

## DRAFT RESOLUTION

Re: Oath of Office

THAT Council directs staff to draft a bylaw to establish an Oath of Office for the City of Kelowna.

### BACKGROUND:

Section 120 of the *Community Charter* states:

#### “Oath or affirmation of office

120. (1) A person elected or appointed to office on a council must make an oath or solemn affirmation of office within the following applicable time limit:
- (a) in the case of a person elected by acclamation, within 50 days after the date set for general voting day had an election by voting been required;
  - (b) in the case of a person elected by voting, within 45 days after the declaration of the results of the election;
  - (c) in the case of a person appointed to office, within 45 days after the effective date of the appointment.
- (2) A council may, by bylaw, establish the oath or solemn affirmation of office for the purposes of this section, which may be different for the office of mayor and the office of councillor.
- (3) If no bylaw under subsection (2) applies, the oath or solemn affirmation of office to be made is that prescribed by regulation.
- (4) The oath or solemn affirmation of office must be made before a judge of the Court of Appeal, Supreme Court or Provincial Court, a justice of peace, a commissioner for taking affidavits for British Columbia, the corporate officer or the chief election officer.
- (5) Before a person takes office as a council member, the person must produce the completed oath or affirmation, or a certificate of it, to the corporate officer.”

Date: December 6, 2011