

## BY-LAW NUMBER 2011-29

BEING a By-Law to declare a seat on Council vacant and to authorize a by-election;

**WHEREAS** the *Municipal Act*, S.O. 2001, c. 25, Section 259 (d) provides for a Council seat becoming vacant as a result of the resignation of a member;

**AND WHEREAS** section 260 of the Act provides that a member may resign from office "by notice in writing filed with the clerk of the municipality";

**AND WHEREAS** Councillor Ed Aiston has filed his resignation with the Clerk on November 18, 2011 to become effective December 5, 2011;

**AND WHEREAS** section 262 of the Municipal Act states "the Council shall at its next meeting declare the seat to be vacant";

**AND WHEREAS** section 263 speaks to filling vacancies by appointing a person who has consented to accept the office if appointed or requiring a by-election in accordance with the *Municipal Elections Act*, 1996;

AND WHEREAS there are three years left in the current term of council;

**AND WHEREAS** with a goal of accountability and transparency Council deems it appropriate, equitable and fair to hold a by-election and to let the voters of the United Townships of Head, Clara & Maria be responsible for electing the next person to fill the vacant seat;

**NOW THEREFORE** the Council of the Corporation of the United Townships of Head, Clara & Maria does hereby enact as follows:

- 1. **THAT** as the resignation of Councillor Aiston has been received and accepted by the Clerk this Council does hereby declare a vacant seat at the Council table of the United Townships of Head, Clara & Maria effective December 5, 2011;
- 2. **THAT** a by-election shall be held as per the Municipal Act and the Municipal Elections Act as soon as possible in the new year;
- 3. **THAT** the Clerk is hereby authorized to conduct a by-election as per the appropriate legislation;
- 4. THAT this By-law shall come into force and take effect on the day of passing.

**READ** a 1st and 2nd time this 2<sup>nd</sup> day of December 2011.

**READ** a 3rd time short and finally passed this 2<sup>nd</sup> day of December 2011.

TAMMY LEA STEWART, REEVE

MELINDA REITH, CLERK