

What Happens Now the Deputy Mayor has Resigned?

What does it mean when a Council seat is vacant?

A Council seat becomes vacant when a member leaves office under the Municipal Act, 2001 (for example, due to resignation).

What is Council required to do when a vacancy occurs?

Council must formally declare the seat vacant at a Council meeting. In this case, the declaration will happen at the April 22 Council meeting.

Does the vacancy have to be filled?

Yes. Under the Municipal Act, Council must fill a vacancy within 60 days after it is officially declared vacant.

Does the fact that this is an election year change anything?

Yes. Because this is a regular municipal election year:

- No by-election can be held for a vacancy that occurs after March 31. The vacancy must be filled by appointment.
- If a vacancy occurs within 90 days of Voting Day, Council is not required to fill it. In 2026, that date is July 28. This vacancy occurs before that date, so it must be filled.

How can Council fill the vacancy?

Council fills the vacancy by appointment. Council may appoint:

- A current member of Council
- A member of the public
- A former candidate from the last election

What happens if Council appoints a current member of Council?

If a current Councillor is appointed as Deputy Mayor, that creates another vacancy. Council must also fill that vacancy by appointing a member of the public or a former candidate.

Is a by-election an option?

No. Legislation does not allow a by-election because the vacancy occurred after March 31 in an election year.

Key takeaways:

Council must declare the vacancy, fill it by appointment, and no by-election will be held.

Vacancy Timeline (Election Year)

This timeline shows the key dates and decision points for filling the vacant Council seat.

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|-----------------------------|------------------------------|----------------------------------|--|
| Vacancy Occurs | April 22, 2026 | Within 60 Days | July 28, 2026 |
| Council seat becomes vacant | Council declares seat vacant | Council must appoint replacement | 90 days before Voting Day – vacancies after this date do not need to be filled |