



The Corporation of the Town of Pelham

By-law No. 90-2024

Being a By-law to appoint a Deputy Mayor for a term of two (2) years, or until the end of the Council Term, whichever comes first, commencing on January 9, 2025, and ending on November 14, 2026, or such other date on which a successor is appointed and to repeal and replace By-law 03-2023.

WHEREAS section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*" or "the statute") provides that the powers of a municipality under the statute or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the statute or any other Act;

AND WHEREAS section 238 of the *Municipal Act, 2001* provides that Council may designate a member of council, other than the head of council, to preside at meetings of Council;

AND WHEREAS section 242 of the *Municipal Act, 2001* provides that a municipality may appoint a member of the council to act in the place of the head of council and to preside at a meeting when the head of council is absent or refuses to act or the office is vacant;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to appoint a Deputy Mayor to exercise the powers prescribed by sections 238 and 242 of the statute and to enact this By-law for that purpose;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. Appointment and Authorization of Deputy Mayor

- 1.1. Councillor Brian Eckhardt is hereby designated and appointed as Deputy Mayor for a term of two (2) years, or until the end of the Council Term, whichever occurs first, commencing on January 9, 2025, and ending on November 14, 2026, or such other date on which a successor is appointed ("the Term").
- 1.2. During the Term, Councillor Brian Eckhardt shall be authorized to exercise all powers prescribed by sections 238 and 242 of the *Municipal Act, 2001* and, without limiting the generality of the foregoing, shall act in the place of the head of council and preside at meetings of Council where the head of council is absent or refuses to act or the office is vacant.

2. General

- 2.1. The short title of this By-law is the "Deputy Mayor By-law".
- 2.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 2.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 2.4. This By-law shall be read with all changes in number or gender as are required by context.
- 2.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 2.6. The Town Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.


3. Repeal and Enactment

- 3.1. By-law 03-2023 is hereby repealed and replaced.

4. Effective Date

- 4.1. This By-law shall come into force on January 9, 2025.

Read, enacted, signed and sealed this 18th day of December, 2024.



Marvin Junkin, Mayor



Sarah Leach, Acting Town Clerk