

## **Memorandum**

**CL-C 30-2025**

**Subject:** Declaration of Vacant Regional Council Seat (City of Port Colborne)

**Date:** May 22, 2025

**To:** Regional Council

**From:** Ann-Marie Norio, Regional Clerk

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As a result of the resignation of Regional Councillor Davies received by the Regional Clerk on May 1, 2025, and in accordance with section 259 of the Municipal Act, 2001 (the Act), the Regional Council seat held by Councillor Davies 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.

In accordance with Policy C2-001 it is recommended that Council adopt the following motion:

That, pursuant to Section 262(1) of the Municipal Act, 2001, the seat held by Fred Davies, Regional Councillor for the City of Port Colborne, **BE DECLARED** vacant; and

That Regional Council **REQUESTS** the City of Port Colborne advise of its preferred method of filling the vacancy on Regional Council no later than June 26, 2025.

Respectfully submitted and signed by

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Ann-Marie Norio  
Regional Clerk

