



**Meeting Date:** May 4, 2026  
**Department:** Legal and Legislative Services  
**Report No.:** LLS-2026-02  
**Submitted by:** Jennifer Pereira, Director of Legal and Legislative Services/Clerk  
**Approved by:** Rob Browning, Chief Administrative Officer

**SUBJECT:** Lame Duck Period – Restricted Acts of Council

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**RECOMMENDATION: THAT: By-law No. 39-26 be referred to the Consideration of By-laws Section of the agenda for approval, and further;**

**THAT: if the Delegation of Authority is exercised, the Chief Administrative Officer will submit an information report to Council.**

#### **BACKGROUND:**

The Municipal Act, 2001 establishes the governing authority for municipalities and municipal councils in Ontario. Under Section 275 of the Municipal Act, a municipal council is prohibited from performing certain actions in a municipal election year where it is determined that there will be a material change in its membership during the next term of office.

This is commonly referred to as the 'restricted acts clause' (or a 'lame duck' council). The restricted acts clause may be triggered depending on the outcome of two key dates in an upcoming municipal election: Nomination Day (i.e., the final day to submit nominations for office) and Final Voting Day. If it is apparent that the incoming council will be comprised of less than three quarters (i.e., 75%) of its current membership, the council is required to refrain from certain acts until its next term begins.

#### **COMMENTS:**

The next Municipal Election is currently scheduled for October 26, 2026. As such, Council could be in a restricted acts situation during one or both of the following timeframes in 2026:

- From Nomination Day through to Election Day (August 21, 2026 – October 26, 2026); or,
- From After Voting Day in the 2026 Municipal Election through to the end of the current term of Council (October 27, 2026 – November 15, 2026).

As Strathroy-Caradoc Council is comprised of 9 members, the restricted acts clause or lame duck would apply if 6 or fewer members of Council were to return for the 2026-2030 term.

If this occurs, Council would be precluded from making decisions on the following matters until the end of the current term (November 15, 2026):

- a) Appointing or removing any officer of the Municipality;
- b) Hiring or dismissing any employee of the Municipality;
- c) Disposing of any real or personal property of the Municipality with a value over \$50,000; and,
- d) Incurring any expenditures or liabilities exceeding \$50,000

(Clauses c) and d) do not apply if the disposition or liability was included in the most recent budget adopted by the Council before nomination day in the election.)

**CONSULTATION:**

Middlesex County Municipalities

**FINANCIAL IMPLICATIONS:**

None

**ALTERNATIVE(S) TO THE RECOMMENDATION:**

1. Council to provide alternate direction.( If any)

**STRATEGIC PLAN ALIGNMENT:**

This matter is in accord with the following strategic priorities:

**ATTACHMENTS:**

**By-law No. 39-26**