THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER 58-2012

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 to 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 Section 228 (2) of the Municipal Act, RSO 2001 states that a municipality may appoint deputy clerks who have all the powers and duties of the clerk under this and any other Act;

AND WHEREAS the Council of the Corporation of the Town of South Bruce Peninsula 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 TOWN OF SOUTH BRUCE PENINSULA ENACTS AS FOLLOWS:

1. THAT the Council for the Corporation of the Town of South Bruce Peninsula 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.

2. THAT the Council for the Corporation of the Town of South Bruce Peninsula hereby authorizes the Clerk to further delegate this authority to the Deputy Clerk in the absence of the Clerk.
3. **THAT** all by-laws inconsistent with this by-law are hereby repealed and replaced.

4. **THAT** this by-law shall come into full force and effect upon the final passage thereof.

READ a FIRST and SECOND time this 1st day of May, 2012

Mayor

Clerk

READ a THIRD time and FINALLY PASSED this 1st day of May, 2012

Mayor

Clerk