

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 10-950

Being a by-law to amend Bylaw 09-865, which established a Procurement Policy for the Municipality of Temagami.

WHEREAS under Section 270 (1) (3) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, a municipality is required to adopt and maintain policies with respect to its procurement of goods and services; and

WHEREAS under Section 8.(1) The powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues. 2006, c. 32, Sched. A, s. 8.

AND WHEREAS Municipality of Temagami deems it advisable amend its current procurement bylaw 09-865 to clarify its policy in respect to emergencies and the definition thereof;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. That in Section 2.0 - DEFINITIONS, the definition of "Emergency" be deleted and replaced with the following definition:

"Emergency" shall mean a situation where serious delay may affect the life and health of the general public, prevention of serious damage, and the restoring of essential service levels to a minimum level. This includes, but is not limited to, water breaks and sewer backups. A state of emergency does not need to be declared in order for a situation to be considered an emergency.


2. That Section 5.3 be deleted and replaced with the following:

5.3 Notwithstanding the provisions of this By-law, emergency purchase of goods, works and services may be made by the Chief Administrative Officer or his delegate, in the case of an emergency. The immediate purchase must be essential to prevent delays in the work of any user group, which might involve additional costs or danger to life and damage to property or loss of essential services. In all such cases, an information report to the Council shall be prepared by the respective Department Head, setting out the nature of the emergency and the necessity of the action taken pursuant to this clause.

3. That this bylaw shall come into force and take effect upon final passing thereof.

TAKEN AS READ A FIRST time on this 14th day of October 2010.

READ A SECOND AND THIRD time and finally passed this 14th day of October 2010.



Mayor

Clerk