

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2020-68

A BY-LAW TO AMEND BY-LAW 2015-24, A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND ITS COMMITTEES. (Permit for Election of the Warden during an electronic meeting)

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

AND WHEREAS the Corporation of the County of Dufferin has enacted Procedural By-law #2015-24;

AND WHEREAS the Municipal Act in Section 238 (3.1) now states that the procedure by-law may provide that a member of council, of a local board or of a committee of either of them can participate electronically in a meeting to the extent and in the manner set out in the by-law:

AND WHEREAS the Municipal Act in Section 233 (5) allows for the Head of Council to be appointed by secret ballot;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN ENACTS AS FOLLOWS:

1. That a Section 3 be removed and replaced with the following:
 3. INAUGURAL MEETING OF COUNCIL – ELECTION OF WARDEN AND SELECTION OF COMMITTEE CHAIRS AND COMMITTEE MEMBERS
 - 3.1. The inaugural meeting of Council after a regular election, shall be held after the councils of the area municipalities have held their first meeting but, in any event, at 9.00 in the morning on the second Thursday in December following the election or on such day prior to the third Tuesday in December following the election as determined by the Clerk.
 - 3.2. The election of Warden shall be conducted by the Clerk at the inaugural meeting of Council in December following the regular municipal election. The term of office will be one year.
 - 3.3. The Chief Administrative Officer shall act as Chair until the Warden is elected.
 - 3.4. All nominations for Warden shall be submitted in writing to the Clerk on the Friday prior to the Inaugural meeting.
 - 3.5. Each nomination shall include the name of the nominator and seconder to the nomination.
 - 3.6. After the Clerk calls for the start of the election, no motion shall be in order except a motion to recess for a specified time period.

- 3.7. Each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than three (3) minutes.
- 3.8. The speakers shall be called upon to address Council in alphabetical order of the nominees' surnames.
- 3.9. A nominee may withdraw his or her name at any time prior to a vote being called.
- 3.10. If there are two or more nominees, the election of the Warden shall be by secret ballot or anonymous electronic poll as permitted by the Municipal Act, under the authority and direction of the Clerk. There is one vote per member.
- 3.11. To be elected as Warden, a nominee shall obtain the majority of the votes that are counted.
- 3.12. A vote is determined by placing an "X" or other mark in the space provided.
- 3.12. Where there are three or more candidates, if on any given ballot or poll no candidate receives a majority of the vote the name of the candidate with the lowest number of votes will be dropped off the next ballot or poll and voting will continue using the second ballot or poll.
- 3.13. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, the Clerk or presiding officer shall place the names of the nominees with an equality of votes in a random name generator software platform. The name of the nominee selected by the software shall be successful and continue in the election.
- 3.14. If only two nominees remain, and if on the next secret ballot the nominees are tied, the Clerk or presiding officer shall place the names of the two nominees with an equality of votes in a random name generator software platform. The name of the nominee selected shall be successful.
- 3.15. Where there are two or more nominees, the Clerk shall announce the result of the vote to the assembly.
- 3.16. The members of Council shall elect the Committee Chairs.
- 3.17. Where there are three or more candidates for Committee Chair:
 - a) Where no nominee receives a majority of the votes, the nominee receiving the fewest votes shall be deemed to have withdrawn his or her candidacy.
 - b) In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, the Clerk or presiding officer shall place the names of the nominees with an equality of votes

in a random name generator software platform. The name of the nominee selected shall be successful and continue in the election.

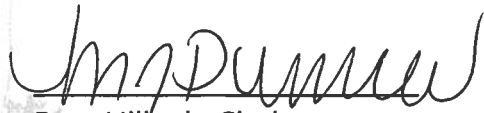
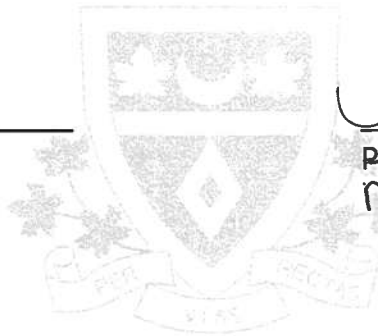
3.18. The members of Council will complete forms indicating their preferences for sitting on the various standing committees. Committee members should be decided by consensus of the Members of Council. If no consensus can be reached, then an election of committee members will be conducted.

4. This by-law shall come into effect immediately upon passing.

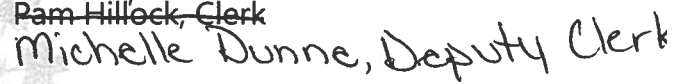
READ a first, second and third time and finally passed this 12th day of November, 2020.



Darren White, Warden



Pam Hillock, Clerk



Michelle Dunne, Deputy Clerk