

Council Vacancy Appointment Process Policy

No.	Date	Approved by
Originating Approval		

1. Policy Statement

The Municipality of Brighton is committed to an open, accountable and transparent government.

In accordance with the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the “Act”) when the seat of a member of Council becomes vacant during the term of office, Council may fill a vacancy by appointing a person (eligible elector) who has consented to accept the office if appointed, or requiring that a By-election be held to fill a vacancy in accordance with the *Municipal Elections Act, 1996*, S.O., 1996, c.32, as amended (the “MEA”).

The Municipal Clerk, or designate, shall be responsible for interpreting and, where appropriate, facilitating the appointment application process. The Clerk has the authority to make minor amendments to this policy as may be required from time to time. Any amendments made will not change the intent of this policy.

2. Purpose

The purpose of this policy is to provide for an accountable and transparent process for the filling of Council vacancies that occur during a term of office as required by the Act, and to set out the process to be followed.

3. Notice(s)

The Clerk will post a Council Vacancy notice on the Municipal website and through all available media channels to inform the public of the vacancy and how Council intends to fill the vacancy as soon as possible after Council makes their decision of how to fill the vacancy.

A further notice of the application process will be posted on the Municipal website and through all available media channels for two (2) consecutive weeks. The notice will outline the application process and associated timelines.

4. Application Process

It is the sole responsibility of each candidate to meet any deadline required and to otherwise comply with any requirement of this policy, the Act, and the MEA.

Any individual wishing to be considered for appointment to fill the Council vacancy shall complete and sign the Council Vacancy Application form and a Declaration of Qualification form approved by the Clerk, and shall submit the forms to the Clerk, or

designate, in person during regular business hours and during the application period established by the Clerk.

Any individual wishing to be considered for appointment to fill the Council vacancy is required to provide photo identification to prove their identity and qualifying address to the satisfaction of the Clerk, or designate.

Candidates may provide a picture, their resume and/or a Personal Statement of Qualifications with their application. Personal Statements will be typewritten in a 12 point or greater font on letter size (8 ½" x 11") paper, and will include the candidate's name and address. Statements that do not meet these requirements shall not be included in any Council meeting agenda, or provided to Council by the Clerk, or designate.

Candidates should also provide a short bio with not more than five (5) sentences to be included on the Municipal website. The Clerk, or designate, shall create a list of all eligible candidates with their bio and contact information to be made available on the municipal website. The Clerk, or designate, will update the list as soon as reasonably possible after receipt of each eligible application.

Any candidate may withdraw their application by providing written notice to the Clerk, or designate, on or before the day following the close of applications.

5. Council Review of Candidates

All candidates will be invited to attend a Special Council Meeting that will be scheduled for the purpose of Council to receive a presentation from the candidates.

Notwithstanding the requirements of the Procedure By-law, the agenda for the meeting shall be set by the Clerk, or designate, to allow for the orderly proceeding of selecting a candidate for appointment, while respecting the standard agenda of a regular Council meeting. To ensure fairness and consistency, only those who are seeking appointment will be permitted to address Council during the meeting. Application documentation received from eligible candidates will be included on the agenda and available to the public.

At the beginning of the meeting, the Chair will make a short statement for the purpose of the meeting and the general order of the proceedings to be followed.

Candidates will be called upon in alphabetical order, by last name, to provide their presentation to Council. Candidates may present to Council for not more than ten (10) minutes each. Following each candidate's presentation, Council Members may ask questions of each candidate. Candidates who wish to use a PowerPoint presentation as part of their presentation shall provide the presentation to the Clerk, or designate, no later than one (1) week prior to the scheduled Special Council Meeting for candidate presentations. Any PowerPoint presentations shall be respectful in nature. Any

presentation containing derogatory or offensive comments will not be permitted for use during the presentation.

6. Candidate Selection Process

After the last candidate presentation, Council may discuss the candidate presentations and deliberate to make their selection by a majority vote, or Council may hold deliberations and selection of a candidate at a Special Council Meeting scheduled in advance for that purpose.

In the event that there is only one (1) eligible candidate application received, the Clerk, or designate, will declare that candidate appointed by acclamation.

Once the successful candidate is chosen, a by-law to appoint the successful candidate will be brought forward to the next available regular Council meeting where they will take their Oath of Office.

Any orientation for the new member of Council will be arranged by the Clerks Office in consultation with the Chief Administrative Officer.

7. Transparency

The public will have access to the list of eligible candidates through the municipal website. The list of eligible candidates will also be available in paper copy for anyone who requests one from the Clerks Office.

When candidate(s) make their presentations to Council, the presentations will be held during a meeting of Council in Open Session. The public may attend the meeting in person or may watch the meeting live streamed via the municipality's YouTube channel.

The entire process for filing a Council vacancy by appointment will be open to the public and fully transparent to ensure public confidence.