
MEMORANDUM

CL-C 21-2022

Subject: Declaration of Vacant Regional Council Seat

Date: March 31, 2022

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

As a result of the resignation of Regional Councillor Darte received by the Regional Clerk on March 30, 2022, and in accordance with section 259 of the Municipal Act, 2001 (the Act), the Regional Council seat held by Councillor Darte is now considered vacant. Section 262(1) of the Act requires that Regional Council declare the office vacant at its next meeting.

Regional Council has a policy (C2-001) that, in the event of a vacancy in the Office of Regional Councillor in any municipality in Niagara Region (except in Wainfleet where said vacancy would coincide with a vacancy in the Office of the Mayor in this municipality):

1. Regional Council shall request the local municipality to advise the Region of their recommendation on whether a qualified elector should be appointed or if a by-election should be held; and
2. Regional Council would approve the recommendation of the local municipality provided it was in compliance with all provisions in the Municipal Act and the Municipal Elections Act.

Section 263(5) of the Act requires that within 60 days after a declaration of vacancy is made the municipality shall appoint a person to fill the vacancy or pass a by-law requiring a by-election be held to fill the vacancy. As this is the last year of the term, in accordance with the Municipal Elections Act, a by-election shall not be held to fill an office that becomes vacant after March 31.

In accordance with Policy C2-001 it is recommended that Council adopt the following motion at the Special Regional Council meeting being held on March 31, 2022:

That, pursuant to Section 262(1) of the Municipal Act, 2001, the seat held by George Darte, Regional Councillor for the City of St. Catharines, **BE DECLARED** vacant; and

That Regional Council **REQUESTS** the City of St. Catharines advise of its preferred method of filling the vacancy on Regional Council by April 29, 2022.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

