

# Staff Report to Council

**Title:** Declare Seat of Ward 1  
Councillor Kennedy Vacant

**Report Number:** Legislative Services-2024-23

**Director:** Corporate Services

**Manager:** Legislative Services

**Meeting Date:**  
Wednesday, September 11, 2024

**Date to be considered by Council:**  
Wednesday, September 11, 2024

---

## Recommendation:

Whereas Doug Kennedy was elected as Ward 1 Councillor for the Municipality of Kincardine for the 2022-2026 term and was a dedicated and valuable member of Council, various committees and the community at large; and

Whereas Councillor Kennedy passed away on August 15, 2024;

Now Therefore Be It Resolved That the Office of Ward 1 Councillor occupied by Councillor Kennedy be declared vacant in accordance with section 262(1) of the Municipal Act, 2001, S.O. 2001, c.25.

---

## Executive Summary:

Doug Kennedy was elected as Ward 1 Councillor for the Municipality of Kincardine for the 2022-2026 term and was a dedicated and valuable member of Council, various committees and the community at large. Councillor Kennedy passed away on August 15, 2024. In accordance with the Municipal Act, 2001, S.O. 2001, c.25, when the office of a member of Council becomes vacant under section 259, Council is required to declare the office vacant.

## Strategic Priorities:

D.15-Serve, communicate, collaborate and engage with the community to build trust and confidence in municipal services, Council and staff

## Financial Considerations:

There are no financial implications for this motion.

## Policy:

Municipal Act, 2001, S.O. 2001, c.25

## **Context and Background Information:**

Doug Kennedy has been a member of the Municipality of Kincardine Council since 2018, first as a Councillor-at-Large and then in 2022 as a Councillor for Ward 1. As well as being an active, passionate and valued member of Council, he represented Council on the Kincardine Community Fund, Community Safety Committee, the Striking Committee, the Physician Recruitment and Retention Committee, Bruce Area Solid Waste and Recycling Association (BASWR) and the Saugeen Mobility and Regional Transit (SMART) board as well as a member of the Community Investment Grant review team.

Councillor Kennedy was also an unwavering advocate for health care and recreation in the community. Prior to becoming a Councillor, he advocated for the Municipality to become Kraft Hockeyville as well as advocating for many community events, tournaments, and improvements including: the Kincardine Bulldogs Beach dance and volleyball tournaments; the annual Rock with Your Docs event; and the Recreation Revitalization Committee for the revitalization of the Davidson Centre.

With the passing of Councillor Kennedy on August 15, 2024, Council is required to declare his office of Councillor Ward 1 vacant. Per section 262(1) of the Municipal Act the declaration must be made at either of its next two meetings following the members death (August 28, 2024, or September 11, 2024).

## **Consultation Overview:**

N/A

## **Origin:**

Municipal Act, 2001, S.O. 2001, c.25

## **Implementation Considerations:**

At this meeting, Staff will also provide a report on how the vacancy may be filled for Council's consideration. Staff will also provide details on the committee positions to be filled.

The vacancy must be filled as per Section 217 of the Act, a by-law regarding Council composition does not come into force until the day the new Council is organized after the first regular election following the passing of the by-law or if the by-law is passed in the year of a regular elections before voting day, after the second regular election following the passing of the by-law. Note that a by-election is not a regular election.

## **Risk Analysis:**

Per the Municipal Act, section 262 (1) if the office of a member of council becomes vacant under section 259, as a result of a death of a member, Council shall declare the office to be vacant at either of its next two meetings.

---

**Attachments:** None

**Prepared by:** Jennifer Lawrie, Manager of Legislative Services/Clerk

**Submitted by:** Jennifer Lawrie, Manager of Legislative Services/Clerk