

DECLARATION OF VACANCY IN THE OFFICE OF MAYOR

Recommendation

The Deputy City Manager and City Solicitor and the Clerk recommend:

That the seat of the Office of Mayor be declared vacant in accordance with the provisions of the Municipal Act; and

That staff be directed to prepare a report outlining the options available to Council to fill the vacancy.

Purpose

The Municipal Act requires that where the seat of a member of a council becomes vacant, that council shall forthwith declare the seat to be vacant.

Background - Analysis and Options

The passing of Mayor Jackson leaves the Office of Mayor vacant under subsection 38(i) of the Municipal Act (the Act). Section 43 of the Act states that Council shall forthwith declare the seat to be vacant.

The vacancy may be filled by appointment or by by-election. There are options and matters for Council consideration in the filling of the vacancy.

Staff recommend that a full report be prepared outlining the options available and various issues and implications in respect of such options.

To assist Council in the period during the term of the vacancy, we can advise as follows:

- Quorum remains at 5;
- All references to the Mayor in respect of authority to sign documents etc will continue to refer to the Mayor and the Acting Mayor will insert Acting Mayor and his/her name when signing;
- Acting Mayor Di Biase chairs Council meetings, in his absence Regional Councillor Frustaglio chairs Council meetings and in both of their absences, the other Members of Council present shall elect a Chair for the meeting.

Conclusion

Council is required to forthwith declare the Office of Mayor to be vacant. A further report outlining all available options and considerations will assist Council in filling the vacancy.

Respectfully submitted,

Theresa A. Caron
Deputy City Manager and City Solicitor

John D. Leach
Clerk