THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW 2013-036

A By-law to confirm and adopt the proceedings of Council at the Meeting on the 21st day of October, 2013.

WHEREAS Section 5 of the Municipal Act, 2001, S.O. 2001, c.25 as amended provides that the powers of a municipality shall be exercised by its council and that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

NOW THEREFORE the Council of The Corporation of the Township of Springwater enacts as follow:

1. THAT the actions of Springwater Township Council in respect of each resolution and other action taken by the Council at the October 21, 2013 meeting are, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law. This confirmation shall include any actions delegated by Council to a Standing Committee of Council and contained in the Committee Minutes received by Council at the said Meeting.

2. THAT the above mentioned actions shall not include any actions required by law to be taken by resolutions.

3. THAT where no by-law or resolution has been or is passed with respect to the taking of any action or the exercise of any powers by the Council at the said Meeting, then this By-law shall be deemed for all purposes to be the by-law required for approving and authorizing and taking of any action authorized therein or thereby, or required for the exercise of any powers therein by Council.

4. THAT the Mayor and Clerk, or such other official as deemed appropriate, are hereby authorized to execute all such documents, and to direct other officials of the Township of Springwater to take all other action, that may be required to give effect to the proceedings of the said Meeting.

5. Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of The Corporation of the Township of Springwater on all documents necessary to give effect to the above mentioned actions.
6. THAT nothing in this By-law has the effect of conferring the status of a By-law upon any of the actions of Council where any legal pre-requisite(s) to the enactment of a specific By-law has not been satisfied.

7. THAT if it is declared by a court of competent jurisdiction that any action taken by Council is invalid, unenforceable, illegal or beyond the powers of Council to enact, such action shall be deemed to be severable and that all other sections or parts of this By-law are separate and independent there from and such action shall not affect the validity or enforceability of any other provisions of this By-law or of the By-law as a whole.

8. Whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

9. THAT any Member of Council who complied with the provisions of Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50 respecting the proceedings of the said Meeting shall be deemed to have complied with said provisions in respect of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 21st day of October, 2013

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Linda Collins, Mayor

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John Daly, Clerk