

By-law Number 59-2022

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 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;

And 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, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. Pursuant to 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	November 30, 2022 to February 28, 2023
Brock	March 1, 2023 to May 31, 2023
Clarington	June 1, 2023 to August 31, 2023
Oshawa	September 1, 2023 to November 30, 2023
Pickering	December 1, 2023 to February 29, 2024
Scugog	March 1, 2024 to May 31, 2024
Uxbridge	June 1, 2024 to August 31, 2024
Whitby	September 1, 2024 to November 30, 2024
Ajax	December 1, 2024 to February 28, 2025
Brock	March 1, 2025 to May 31, 2025
Clarington	June 1, 2025 to August 31, 2025
Oshawa	September 1, 2025 to November 30, 2025
Pickering	December 1, 2025 to February 28, 2026
Scugog	March 1, 2026 to May 31, 2026
Uxbridge	June 1, 2026 to August 31, 2026
Whitby	September 1, 2026 to November 14, 2026

- 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 Kevin Ashe
 - ii. Councillor Adrian Foster
 - iii. Councillor Dave Barton

- b. 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 53-2018.

This By-law Read and Passed on the 30th day of November, 2022.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk