
Municipality of Cumberland Policy 13-06

Warden and Deputy Warden Policy

1. This Policy is entitled the "Warden and Deputy Warden Policy".
2. This Policy shall be interpreted in accordance with and subject to applicable provincial legislation.
3. In this Policy:
"majority" means a majority of Councillors who are present at the meeting; and
"present at the meeting" means all Councillors present when the Clerk calls the meeting to order, plus all Councillors who join the meeting in progress before the final vote for Warden is taken.
4. The Warden shall be elected by Council in accordance with the following process and rules:
 - (1) The Clerk shall preside as Chair at any meeting or portion of any meeting during which a Warden is elected.
 - (2) After announcing that the business of Council at the meeting is to elect a Warden, the Chair shall call for nominations. All nominations shall be made openly and publicly, by raising of the hand to attract the attention of the Chair and announcing the nomination of a candidate when called upon.
 - (3) A candidate may be nominated by himself or herself, by any other Councillor, including a Councillor who is a nominator of a previously nominated candidate, or who is a previously nominated candidate. Nominations do not require a seconder.
 - (4) 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.
 - (5) 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.

- (6) When there is only one candidate, the Chair shall call for a motion to elect the Warden, and the candidate shall be elected Warden if the motion passes by majority vote.
- (7) When there is more than one candidate to be voted upon, the Chair shall prepare ballots with each candidate's name and shall distribute the ballots, one to each Councillor. Before the voting occurs, Council may by resolution appoint a scrutineer to verify the vote and to assist the Chair in connection with the vote.
- (8) Before the voting occurs, each candidate, in the order of their nomination, may address Council, for not more than ten minutes. If a candidate does not exhaust their allotted time, they may, at their own discretion, entertain questions through the Chair from other Councillors, for the balance of their allotted time.
- (9) The Councillors shall vote by placing a mark beside the candidate of their choice, and folding the ballot. A candidate may vote for himself or herself.
- (10) The ballots shall be collected and counted in a manner that preserves the confidentiality of each Councillor's ballot. The Chair shall only declare a ballot to be spoiled if the ballot does not disclose a clear preference in favour of any one candidate.
- (11) If, after any vote, the Chair determines that a majority has voted for any one candidate, the Chair shall announce the name of the Warden 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.
- (12) 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 Warden is declared elected by the Chair.
- (13) In the event of a tie or deadlock, the Chair shall fairly use the following methods, firstly in an effort to have the voting progress towards reducing the number of candidates to two, and secondly in an effort to elect a Warden by a majority:
 - (a) 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.

- (b) The Chair shall ask if any candidate is prepared to withdraw his or her name from the next ballot.
- (c) Where three or more candidates remain, and one candidate had more votes than others, a run-off ballot may be carried out amongst the others to see which candidate should progress to a final vote. The Candidate with the most votes in the runoff ballot shall progress to the final vote, even if they do not have a majority. If there is a tie for most votes in the runoff ballot, the Chair shall place the names of the tied candidates on equal size pieces of paper in a box and shall choose a person to draw one name from the box. The candidate drawn shall progress to the final vote.
- (d) If, after employing the foregoing methods, the election remains unresolved due to a tie, the Chair may call for one additional confidential vote, with only the names of the tied candidates on the ballot.
- (e) After every reasonable effort by the Chair to find a candidate with majority support, the deadlock shall be broken by having the Chair 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 Chair.

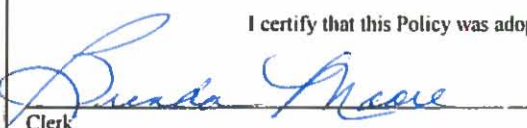

5. The term of office of the Warden shall expire at the beginning of the first regular Council meeting after the term of office of the Council expires following a general municipal election.

Deputy Warden

6. At the first regular meeting of Council following
- (1) a general municipal election;
 - (2) expiry of the term of a previous Deputy Warden;
 - (3) Council receiving notice of the resignation of a Deputy Warden;
 - (4) the Deputy Warden's removal from office in accordance with this Policy; or
 - (5) the office of Deputy Warden otherwise becoming vacant.

Council shall select from among its members a Deputy Warden in accordance with the process and rules set out in Section 4 of this Policy for electing a Warden, with any necessary changes for the context.

7. The term of office of the Deputy Warden shall expire at the beginning of the first regular Council meeting after the 31st day of October each year or when the term of office of the Council expires following a general municipal election, whichever comes first.
8. The Deputy Warden may resign and may cease to be qualified to hold office in the same manner as stipulated in respect of Councillors in applicable legislation.
9. The Deputy Warden may be removed from office by Council by a vote of two-thirds of the Council Members after twenty days notice in writing has been provided to the Clerk and Council Members.
10. The previous Warden and Deputy Warden Policy (Policy 03-03) is hereby repealed.

<u>Clerk's Annotation For Official Policy Book</u>	
Date of Notice to Council Members of Intent to Consider [7 days minimum]: <u>November 13, 2013</u>	
Date of Passage of Current Policy: <u>November 27, 2013</u>	
I certify that this Policy was adopted by Council as indicated above.	
 Clerk	 Date