

Municipality of the County of Colchester Deputy Mayor Policy

1. This Policy is entitled the “Deputy Mayor Policy.”
2. This Policy shall be interpreted in accordance with and subject to applicable provincial legislation.
3. In this Policy:
“Majority” means a majority of Council Members who are present at the meeting.
4. At the first regular meeting of Council following
 - (1) a general municipal election;
 - (2) the expiry of the term of a previous Deputy Mayor;
 - (3) Council receiving notice of the resignation of a Deputy Mayor;
 - (4) the Deputy Mayor’s removal from office in accordance with this Policy; or
 - (5) the office of the Deputy Mayor otherwise becoming vacant.

Council shall select from among its members a Deputy Mayor in accordance with the process and rules set out in this Policy.

5. The selection process for the office of Deputy Mayor shall be as follows:
 - (1) The Mayor or, in the absence of the Mayor, the Chief Administrative Officer (CAO) or designate shall preside as Chair during the selection process.
 - (2) After announcing that the business of Council at the meeting is to elect a Deputy Mayor, the Chair shall call for nominations. All nominations and secondings shall be made openly and publicly, by raising of the hand to attract the attention of the Chair and announcing the nomination or seconding of a candidate when called upon.
 - (3) A candidate may be nominated by any other Council Member, including a Council Member who is a nominator or seconder of a previously nominated candidate, or who is a previously nominated candidate.
 - (4) The Chair shall ask if there is a seconder for the nomination. Any Council Member except the nominator and the candidate may second the nomination. Failure to obtain a seconder shall result in the nominee’s name not being included in the list of candidates to be voted upon.

- (5) Each nominee shall be asked if he or she consents to being nominated. If the nominee declines to give unconditional consent, the nominee's name shall not be included in the list of candidates to be voted upon.
- (6) The Chair shall repeatedly call for additional nominations until, after calling three successive times without a successful nomination; the Chair shall announce that nominations are closed.
- (7) When there is only one candidate, the Chair shall call for a motion to elect the Deputy Mayor, and the candidate shall be elected Deputy Mayor if the motion passes by majority vote.
- (8) When there is more than one candidate to be voted upon, the CAO or designate shall prepare ballots with each candidate's name and shall distribute the ballots, one to each Council Member. Before the voting occurs, Council may by resolution appoint the Municipal Solicitor as scrutineer to verify the vote and to assist the CAO or designate or in connection with the vote.
- (9) The Council Members shall vote by placing a mark beside the candidate of their choice, and folding the ballot. A candidate may vote for himself or herself.
- (10) The ballots shall be collected and counted in a manner that preserves the confidentiality of each Council Member's ballot. The CAO or designate shall only declare a ballot to be spoiled if the ballot does not disclose a clear preference in favour of any one candidate.
- (11) If, after any vote, the CAO or designate determines that a majority has voted for any one candidate, Council may pass a motion authorizing the CAO or designate to destroy the ballots.
- (12) If, after any vote, a majority has not voted for any one candidate, new ballots shall be prepared but the name of the candidate with the fewest number of votes on the previous vote shall be excluded from the new ballots. Voting shall continue in the same fashion until a Deputy Mayor is declared elected by the CAO or designate.
- (13) In the event of a tie or deadlock, the Chair shall fairly use the following methods firstly, to have the voting progress towards reducing the number of candidates to two, and secondly to elect a Deputy Mayor by a majority:
 - (a) If, with no candidate elected by majority, there is more than one candidate in a tie with the fewest votes, all such candidates in the tie shall be excluded from the new ballot unless their exclusion would result in one candidate remaining upon the ballot.
 - (b) The Chair shall ask if any candidate is prepared to withdraw his or her

name from the next ballot.

- (c) Where three or more candidates remain, and one candidate had more votes than the others, a run-off ballot may be carried out amongst the others to see which candidate should progress to a final vote.
 - (d) If the run-off ballot results in a tie the same process for the final vote (as noted below) will be used to see which candidate should progress to a final vote, unless one of the candidates offers to withdraw.
 - (e) If the final vote results in yet another ties, one revote will be conducted.
 - (f) If a tie remains, the Chair may call for individual motions to elect as Deputy Mayor one of the candidates, to determine whether a majority can be obtained in this fashion for any candidate, calling for such motions in a logical sequence beginning with candidates who attracted the greatest support on previous balloting, and otherwise using alphabetical order to determine the sequence in which the motions will be called for.
 - (g) After every reasonable effort by the Chair to find a candidate with majority support, the deadlock shall be broken by having the CAO or designate place the names of the candidates on equal size pieces of paper in a box and having one name being drawn by a person chosen by the CAO or designate.
- (14) The term of the office of Deputy Mayor shall expire at the beginning of the first regular Council meeting after the second anniversary of the date of the previous general municipal election or when the term of office of the Council expires following a general municipal election, whichever comes first.
- (15) The Deputy Mayor may resign and may cease to be qualified to hold office in the same manner as stipulated in respect of Councillors in applicable legislation.
- (16) The Deputy Mayor may be removed from office by Council by a vote of two-thirds of the Council Members after 20 days notice in writing has been provided to the CAO and Council Members.
- (17) In addition to any duties, responsibilities, powers or authority prescribed by applicable legislation, the Deputy Mayor shall
- (1) in the absence of the Mayor, the Deputy Mayor shall chair all meetings of Council and have the same authority while presiding at the meeting as the Mayor would have if present;

- (2) be chairperson of all meetings of Council Committee;
- (3) be a member ex officio of all committees of Council;
- (4) be paid in accordance with Chapter 4, of the By-law of the Municipality of the County of Colchester, the Payment of Councillors By-law.

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| Clerk's Annotation For Official Policy Book | |
| Date of Notice to Council Members of Intent to Consider (7 days minimum): <u>January 10, 2022</u> | |
| Date of Passage of Current Policy: <u>January 27, 2022</u> | |
| I certify that this Policy was adopted by Council as indicated above. | |
| <u>Rob Simonds</u> Municipal Clerk | <u>February 15, 2022</u> Dated |

*amended January 2022
amended November 2001
originally approved August 2000*