



Staff Memo

Report To: Dan Best, Chief Administrative Officer

From: **Rebekah Msuya-Collison, General Manager of Corporate Services**

Date: September 6 2022

Report: CL25-2022

Subject: Municipal Election 2022 Restricted Acts of Council ("Lame Duck" period) Update, for information purposes.

Recommendations:

That South Huron Council receives the memo from Rebekah Msuya-Collison, General Manager of Corporate Services/Clerk re: Municipal Election 2022 Restricted Acts of Council ("Lame Duck" period) Update, for information purposes.

Purpose:

Information.

Background and Analysis:

Report CL#12-2022 regarding 2022 Restricted Acts of Council was brought forward to Council at the March 21, 2022 Regular Council meeting. In that report, staff advised that staff would report to Council at the first meeting following nomination day as to the lame duck position. Determination of a lame duck council is based on the nominations that have been certified after nomination day (August 19, 2022) and any acclamations made to the new council.

Lame duck position can occur twice during the municipal election process:

a) From Nomination Day (Friday, August 19, 2022) to Election Day (Monday, October 24, 2022), should less than three-quarters of the existing Members of Council seek re-election; and

b) From Voting Day (Monday, October 24, 2022) until the end of the current term of the outgoing council (Monday, November 15, 2022), in the event that less than three-quarters of the outgoing Council is re-elected.

Analysis

Based on the requirements as set out in the Act for restricted acts, Council is not in a “lame duck” position. In a 7 member Council, $75\% = 5.25$ which is rounded up to 6 members. There are 7 current members of Council certified after Nomination Day, which includes one acclamation to Council.

There is a possibility of restricted acts “lame duck” following election day to the end of Council term if the new Council will include fewer than three quarters of the members of the outgoing council, to end of Council term. The acclamation is included in this determination.

Operational Considerations:

There are no operational considerations as a result of the recommendation in this report.

South Huron’s Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Increased Communications and Municipal Leadership
- ✓ Transparent, Accountable, and Collaborative Governance

Financial Impact:

There are no Financial implications as a result of the recommendation in this report.

Legal Impact:

There is no legal implication as a result of the recommendation in this report.

Staffing Impact:

There are no staffing implications as a result of the actions outlined in this report.

Policies/Legislation:

Municipal Act

Municipal Elections Act

Modernizing Ontario's Municipal Legislation Act

Related Documents:

[Staff Report CL#12-2022](#) – Municipal Election 2022 Restricted Acts of Council ("Lame Duck" period)

Respectfully submitted,

Rebekah Msuya-Collison, General Manager of Corporate Services