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# HALDIMAND COUNTY

## Report CLE-18-2024 Declaration of Vacant Council Seat For Consideration by Council on November 25, 2024

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### OBJECTIVE:

To declare the seat of the Ward 4 Councillor vacant.

### RECOMMENDATIONS:

1. THAT Report CLE-18-2024 Declaration of Vacant Council Seat be received;
2. AND THAT Council declare a vacancy of the Council seat for Ward 4.

**Prepared and respectfully submitted by:** Chad Curtis, Municipal Clerk

**Approved:** Cathy Case, Chief Administrative Officer

### EXECUTIVE SUMMARY:

In accordance with section 262(1) of the *Municipal Act, 2001* (the Act), when the office of a member of Council becomes vacant, Council is required to declare the seat vacant. Due to the death of the Councillor for Ward 4 on October 31, 2024, Council is now required to declare the Ward 4 Council seat vacant.

### BACKGROUND:

Councillor Trainer served Haldimand County over multiple decades, beginning with her election as Councillor for the Hagersville Ward in the former Town of Haldimand in 1985. She then went on to serve as Mayor for the Town of Haldimand from 1991 to 2000 and Mayor of Haldimand County from 2003 to 2010. In 2023, Councillor Trainer was elected into her most recent role as Ward 4 Councillor for Haldimand County for the remainder of the 2022-2026 term of Council as the result of a Ward 4 by-election. Councillor Trainer passed away on October 31, 2024.

Per Section 259(1)(h) of the Act, a Council seat becomes vacant as the result of a death of the member of Council. Section 262(1) of the Act requires that, in the event of the death of a member of Council, the seat must be declared vacant by Council at either of the subsequent two Council meetings (November 4, 2024 or November 25, 2024).

### ANALYSIS:

As Council did not declare the seat of the Ward 4 Councillor vacant at the November 4, 2024 Council meeting, it must do so at its meeting on November 25, 2024. A report outlining the requirements and options to fill the vacancy will be presented to Council at the December 10, 2024 Council in Committee meeting.

## **FINANCIAL/LEGAL IMPLICATIONS:**

Per Section 262(1) of the Act, if the office of a member of council becomes vacant under Section 259, as a result of a death of a member, Council shall declare the office to be vacant at either of its next two meetings. Haldimand County would be in violation of the Municipal Act if the seat is not declared vacant at this meeting.

## **STAKEHOLDER IMPACTS:**

Not applicable.

## **REPORT IMPACTS:**

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

## **REFERENCES:**

1. [Municipal Act, 2001](#)
2. [Municipal Elections Act, 1996](#)
3. [Haldimand County Ward Map](#)

## **ATTACHMENTS:**

None.