

POLITICS AS USUAL: Now what?

By Alison Collins-Mrakas

The Provincial government has fallen. We are to go to the polls on June 12th.

Let the games begin? I don't think they've ever stopped.

Speaking of games, the timing of the election certainly puts a wrinkle in things for the local municipal elections. For the city of Toronto, it gives folks a welcome reprieve from the dramedy that is Rob Ford. The focus has shifted. And just in time, if you ask me, for Mr. Ford. The latest bombshells were sure to put the last of the very last nails in his political coffin.

He knows it, too.

Rather than brazen it out, as he has all the other myriad scandals, he announced in a cloying, self-pitying letter to the clerk, that he is ?taking a leave of absence? to get the help he needs.

Not to be picky here but there is no such thing as ?a leave of absence? from political office. Not officially, at least. The only mention of a leave of absence speaks to employees of a municipality running for elected office within their municipality. They must take an unpaid leave of absence in order to run for office and, should they be successful, must resign their municipal position immediately thereafter.

That's it.

So, I thought Ford's language was curious. A member of Council can be absent from office for up to three months following which ? save a special motion from Council ? their seat would be vacated. Do they have to explain where they are or why they aren't at Council? Technically, no. They do not have to tell anyone where they are or why they are not doing their job.

But politically, that would be a colossally dumb move. The public would quite rightly demand to know why the member was not at Council doing the job they were elected to do. That is why, when a Council member is sick or has a personal matter to attend to, they generally state that they will be ?taking a leave? to deal with it. It's a turn of phrase to explain an absence, not a legislatively permitted or required action.

At the Provincial and Federal Level, when an MPP or MP decides to jump ship to run for another office they must immediately resign. Thus, Provincial Cabinet Minister Linda Jeffries resigned to run for Mayor of Brampton. Federal MP, Olivia Chow resigned to run for the Mayor of Toronto.

It makes sense. How can you continue to represent the folks that elected you when you have announced that you are trying to get a whole bunch of other folks to elect you so that you can represent them instead?

However, at the municipal level, unlike the Provincial and Federal level, it is up to the Councillor to decide whether he or she will resign their position, take an unpaid leave or continue on as both councillor and candidate while campaigning for another elected office. There is nothing in the Municipal Act that says that a councillor must step down while running for another office. It is left to their good judgment.

Most either resign or take an unpaid leave of absence depending on the timing of the race. Few if any remain a councillor drawing a salary, while running for another office.

In Newmarket/Aurora, the PC candidate Jane Twinney (councillor in Newmarket) stated at the outset that she would take an unpaid leave of absence and Liberal candidate Chris Ballard (Councillor, Aurora) stated that he would ?step aside? from his municipal role once the writ was dropped.

But I do have to say that I have mixed feelings about the best way to proceed. I do think that ? just as their Provincial and federal counterparts must ? municipal councillors that wish to run for another office should be required to resign their seats.

However, it does put municipalities in bit of a pickle. Take our own municipality, for example. If Liberal Candidate Ballard stepped aside to run for the Provincial seat, his council seat would be left open. With about 170 days or so until the Municipal election, the Town would be obligated to fill that seat. (Only if there is a vacancy at 90 days or less can the seat be left vacant). So then what would we do? Hold a by-election when a municipal election is just five months away? Or appoint someone to the position? Not a great choice either way, I have to say.

Until next week, stay informed, stay involved because this is, after all, Our Town.