

Municipality of Lakeshore

By-law 38-2023

Being a By-law to Authorize an Agreement with the Municipality of Leamington relating to Temporary Fire Chief Shared Services

Whereas subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas section 23.1 of the *Municipal Act, 2001* authorizes Council to delegate its powers and duties;

And whereas subsection 6(1) of the *Fire Protection and Prevention Act* mandates the appointment of a fire chief for a fire department and The Corporation of the Municipality of Leamington requires a fire chief for its established fire department;

And whereas subsection 2(6) of the *Fire Protection and Prevention Act*, authorizes a municipality to enter into agreements with other municipalities to provide and/or receive fire protection services;

And whereas Council agrees to temporarily supply fire chief services to The Corporation of the Municipality of Leamington subject to a shared services agreement;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The Mayor and the Clerk are delegated the authority to execute an agreement with the Municipality of Leamington with form and content approved by the Corporate Leader – Strategic & Legal Affairs and Chief Administrative Officer.
2. The Chief Administrative Officer is delegated the authority to make decisions regarding the extension of this agreement for an additional term of no more than 5 months.
3. The delegated authority described in section 1 includes the authority to execute any related amendments or agreements in furtherance of this agreement.
4. In the event of a conflict between this by-law and another Lakeshore by-law, this by-law prevails.
5. The delegation in this by-law is subject to any restrictions on such delegation under the *Municipal Act, 2001*, S.O. 2001, c.25 or any other Act.

6. This By-law comes into force and effect upon passage.

Read and passed in open session on May 2, 2023.

**Mayor
Tracey Bailey**

**Clerk
Kristen Newman**