

Declaring the Office of Councillor, Ward 3 – Etobicoke Centre Vacant and Deciding the Method to Fill the Vacancy

Presentation to Council
August 26, 2013

Filling a Vacancy on Council

City of Toronto Act & Municipal Elections Act provide the rules for filling a vacancy

City of Toronto Act requires Council to declare the office vacant (s. 207)

Declaring the seat vacant triggers the start of the legislative timelines

Legislative Timelines and Options

Legislative Timelines	Council Policy (adopted 2000)
<p>Before March 31 in election year</p> <ul style="list-style-type: none">• appointment or by-election (MEA s. 65 (1)) <p>After March 31 in election year</p> <ul style="list-style-type: none">• appointment only (MEA s.65 (1)) <p>Within 90 days of regular election</p> <ul style="list-style-type: none">• no action required (COTA s. 208 (3)3.)	<p>Before November 30 in year before election year</p> <ul style="list-style-type: none">• by-election <p>After November 30 in year before election year</p> <ul style="list-style-type: none">• appointment

Council must make a decision as each vacancy occurs.

Option 1 - Appointment

COTA	Appointment Process - Adopted in 2000 - Revised in 2003
<p>Council must appoint a person within 60 days after declaring the seat vacant <small>(s. 208 (3))</small></p> <p>Deadline: October 25, 2013</p>	<p>September 25:</p> <ul style="list-style-type: none">• Clerk to hold information session <p>September 26 noon:</p> <ul style="list-style-type: none">• deadline for individuals to file application with the Clerk <p>October 3:</p> <ul style="list-style-type: none">• applicants have opportunity to address Etobicoke York Community Council <p>October 10:</p> <ul style="list-style-type: none">• applicants have opportunity to address Council

Appointment Timelines



Option 1: Appointment Procedure

Etobicoke York Community Council & Council

- Candidates have 5 minutes to speak
- Each member may ask 1 question of each candidate
- Balloting:
 - Successful candidate must receive 50% plus 1 of all member votes
 - Subsequent balloting rounds held if needed

Option 2 – By-election

COTA	Council must pass a by-law requiring a by-election within 60 days after declaring a seat vacant (s. 208)
MEA Clerk's role	<ul style="list-style-type: none">• Set nomination day within 60 days of the passing of the by-law (s. 65 (4))• Election day is 45 days after nomination day (s. 65(4)3.)• By-elections shall be conducted as far as possible in the same way as regular elections (s. 65(3))
MEA Council's role	<ul style="list-style-type: none">• Pass by-law setting dates & times of advance vote (s. 43 (1))• Pass by-law for Contribution Rebate Program for by-election (optional) (s. 82)

By-election Timelines

MEA
Timeline
(105
Days)



Ward 3
By-election
Timeline
(91 Days)



Questions?