

# 3 Council

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## Council

Council is the governing body of the municipal corporation and the custodian of its powers, both legislative and administrative. It is a continuing body, though its membership may change by election or appointment. Council develops policies, adopts bylaws or resolutions based on these policies, and then ensures that they are executed by the administration. Under the *Community Charter* (CC), a municipality may provide any service that council considers necessary or desirable [CC s. 6-8 & 114].

The *Community Charter* provides that council can only exercise the powers of the municipal corporation in the proper form, either by bylaw or resolution passed at a regular or special meeting when a quorum is present [CC s. 122-123 & 129].

It is important to recognize that the members of council cannot make a valid and binding decision separately, even though there is unanimous agreement. They must give a collective judgement as a group and not as individuals.

## Composition of Councils

The council is composed of a mayor and councillors that are directly elected by the electors. Unless otherwise provided, the council size for municipalities must be as follows [CC s. 118]:

	<b>Mayor</b>	<b>Councillors</b>	<b>Full Council</b>	<b>Quorum</b>
City/District > 50,000 pop.	1	8	9	5
City/District ≤ 50,000 pop.	1	6	7	4
Town/Village	1	4	5	3

Council may, by bylaw, establish the number of members of council as a mayor and 4, 6, 8 or 10 councillors [CC s. 118]. If the number would be less than that set out above, the bylaw must be approved by the electors.

Unless otherwise provided, decisions are made by a majority of the council members present at a council meeting [CC s. 123].

## **Duties of the Mayor**

The mayor is the head and chief executive officer of the municipality, and presiding officer at council meetings when in attendance [CC s. 116].

The mayor:

- is a member of, and votes with, council [CC s. 116(2), 123];
- has specific duties under the *Community Charter* [CC s. 116(2)];
- can return matters for “reconsideration” by council [CC s. 131];
- must suspend municipal officers or employees if he or she considers this necessary [CC s. 151]; and
- establishes standing committees [CC s. 141].

## **Acting Mayor**

Council must, in accordance with its procedure bylaw, designate a councillor to act in place of the mayor when the mayor is absent or unable to act, or when the office of mayor is vacant. When acting in place of the mayor, this councillor has all the same powers and duties as the mayor [CC s. 130(1)].

In the event that both the mayor and designated replacement are absent from a council meeting, the remaining members shall choose a member to preside over the meeting from among those present [CC s. 130(2)].

## **Meetings**

Council must, by bylaw, establish the general procedures to be followed by council and council committees in conducting their business [CC s. 124].

For the calling of various council meetings see CC s. 125-128.

## **Public Access**

For general rules governing meetings and public access to municipal records see CC s. 89-97.

## **Annual Reporting**

For rules addressing local government annual reporting requirements see CC s. 98-99.

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