

being a by-law to temporarily provide the Corporation of the City of Oshawa with the ability to conduct certain business in the event of the Council being restricted in its authority pursuant to Section 275 of the Municipal Act, 2001 S.O. 2001, c25, as amended.

Whereas a municipal election will be held on October 26, 2026; and,

Whereas Nomination Day for the election is on August 21, 2026; and,

Whereas it is possible that Council may be restricted on Nomination Day or thereafter as a result of the operation of Section 275 of the Municipal Act, 2001 S.O. 2001, c25, as amended (the "Municipal Act"); and,

Whereas it is desirable for Council to delegate certain limited authority for the purpose of ensuring the efficient operation of the Corporation of the City of Oshawa in the event that, and for so long as Council is restricted as a result of the operation of Section 275 of the Municipal Act;

It is enacted as a by-law of the Corporation of the City of Oshawa by its Council as follows:

Interpretation

1. In this by-law:

- 1.1 "By-law" means this By-law;
- 1.2 "City" means the Corporation of the City of Oshawa;
- 1.3 "C.A.O." means the City's Chief Administrative Officer or their designate;
- 1.4 "Council" means collectively the Council for the City;
- 1.5 "Department Head" means any of the Commissioner, Community and Operations Services; Commissioner, Corporate and Finance Services; Commissioner, Economic and Development Services; and, Commissioner, Safety and Facilities Services;
- 1.6 "Effective Period" means any time between" 2:00 pm EST August 21, 2026 until the commencement of the inaugural meeting of Council;
- 1.7 "Officer" means any Officer of the City appointed by Council pursuant to statutory authority;
- 1.8 "Request for Proposal" means a Request for Proposal as defined in the Purchasing By-law 80-2020;
- 1.9 "Request for Tender" means a Request for Tender as defined in the Purchasing By-law 80-2020; and,
- 1.10 "Responsive and Responsible Bidder" means a Responsive and Responsible Bidder as defined in the Purchasing By-law 80-2020.

Delegation

2. This By-law shall only apply during the Effective Period, before and after which time this By-law shall be void and of no force and/or effect.
3. During the Effective Period, if at any time it becomes mathematically impossible for three quarters of the members of the outgoing Council to be re-elected, thereby subjecting Council to the restrictions contained in Section 275 of the Municipal Act, the following delegations of authority shall apply:

3.1 Appointment or Removal of Officer

The authority to appoint or remove an Officer or Department Head of the City shall be delegated to the C.A.O.

3.2 Disposition of Property

The authority to approve and execute agreements for the disposal of any real or personal property belonging to the City with an appraised value or a value, in the opinion, of a real estate broker is greater than \$50,000.00 shall be delegated to the C.A.O.

3.3 Expenditures and Liabilities

During the Effective Period, if a Request for Proposal or Request for Tender for a contract in excess of \$100,000.00 but less than \$500,000.00 is received and concluded, in the event that the highest ranked proposal or the lowest Responsive and Responsible Bidder is in excess of the budget approved by Council, the authority to approve the bid or proposal, as the case may be, shall be delegated to the C.A.O., provided that the big or proposal is not in excess of 125% of the approved budget for the subject of the bid or proposal.

4. During the first quarter in 2027, the C.A.O. shall report any exercise of this delegated authority.

General

5. No delegation of authority in this By-law shall constrain or limit, in any manner whatsoever, any delegation of authority existing in any other City by-law. In the event of inconsistency between this By-law and any other City by-law or Council resolution, the provision that most effectively delegates authority prevails to the extent of the inconsistency.
6. This By-law shall come into force on the date of its passing.

By-law passed this twenty-third day of March, 2026.

Dan Carter, Mayor

Mary Mederios, City Clerk