

Authority of Mayor and Deputy Mayor

Issue / Background:

In November of 2013, Council removed a number of powers and privileges from the Mayor. Some of these were given to the Deputy Mayor, and some were not. For example, Council removed the Mayor's power to appoint Standing Committee chairs but retained the power rather than giving it to the Deputy Mayor. Council suspended the rule providing that the Mayor is a member of all Council committees but did not confer this status on the Deputy Mayor. The following is a summary of the key powers transferred to the Deputy Mayor for the remainder of the Council term. The Deputy Mayor is the Chair of the Executive Committee. The Deputy Mayor is responsible for appointing members to and chairing the selection panel for accountability officials. The Deputy Mayor chairs the Debenture Committee and has the powers formerly granted to the Mayor under that by-law. The Deputy Mayor has the powers formerly given to the Mayor by Municipal Code Chapter 59, Emergency Management.

Key Points:

The *City of Toronto Act, 2006* (COTA) provides that the Mayor is the head of Council. The head of Council is also the chief executive officer of the City. The role of head of council includes presiding over Council meetings (although a speaker can be appointed), providing leadership to Council, representing the City at official functions and acting as the *chief executive officer*. The *chief executive officer* role requires the Mayor to "uphold and promote the purposes" of the City, promote public involvement, foster activities that enhance the well-being of the City and represent the City locally, nationally and internationally. COTA assigns this role to the person elected to the office of Mayor. Council cannot take it away.

Council can only remove those powers and duties it has given the Mayor through its by-laws. At a series of special meetings in November, 2013 City Council took powers away from the Mayor, some of which it gave to the Deputy Mayor for the remainder of the Council term.

The following powers and privileges were removed from the Mayor:

- the power to appoint and remove the Deputy Mayor and the Chairs of Standing Committees;
- the power to chair and appoint members to a selection panel responsible for recommending accountability officer appointments to Council;

- the powers given to the Mayor under the Emergency Management by-law (but not the *Emergency Management and Civil Protection Act*) (see companion briefing note);
- the powers granted to the Mayor under the Debenture by-law;
- the privilege of identifying two key matters from the Council agenda and setting the time at which Council will consider them;
- the privilege of choosing to speak first or last on a matter at Council;
- the power to take a seat on or appoint a designate to committees including the Striking Committee and Civic Appointments Committee (as Chair) and Affordable Housing Committee;
- the responsibility for assisting the Clerk in determining the urgency of motions without notice;
- the power to chair the Executive Committee;
- the privilege of being a member of all Council Committees; and
- the power to appoint the Corporations Nomination Panel.

The following were assigned to the Deputy Mayor:

- the power to chair and appoint members to a selection panel responsible for recommending accountability officer appointments to Council;
- the powers formerly given to the Mayor under Municipal Code Chapter 59, Emergency Management (but not under the *Emergency Management and Civil Protection Act*);
- the powers formerly granted to the Mayor under the Debenture by-law;
- the role of Chair of Striking Committee; and
- the role of Chair of Executive Committee.

These are the only additional powers assigned to the Deputy Mayor. As the head of Council, the Mayor remains the member responsible for representing the City, including at official functions and media events. The chief executive officer role includes responsibilities which the Mayor must be given flexibility to fulfill as issues arise.

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Further information:

Date: January 9, 2014