



Town of Digby

Administrative Policy # 2017- 05

Deputy Mayor Policy

Purpose:

To establish a policy on the appointment of Deputy Mayor, as required under the Municipal Government Act Section 16.

Scope:

This Policy is applicable to the Town Council of Digby in the selection and appointment of a Deputy Mayor.

References:

Nova Scotia Municipal Government Act (Section 16)

Definitions:

- **“Deputy Mayor”** - Section 16 of the Municipal Government Act states that Council shall select one of its members to be Deputy Mayor. The member, who shall be called Deputy Mayor, shall during any vacancy in the office of Mayor, or during any absence or illness of the Mayor, have and exercise all the powers and authority and discharge all the duties of the Mayor.
- **“Majority”** means a majority of Council Members who are present at the meeting.

Policy Statement:

1. The Town of Digby establishes the following policy concerning the selection of Deputy Mayor:
 - a. At the first regular meeting of Council following:
 - b. A general municipal election;
 - c. Council receiving notice of the resignation of a Deputy Mayor;
 - d. The Deputy Mayor’s removal from office in accordance with this Policy; or

- e. The office of Deputy Mayor otherwise becoming vacant

Council shall select from among its members a Deputy Mayor in accordance with the process and rules set out in this Policy.

Process:

- 2. The selection process for the office of Deputy Mayor shall be as follows:
 - a. The Mayor or, in the absence of the Mayor, the Clerk shall preside as Chair during the selection process.
 - b. After announcing that the business of Council at the meeting is to elect a Deputy Mayor, the Chair shall call for nominations. All nominations and secondings shall be made openly and publicly, by raising of the hand to attract the attention of the Chair and announcing the nomination or seconding of a candidate when called upon.
 - c. A candidate may be nominated by any other Council Member, including a Council Member who is a nominator or seconder of a previously nominated candidate, or who is a previously nominated candidate.
 - d. The Chair shall ask if there is a seconder for the nomination. Any Council Member except the nominator and the candidate may second the nomination. Failure to obtain a seconder shall result in the nominee's name not being included in the list of candidates to be voted upon.
 - e. Each nominee shall be asked if he or she consents to being nominated. If the nominee declines to give unconditional consent, the nominee's name shall not be included in the list of candidates to be voted upon.
 - f. The Chair shall repeatedly call for additional nominations until, after calling three successive times without a successful nomination, the Chair shall announce that nominations are closed.
 - g. When there is only one candidate, the Chair shall call for a motion to elect the Deputy Mayor, and the candidate shall be elected Deputy Mayor if the motion passes by majority vote.
 - h. When there is more than one candidate to be voted upon, the Clerk shall prepare ballots with each candidate's name and shall distribute the ballots, one to each Council Member. Before the voting occurs, Council may by

resolution appoint a scrutineer to verify the vote and to assist the Clerk in connection with the vote.

- i. The Council Members shall vote by placing a mark beside the candidate of their choice, and folding the ballot. A candidate may vote for himself or herself.
- j. The ballots shall be collected and counted in a manner that preserves the confidentiality of each Council Member's ballot. The Clerk shall only declare a ballot to be spoiled if the ballot does not disclose a clear preference in favour of any one candidate.
- k. If, after any vote, the Clerk determines that a majority has voted for any one candidate, the Clerk shall announce the name of the Deputy Mayor so elected, but shall not announce the number of votes obtained by any candidate. Council may pass a motion authorizing the Chair to destroy the ballots.
- l. If, after any vote, a majority has not voted for any one candidate, new ballots shall be prepared but the name of the candidate with the fewest number of votes on the previous vote shall be excluded from the new ballots. Voting shall continue in the same fashion until a Deputy Mayor is declared elected by the Clerk.
- m. In the event of a tie or deadlock, the Clerk shall fairly use the following methods firstly, in an effort to have the voting progress towards reducing the number of candidates to 2, and secondly in an effort to elect a Deputy Mayor by a majority:
 - i. If, with no candidate elected by majority, there is more than one candidate in a tie with the fewest votes, all such candidates in the tie shall be excluded from the new ballot unless their exclusion would result in less than 2 candidates remaining upon the ballot.
 - ii. The Clerk shall ask if any candidate is prepared to withdraw his or her name from the next ballot.
 - iii. Where three or more candidates remain, and one candidate had more votes than the others, a run-off ballot may be carried out amongst the others to see which candidate should progress to a final vote.

- iv. The Clerk may call for a public vote, with each Council Member signifying his vote by voice and hand upon the Chair calling for votes for each candidate.
- v. The Clerk may call for individual motions to elect as Deputy Mayor one of the candidates, to determine whether a majority can be obtained in this fashion for any candidate, calling for such motions in a logical sequence beginning with candidates who attracted the greatest support on previous balloting, and otherwise using alphabetical order to determine the sequence in which the motions will be called for.
- vi. After every reasonable effort by the Clerk to find a candidate with majority support, the deadlock shall be broken by having the Clerk place the names of the candidates on equal size pieces of paper in a box and having one name being drawn by a person chosen by the Clerk.

Term and Authority:

- 3. The term of office of the Deputy Mayor shall expire when the term of office of the Council expires following a general municipal election.
- 4. The Deputy Mayor may resign and may cease to be qualified to hold office in the same manner as stipulated in respect of Councillors in applicable legislation.
- 5. The Deputy Mayor may be removed from office by Council by a vote of two-thirds of the Council Members after 20 days' notice in writing has been provided to the Clerk and Council Members.
- 6. The Deputy Mayor has all the power and authority, and shall perform all the duties of the Mayor when the Deputy Mayor is notified that:
 - a. the Mayor is absent or unable to fulfil the duties of Mayor,
 - b. the office of Mayor is vacant.
- 7. In addition to any duties, responsibilities, powers or authority prescribed Section 6 of this policy the Deputy Mayor is designated as a signing authority of the town and sign necessary documents in the absence of the Mayor.

Clerk's Annotation for Official Policy Book

Date of Notice: **January 16, 2017**

Date of adoption: **February 6, 2017**

Policy effective date: **February 6, 2017**

I certify that this **Deputy Mayor Policy** was adopted by Council as indicated above.



February 7, 2017

Clerk

Date