

*Request for Decision      United Townships of Head, Clara & Maria Council*

Type of Decision									
Meeting Date	Friday, March 28, 2014				Report Date	Thursday, March-13-14			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed

## Resolution of Support – Town of Aurora - Recall Legislation- Report #28/13/14/1204

**Subject:**

Resolution of Support – Town of Aurora – re: Recall Legislation

**RECOMMENDATION:**

That Council adopt the attached resolution in support of lobbying the province to change the municipal election laws so that recall legislation is available as a tool to ensure that appropriate, representative governance exists by the use of recalling elected representatives where actions of these individuals are deemed by the majority to not be in the best interests of the municipality.

**WHEREAS** there are few means to remove an elected official from office or hold them accountable for their actions other than through the election process which has now been stretched to four years;

**AND WHEREAS** significant damage can be caused in any four-year period should an elected official act to the detriment of the municipality;

**AND WHEREAS** it is not the most effective use of time for municipal representatives to police one another through Codes of Conduct and Integrity Commissioners;

**AND WHEREAS** the penalties which can be imposed through Codes of Conduct are relatively minor in nature and do little to repair damage caused;

**AND WHEREAS** there is a problem with Codes of Conduct and Integrity Commissioners being used solely for political purposes and not simply as a tool to address inappropriate behaviours;

**AND WHEREAS** Code of Conduct have proven ineffective as processes to inhibit or correct detrimental behaviour;

**AND WHEREAS** establishing and enforcing Codes of Conduct and employing Integrity Commissioners can be an expensive and inadequate endeavour;

**AND WHEREAS** the detrimental behaviour of some elected officials reflects poorly upon all elected officials, and the community, especially if the individual is not held accountable for the behaviour due to lack of appropriate tools;

**AND WHEREAS** it is incumbent upon all elected representatives to maintain a high standard of integrity and represent the municipality in a positive and effective manner;

**AND WHEREAS** Progressive Conservative MPP Randy Hillier has introduced a Private Member's Bill to introduce recall elections for provincially-elected officials but omits municipally-elected official;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby support the resolution and position of the Town of Aurar to request that the Government of Ontario seriously consider the implementation of recall legislation for municipally-elected officials;

**AND FURTHER THAT** a copy of this resolution be forwarded to local municipalities for support and endorsement;

**AND FURTHER THAT** a copy of this resolution be forwarded to every Member of Provincial Parliament in the province of Ontario in hopes that this serious issue is addressed and actioned as soon as possible correcting this detrimental flaw in the current municipal elections process.

### **BACKGROUND/EXECUTIVE SUMMARY:**

Self-Explanatory. Actions taken by even one member of a council can be divisive, destructive and negatively affect the atmosphere and culture of a municipality for some length of time. There are currently no tools in place to adequately address these situations. Recall legislation is currently in place in British Columbia (since 1995) the only province in the Commonwealth countries. It is used in the States as well.

As Fred Dean expressed at the training attended by staff and Council members back in February, this legislation is long overdue in Ontario and is in the works he believes at the provincial and municipal levels. The question, he believed was the format and the timing.

This resolution would only help to enforce the need for this type of legislation and keep this important issue in the spotlight during potential provincial elections.

### **Options/Discussion:**

### **Financial Considerations/Budget Impact:**

### **Policy Impact:**

### **Others Consulted:**

This link explains the current process used in British Columbia. <http://www.elections.bc.ca/index.php/referenda-recall-initiative/recall/>  
Additional information may be found at <http://thoughtundermined.com/2010/06/21/on-recall-legislation/>

Approved and Recommended by the Clerk

Melinda Reith,  
Municipal Clerk