



## RM OF LUMSDEN NO. 189 POLICY



Title: **Deer Valley Board Vacancies and Disqualification Policy**

Effective: September 20, 2024

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### **Purpose:**

*The Municipalities Regulations* (section 22.2(1)(d) and (e)) requires a hamlet board to establish a policy respecting the filling of vacancies of hamlet board members and the disqualification of hamlet board members.

### **Definitions:**

**“Board”** means the board of the Organized Hamlet of Deer Valley

**“Hamlet”** means the Organized Hamlet of Deer Valley

**“Municipality”** means the council of the Rural Municipality of Lumsden No. 189

**“Voter”** means a resident of the organized hamlet, or property owner, who is eligible to vote in at least one municipality in accordance with clauses 36(1)(a), (b) and (e) of *The Local Government Election Act, 2015*.

### **Policy Statement:**

**Board Vacancies (section 31)** - If a vacancy occurs in the membership of the hamlet board by reason of a member's death, resignation, disqualification or otherwise, the hamlet board will call a meeting of the voters for the purpose of filling the vacancy for the unexpired term of the member being replaced. However, if the vacancy occurs within four (4) months of the next Annual General Meeting (AGM), the position will remain vacant until the AGM, at which time nominations will be accepted to fill the unexpired term of the member being replaced (if applicable).

If two (2) or more vacancies occur in the membership of a hamlet board by reason of death, resignation, disqualification or otherwise, the hamlet board shall call a meeting of the voters for the purpose of filling the vacancies for the unexpired term of the members being replaced. However, if no board members remain, then the administrator of the municipality shall call and chair an AGM.

Notice for both of the AGM's mentioned above shall be given pursuant to the Hamlet's Public Notice Policy.

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**Board Disqualification (section 31.2)** – A member of the hamlet board is disqualified from the board if the member is absent from 3 consecutive board meetings unless authorized by resolution of the board.

A member of the hamlet board is disqualified from the board if the member is convicted, while in office, of an offence punishable by imprisonment for five (5) years or of an offence pursuant to section 123, 124 or 125 of the *Criminal Code*.

A member of the hamlet board is disqualified from the board if the member ceases to be a voter of the hamlet.

A member of the hamlet board who is disqualified must resign immediately.

If a disqualified member does not resign as required, sections 148 and 150 of *The Municipalities Act* apply (with any necessary modifications). *Essentially, the board will declare the seat vacant or apply to a judge of the court to declare the person disqualified.*

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Adopted by the Hamlet Board on September 9, 2024  
Adopted by the RM Council on September 19, 2024