voting day until the inaugural meeting of the 2022-2026 Council.)

The acts of Council that are restricted under the Municipal Act during a lame duck period are as follows:

- the appointment or removal from office of any officer of the municipality;
- the hiring or dismissal of any employee of the municipality;
- the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and,
- making any expenditures or incurring any other liability which exceeds \$50,000 (unless the disposition or liability was included in the 2021 budget adopted by Council).

Despite these provisions, Council is not prohibited from delegating authority to another person or body to exercise any authority of a municipality and nothing prevents Council from acting in the event of an emergency. Further, if Council were in a lame duck situation, there are no restrictions on receiving reports for information or continuing with regular Municipality business if such business does not fall within the restricted acts noted above. As Nomination Day approaches, should a lame duck situation occur, the Clerk will provide more detailed information to Council and Staff in this regard.

### **RESOURCE IMPLICATIONS:**

There are no resource implications related to this report.

### **CONCLUSION:**

The attached 2022 Council/Committee of the Whole meeting schedule is requested to be received for Council's consideration.

Respectfully submitted,

Shrishma Davé  
Manager, Legislative Services/Deputy Clerk