



Town of Niagara-on-the-Lake

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REPORT #: CAO-24-038 **COMMITTEE DATE:** 2024-09-17
REPORT TO: Special Council **DUE IN COUNCIL:** 2024-09-17
SUBJECT: Declaration of Vacancy in the Office of a Member of Council – Nick Ruller

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 In accordance with Section 262(1) of the *Municipal Act, 2001*, Council of the Town of Niagara-on-the-Lake does hereby declare to be vacant the office of a Member of Council following the resignation of Nick Ruller.

2. EXECUTIVE SUMMARY

On September 11, 2024, in accordance with Section 259(1)(d) of the *Municipal Act*, Councillor Nick Ruller apprised the Town Clerk of his resignation from Council effective immediately. This report recommends that Council formally declare the office of Councillor to be vacant.

3. PURPOSE

As required by the *Municipal Act* Section 262(1), if the office of a member of Council becomes vacant, the Council shall at its next meeting declare the office to be vacant. The purpose of the report is to obtain the required formal declaration.

4. BACKGROUND

The *Municipal Act*, Section 259(1)(d) provides that the office of a member of Council of a municipality becomes vacant if the member, resigns from his or her office and the resignation is effective under Section 260. (Section 260 stipulates that a member of Council of a municipality may resign from office by notice in writing filed with the Clerk of the municipality.)

5. DISCUSSION / ANALYSIS

Staff will prepare, for the next regular meeting of Council on September 24, 2024, a report outlining the options to fill the vacant Council seat for the balance of the 2022-2026 term of Council. The *Municipal Act* requires that the seat be filled within 60 days of the declaration of vacancy via appointment by Council or a by-election.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

2. Good Governance

Priority

4.3 Culture & Workforce

Action

Other

7. OPTIONS

7.1 Option 1: That in accordance with Section 262 of the *Municipal Act*, 2001, the Council of the Town of Niagara-on-the-Lake does hereby declare to be vacant the office of the office of a member of Council following the resignation by Nick Ruller. **(Recommended)**

7.2 Option 2: That the Council of the Town of Niagara-on-the-Lake reject the declaration of vacancy for the office of Council following the resignation of Nick Ruller *(Not Recommended)*

8. FINANCIAL IMPLICATIONS

There are no financial implications to the declaration of vacancy.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications to the declaration of vacancy.

10. COMMUNICATIONS

A media release was issued apprising the public of the resignation of Councillor Ruller.

11. CONCLUSION

The *Municipal Act* requires that Council declare a vacancy in the office of Councillor at the first meeting following the resignation of a member of Council.

12. PREVIOUS REPORTS

- Report CS-20-015 Declaration of Council Vacancy

13. APPENDICES

- Appendix I – Correspondence from Nick Ruller dated September 11, 2024.

Prepared by:



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Submitted by:



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