



Council Vacancy Appointment Procedure

GENERAL

1. The Municipal Clerk, or designate, shall be responsible for administering, interpreting, and facilitating the Council vacancy appointment process in accordance with the Municipal Act, 2001 and the Municipal Elections Act, 1996, as amended.
2. Any individual appointed to fill a vacancy on Council must be a qualified person under the Municipal Act, 2001 and an eligible elector under the Municipal Elections Act, 1996 at the time of appointment.
3. The Clerk's decision regarding the completeness of an application and a candidate's eligibility shall be final.

APPOINTMENT PROCEDURE

Notice of Vacancy

4. Upon Council declaring a vacancy by resolution, the Clerk shall provide Public Notice of the Council Vacancy and Council's intention to fill the vacancy by appointment
5. Public Notice shall include:
 - Eligibility requirements;
 - Instructions for submitting an application;
 - The submission deadline;
 - The date of Council meeting at which the appointment will be considered; and
 - Any other information deemed appropriate by the Clerk.
6. Public Notice shall be provided as follows:
 - a. Posted on the municipal website;
 - b. Mailed to all properties within the affected Ward;
 - c. Circulated to all Ratepayer Associations within an affected Ward; and
 - d. Published in a local newspaper for a minimum of two (2) consecutive weeks following the declaration of vacancy.

APPLICATION PROCESS

7. Any individual wishing to be considered for appointment shall:
 - Complete and sign the Council Vacancy Application Form approved by the Clerk; and
 - Submit the completed form to the Clerk in person by the date and time established by the Clerk.
8. Applicants shall provide satisfactory proof of identity and qualifying address to the Clerk at the time of submission.
9. Applicants received after the prescribed deadline or incomplete applications shall not be considered.

COUNCIL MEETING – Part 1: Presentations and Interviews

10. Following the application deadline, the Clerk shall prepare a list of all eligible candidates.
11. Copies of all completed application documents must be included in the Council agenda package and made available as part of the public agenda posted on the municipal website, subject to applicable privacy legislation.
12. Each candidate shall be allotted a maximum of ten (10) minutes to address Council.
13. Following each presentation, Members of Council may ask questions of the candidate.
14. The order of presentations shall be determined alphabetically by surname.

COUNCIL MEETING – Part 2: Selection Process

15. Voting shall be conducted in Open Council otherwise permitted by legislation. Where electronic voting is required, the Clerk shall establish the method to ensure confidentiality and integrity of the vote.

First Round - Shortlisting

16. In the first round of voting:
 - a. Where there are four (4) or more candidates, each Member of Council shall select up to three (3) preferred candidates.
 - b. Where there are three (3) or fewer candidates, each Member shall select up to two (2) preferred candidates.

17. Each Member shall cast their vote in the manner prescribed by the Clerk (including electronic submission, if applicable).
18. The Clerk shall tabulate the results. The three (3) candidates, or two (2) candidates, as applicable, receiving the highest number of votes shall proceed to the next round. All other candidates shall be excluded from further consideration.
19. Council may proceed into Closed Session, in accordance with the Municipal Act, 2001, to discuss personal matters about identifiable individuals.

Final Round – Appointment Vote

20. In the final round, each Member of Council shall vote for one (1) candidate only.
21. The Clerk shall tabulate the votes and announce the results.
22. A candidate must receive more than half of the votes cast by Members of Council present and voting in order to be appointed.
23. If no candidate receives the required majority:
 - The candidate receiving the fewest votes shall be eliminated; and
 - Council shall proceed to another vote.
24. In the event of a tie vote, Council may enter into Closed Session for further deliberation. If consensus is still not achieved, the Clerk shall select the successful candidate by random draw.
25. Upon conclusion of voting, the Clerk shall declare the candidate receiving the majority vote as the successful appointee.

APPOINTMENT

26. Council shall pass a by-law to appoint the successful candidate to fill the vacancy.
27. In accordance with subsection 232(1) of the Municipal Act, 2001, the Clerk shall administer the Declaration of Office prior to the appointee assuming any duties of office.
28. The appointed Councillor shall hold office for the remainder of the current term of Council.