

**APPENDIX 4
BY-LAW 27-2022**

APPOINTMENT OF THE REGIONAL CHAIR

1. DEFINITIONS

- (a) "Inaugural Meeting" means the first meeting of Regional Council following a regular election at which Regional Council is obligated to appoint a Chair, and at which a sufficient number of Members are present to form a quorum.
- (b) "Lot" is the method of determining the nominee to either fill the vacancy or go forward to the next ballot, as determined by the particular circumstance. The names of the tied nominees shall be placed on equal sized pieces of paper, placed in a container and one name shall be drawn by a person chosen by the Regional Clerk.
- (c) "Majority Vote" means, for the purpose of the appointment of the Chair at the Inaugural Meeting, and if applicable at the Midterm Special Meeting, more than half the votes cast by all the Members present.
- (d) "Member" means, for the purpose of the appointment of the Chair at the Inaugural Meeting, and if applicable at the Midterm Special Meeting, a person who is described in paragraphs 1.b., 1.c., and 1.d. of The Regional Municipality of Peel By-law Number 83-2020 being a by-law to change the composition of Regional Council pursuant to section 218 of the *Municipal Act, 2001*, as amended, and who has taken the declaration of office required to take a seat on Regional Council;
- (e) "Midterm Special Meeting" means a meeting held the day of the first Council meeting following November 15 at the commencement of the third year of Council's term, for the purpose of appointing the Regional Chair and where applicable the Regional Vice Chairs, for the next ensuing two-year term, where the Chair appointed at the beginning of the term of Council is a Regional Councillor. No other business shall be conducted at or after the Midterm Special Meeting until the Regional Chair and where applicable the Regional Vice-Chairs are appointed.
- (f) "Nominee" is a person named in a motion at the Inaugural Meeting, and where applicable a person named in a motion at the Midterm Special Meeting, that the person be appointed to the position of Regional Chair and who has consented in writing to take office as Regional Chair if appointed, and who is:
 - (i) eighteen years of age or older;
 - (ii) a Canadian citizen;
 - (iii) a resident of The Regional Municipality of Peel or is the owner or tenant of land in the Regional Area or is the spouse of such owner or tenant; and
 - (iv) not otherwise legally disqualified from holding such office.

2. MOTIONS FOR THE APPOINTMENT OF THE CHAIR

- (a) Following the organization of the new Regional Council at the Inaugural Meeting,

and where applicable at the Midterm Special Meeting, the Regional Clerk, as Presiding Officer, shall call for motions to appoint the Chair. Each motion must be in writing, moved and seconded by a Member present.

- (b) Each Nominee named in a motion for appointment of the Chair must consent in writing to take office as Regional Chair if appointed.
- (c) The Regional Clerk shall take as many motions for the appointment of the Chair as may be made by Members present and after seeing no further motions shall call for a motion that no further motions for the appointment of the Chair be received which shall be carried by a Majority Vote.
- (d) Following the passing of a motion that no further motions for the appointment of the Chair be received, the Regional Clerk shall call upon the mover, seconder and Nominee of each motion to appoint the Chair, in the order that the motions were received, to speak to that motion, once, for no longer than five minutes each.
- (e) A Nominee may withdraw his or her name at any time up until a motion to appoint the Nominee as Chair has been passed and the Nominee has taken the required declaration of office as Chair.
- (f) An elected member of Regional Council may be nominated as Chair. The following provisions apply in such a case:
 - (i) Pursuant to By-law 70-2021, where an elected member of Regional Council is nominated and appointed as Chair, that member shall be required to continue to fulfill the office of member for the lower tier municipal ward to which that Councillor was elected, as well as the office of Chair;
 - (ii) By-law 70-2021 does not authorize an elected member of Regional Council who is not a lower tier municipal ward councillor to hold both the office of Chair and the member's other office. Accordingly, a mayor of a lower tier municipality may not hold both the office of Chair and mayor of its lower-tier council;
 - (iii) Should a member who is nominated and appointed as Chair hold the office of mayor of a lower-tier municipality, or any other office governed by the *Municipal Elections Act, 1996* other than lower-tier municipal ward councillor, immediately before being appointed as Chair, then, pursuant to s. 5(1) the *Regional Municipality of Peel Act, 2005*, the member ceases to hold the office of mayor or such other office.

3. VOTING PROCESS

- (a) Nominees shall be voted on in alphabetical order of surnames.
- (b) All votes shall be conducted in open Council by an open vote and shall be recorded.
- (c) There shall be one Nominee vote per Member of Council per round of voting. A Councillor's first vote is deemed to be the Councillor's vote. If a Councillor votes a second time in the same round of voting, the Regional Clerk shall advise the Councillor and the Councillor's vote shall not count.

- (d) Once voting commences, the only motion permitted will be a motion to recess.
- (e) **One Nominee:**
 - (i) The Nominee requires a majority of votes to be elected to the position of Regional Chair.
- (f) **Two Nominees Only:**
 - (i) The Nominee who receives a majority of votes becomes the nominee named by resolution as the Nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.
 - (ii) If there is a tie vote, the Regional Clerk shall declare a 10 minute recess to allow Council time to consider the matter, after which the vote shall be retaken. If the vote is again tied, the Regional Clerk shall declare a second 10 minute recess, after which the vote shall be retaken. If the vote is again tied, the vacancy shall be filled by the Nominee selected by lot. The person whose name is drawn becomes the Nominee named by resolution as the Nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.
- (g) **Three or More Nominees:**
 - (i) First and Successive Ballots:
 - (1) A Nominee who receives a majority of votes becomes the Nominee named by resolution as the nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.
 - (2) If no Nominee receives a majority of votes, the Nominee with the least number of votes shall be excluded from subsequent voting and Council shall proceed with the next round of voting.
 - (3) If there is a tie vote with respect to the Nominees receiving the least number of votes, then a lot shall be conducted until there is one name not drawn, and the name (or names) drawn shall go forward to the next round of voting, and the name not drawn shall be excluded from subsequent rounds of voting.
 - (4) When there are only two Nominees remaining, the procedure for two Nominees [Procedure (f)] shall apply.