



Meeting Date: September 4, 2024

Prepared By: James Hutson, Municipal Clerk/Manager of Legislative Services

Report No: CLK-05-2024

Subject: Ward 1 Council Vacancy

Recommendation:

THAT Report CLK-05-2024 re: Ward 1 Council Vacancy be received;

AND THAT Council declares the office of the Ward 1 Councillor vacant due to the resignation of Ward 1 Councillor Debbie Heffernan;

AND FURTHER THAT the Municipal Clerk be directed to bring a report regarding methods to fill the vacant Ward 1 Councillor seat to the September 18, 2024 Council meeting.

Purpose:

The purpose of this report is to seek a formal declaration by Council to declare the office of the Ward 1 Councillor vacant in accordance with Section 260 (1) of the *Municipal Act, 2001*.

Background:

Members of Council and the Municipal Clerk received a written resignation from Ward 1 Councillor Debbie Heffernan on Wednesday, August 9, 2024 for an effective date of August 30, 2024. As a result of this resignation and in accordance with legislative requirements set out in Section 262 (1) of the *Municipal Act, 2001*, Council is required to formally declare this seat vacant at the next regularly scheduled meeting of Council.

Analysis:

Section 262 outlines the two options available to municipalities when filling a vacant Council seat. The Act allows for either:

- (a) the fulfilment of the vacancy through appointment by Council of a qualified elector; or

(b) a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act*,

Importantly, within 60 days of declaring the council seat vacant, council must decide whether to fill the vacancy through a by-election or by appointment for the remainder of the council term. Therefore, a by-law approving the appointment of a new member or authorizing a by-election must be in place by no later than November 3, 2024.

A further report detailing the options for filling the Council vacancy will be brought forth to the September 18, 2024 meeting of Council where staff will seek direction from Council to proceed with one of these options.

The municipality is prepared to undertake the required steps to fulfill the vacancy in the manner selected by Council and in the interim period members of Council, staff and the Mayor will work collaboratively to service the Ward 1 residents.

Financial Implications:

There are no financial implications to this report. Financial implications for the options to fill the vacancy will be included in the September 18, 2024 report.

Strategic Plan:

This matter aligns with following strategic priorities:

- Responsive Municipal Government

This report addresses a legislative requirement of declaring a council seat vacant and ensures there is an adequate plan in place to address fulfilling the resulting vacancy.

Attachments:

N/A