

BY-LAW NUMBER 53-2018

OF

THE REGIONAL MUNICIPALITY OF DURHAM

being a by-law to appoint an Acting Regional Chair for The Regional Municipality of Durham.

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25 provides in section 242 for the appointment of a member of council to act in the place of the head of council with respect to the role of presiding at meetings;

AND WHEREAS the Council Rules of Procedure also provide in Section 4.1 for the appointment of an Acting Chair with respect to the role of presiding at meetings where the Chair is not available for certain reasons;

WHEREAS the *Municipal Act, 2001* provides in subsection 23.3 (2) for the delegation of administrative authority which includes the authority to act as a signatory or declare an emergency on behalf of the Regional Chair,

AND WHEREAS the *Municipal Act, 2001* provides in section 226 for a municipality to, with the consent of the head of council, appoint a member of council to act in the place of the head of council on any body, of which the head of council is a member by virtue of being head of council;

AND WHEREAS the *Emergency Management and Civil Protection Act, 1990* authorizes the Regional Chair to declare that an emergency exists in the Region or in any part thereof, and allows the Regional Chair to take such action or make such orders as he or she considers necessary and that are not contrary to law, to implement the emergency plan to protect the property and health, safety and welfare of the residents of the Region;

AND WHEREAS the Emergency Management Program By-law for the Regional Municipality of Durham, states that the Regional Chair is a member of, and the Executive Authority for, the Regional Control Group (RCG) in the event of an emergency, and authorizes the Regional Chair to appoint a member of Council as his or her alternate to act in his or her absence;

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Regional Municipality of Durham by the Council thereof as follows:

1. Pursuant to Section 4.1 of the Council Rules of Procedure, the heads of each area municipality be appointed as Acting Chair, with respect to the role of presiding at meetings, for the periods as noted:

Ajax	December 5, 2018 to February 28, 2019
Brock	March 1, 2019 to May 31, 2019
Clarington	June 1, 2019 to August 31, 2019
Oshawa	September 1, 2019 to November 30, 2019
Pickering	December 1, 2019 to February 29, 2020
Scugog	March 1, 2020 to May 31, 2020
Uxbridge	June 1, 2020 to August 31, 2020
Whitby	September 1, 2020 to November 30, 2020
Ajax	December 1, 2020 to February 28, 2021
Brock	March 1, 2021 to May 31, 2021
Clarington	June 1, 2021 to August 31, 2021
Oshawa	September 1, 2021 to November 30, 2021
Pickering	December 1, 2021 to February 28, 2022
Scugog	March 1, 2022 to May 31, 2022
Uxbridge	June 1, 2022 to August 31, 2022
Whitby	September 1, 2022 to November 14, 2022

- a. In the event the head of council of an area municipality refuses to act or the office becomes vacant during the period they are designated as Acting Chair, the head of the area municipality which follows next alphabetically shall be appointed as the Acting Chair for the balance of the designated period.
2. For the term of Council, the Mayor of the Town of Whitby shall be granted the authority to act as a signatory for the purpose of executing documents on behalf of the Regional Chair as being an administrative function.
3. For the term of Council, in the event of an emergency, if the Regional Chair is absent or unable to act, designated alternates may act in the place of the Regional Chair in order to declare an emergency, being an administrative function, or sit on the RCG in accordance with the Emergency Management Program By-law. The designated alternates are as follows:
 - i. Councillor Dave Ryan
 - ii. Councillor Adrian Foster
 - iii. Councillor Bobbie Drew
 - a. In the event of an emergency the first alternate shall act in the role of the chair, if the first alternate listed is absent or unable to act, then the second alternate listed may act, if the second alternate is absent or unable to act, then the third alternate may act.
4. This by-law shall replace By-law Number 71-2017.

This By-law Read and Passed on the 5th day of December, 2018, and shall come into effect immediately.

J. Henry, Regional Chair and CEO

R. Walton, Regional Clerk