

REPORT TO COUNCIL



Date: April 13, 2012

File: 0610-02

To: City Manager

From: City Clerk

Subject: Oath of Office

Report Prepared by: Deputy City Clerk

Recommendation:

THAT Council receives, for information, the Report from the City Clerk, dated April 13, 2012 regarding the establishment of a new Oath of Office.

Purpose:

At the December 12, 2011 meeting Council requested that staff draft a bylaw establishing an Oath of Office for the City of Kelowna. The oath of office prescribed by the Election regulation applies unless Council establishes its own oath of office by bylaw.

Background:

The legislation does not prescribe any specific requirements for the Oath of Office that a person elected to a municipal council must make prior to taking office. Traditionally, at the Inaugural meeting of the City of Kelowna Council, a Judge administers the Oath of Office individually to the Mayor-elect and collectively to the Councillors-elect. A different oath of office may be established for the Mayor and Councillors.

There are four options presented for Council consideration:

Option 1: Status Quo

I, @ (name of person elected or appointed), do (swear)(solemnly affirm that:

- I am qualified to hold the office of @ (office) for the @ (jurisdiction) to which I have been (elected)(appointed);
- I have not, by myself or any other person, knowingly contravened the @ (applicable Act) respecting vote buying or intimidation in relation to my election to the office;
- I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;
- As required by the @ (applicable Act), I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of the matter and will not vote in respect of the matter.

A handwritten signature in blue ink, appearing to be the initials "PC".

**Option 2: Based on the *Community Charter* s7 and s115
Municipal Purposes and Responsibilities of Council Members**

I, @ (name of person elected or appointed), do (swear)(solemnly) affirm as (Mayor)/(Councillor) for the City of Kelowna to:

- provide good government, and always consider the well-being and interests of the community as a whole;
- provide stewardship of the public assets through the development and evaluation of the City's policies and programs; and
- foster the economic, social and environmental well-being of the City of Kelowna

Option 3: Based on elements of the City Vision and Mission Statement

I, @ (name of person elected or appointed), do (swear)(solemnly) affirm as (Mayor)/(Councillor) for the City of Kelowna to:

- perform the duties of the office of (Mayor)(Councillor) faithfully and with integrity;
- abide by the statutes, bylaws and policies that govern the City and promote openness, accountability, and responsible leadership; and
- dedicate myself at all times to acting in the best interests of the community as a whole, by balancing community priorities with resources realities, and leading the development of a safe, vibrant and sustainable City.

Option 4: Combination of Option 2 & Option 3

I, @ (name of person elected or appointed), do (swear)(solemnly) affirm as (Mayor)/(Councillor) for the City of Kelowna, that I shall:

- Perform the duties of the office of (Mayor)(Councillor) faithfully and with integrity;
- Abide by the statutes, bylaws and policies that govern the City and promote openness, accountability, and responsible leadership;
- Provide stewardship of the public assets through the development and evaluation of the City's policies and programs; and
- Provide good government, and always consider the well-being and interests of the community as a whole by balancing community priorities with resources realities, and leading the development of a safe, vibrant and sustainable City.

Council may choose to have one of the options drafted into a Bylaw for future reading consideration. Should Council select option 1, being the status quo, there is no further action required.

Legal/Statutory Authority:

Local Government Elections Regulation 380/93

Community Charter, section 120 (3)

Local Government Act, section 210 (4)

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:



Stephen Fleming, City Clerk

Approved for inclusion:



R. Mayne Director, Corporate Services