



Staff Report for Council Meeting

Date of Meeting: February 9, 2022

Report Number: SRCFS.22.003

Department: Corporate and Financial Services

Division: Office of the Clerk

Subject: SRFCS.22.003 - Declaration of Vacancy in the Office of Ward 4 Councillor

Purpose:

To recommend that Council declare the Office of Ward 4 Councillor of the City of Richmond Hill to be vacant due to the election of David West as Mayor in the 2022 Mayor By-election.

Recommendation(s):

- a) That staff report SRCFS.22.003 be received;
- b) That Council, pursuant to the requirements of Section 262(1) *Municipal Act, 2001*, declares the Office of Ward 4 Councillor of the City of Richmond Hill to be vacant as a result of David West's election to the Office of Mayor on January 24, 2022.

Contact Person:

Stephen M.A. Huycke, Director, Legislative Services/City Clerk, extension 2529.

Report Approval:

Submitted by: Sherry Adams, Commissioner of Corporate and Financial Services

Approved by: Mary-Anne Dempster, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

On January 24, 2022 a By-election was held in the City of Richmond Hill to fill the vacancy in the Office of the Mayor (the “2022 By-election”). On January 25, 2022, the City Clerk certified the voting result of 2022 By-election, declaring that David West had been elected Mayor (Attachment “A”). David West took the required Declaration of Office as Mayor on January 25, 2022.

Section 259(1)(e) of the *Municipal Act, 2001*, as amended, (the “Act”) provides that:

259(1) The office of a member of council of a municipality becomes vacant if the member,

(e) is appointed or elected to fill any vacancy in any other office on the same council;

Section 262(1) of the Act provides that:

262(1) If the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings.

As a result of the Election of David West as Mayor, Council is required to declare the Office of Ward 4 Councillor vacant.

Following the declaration of vacancy, the Act requires Council to decide how to fill the vacancy for the rest of the term of Council. Options to fill the vacancy will be considered when Council considers staff report SRCFS.22.004.

Financial/Staffing/Other Implications:

There are no financial or other implications associated with declaring the Office of Ward 4 Councillor vacant.

Relationship to Council’s Strategic Priorities 2020-2022:

Declaring a seat on Council vacant is a mandatory legislative requirement and not directly related to Council’s Strategic Priorities 2020-2022.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

David West was elected Mayor in the By-election held on January 24, 2022. The Municipal Act requires Council to declare Mayor West’s former Ward 4 Councillor seat vacant.

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Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment “A” – 2022 Mayoral By-election Certified Election Results

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Report Approval Details

Document Title:	SRCFS.22.003 - Declare Ward 4 Councillor Seat Vacant.docx
Attachments:	- SRCFS.22.003 - Attachment A - 2022 By-election Election Results_AODA.pdf
Final Approval Date:	Jan 27, 2022

This report and all of its attachments were approved and signed as outlined below:

Sherry Adams - Jan 27, 2022 - 4:01 PM

MaryAnne Dempster - Jan 27, 2022 - 4:01 PM