



ETOBICOKE-LAKESHORE SPECIAL EDITION (SUMMER 2013)

This is the official newsletter of the
TORONTO PARTY FOR A BETTER CITY

COUNCILLORS SHOULD RESIGN

DID YOU KNOW?

The Toronto Party for a Better City was created in October 2006 to fight against the litany of taxes proposed by Mayor David Miller.

The founders of The Toronto Party are residents of Etobicoke.

In the 2010 municipal election, the Toronto Party called for the elimination of the motor vehicle registration tax, the building of subways over light rapid transit, the elimination of the 5 cent fee on plastic bags, and the replacement of the Gardiner Expressway with a modern T.O. Viaduct.

For more information about The Toronto Party, please visit our website or send us an email.

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There is much controversy over whether Councillors Peter Milczyn and Doug Holyday should resign in order to seek provincial office in the Etobicoke-Lakeshore provincial by-election.

Both Milczyn and Holyday ran in the 2010 municipal election and knew that the term of office for a City Councillor was four years. By running in the by-election Milczyn and Holyday have indicated that they have other political aspirations beyond serving their municipal constituents.

In a recent Forum Research poll published in the Toronto Star, 50% of respondents agreed that both Milczyn and Holyday should resign their council seats. In a SunMedia online poll, 65% of respondents agree that Milczyn and Holyday should resign their council seats.

Yet neither politician has listened to the will of the people. Instead each of them is hedging their bets with respect to whether they will be victorious in the by-election.

The refusal to resign is particularly stark for Councillor Holyday who often while a councillor called on fellow councillors to resign when they chose to seek elected office at another level of government. In 2004, Holyday relentlessly hounded then Councillor Oliva Chow to resign because she had decided to run in the federal election.

In fact, Holyday brought a motion before City Council seeking to have Councillors automatically removed from office if they sought to run in another election prior to having served less than half of the term of their mandate.

In his motion, Holyday outlined as follows:

“...in an open and accountable free society, an oath of office calls for a *total commitment* to fulfill the duties and responsibilities that voters expect and deserve during a term of office...”

“...our democratic institutions are not a business, nor are the votes a commodity to be purchased and then ignored at will...”

“it is incumbent upon individuals when standing for office to recognize that the public fully expects that winning candidates will honour their selection with conscientious dedication *for the full period of the mandate...*”

“...any disruption in a term of office can cause a *new election to be held with considerable cost to the taxpayers...*”

Councillor Holyday was right to demand that a councillor running for higher office should resign for the reasons he stated.

Accordingly, we are perplexed by his decision to only take a leave of absence while contesting the Etobicoke-Lakeshore provincial by-election.

Has Councillor Holyday suddenly reversed his position?

He has offered many explanations as to why he need not resign. According to the Toronto Sun, he was advised by the City's Integrity Commission that he did not have to resign. More recently, he has said that he has served more than 2 years of council term and therefore he does not need to resign because his situation is different from Ms. Chow's situation in 2004.

In our view, the current situation is not very distinguishable from Ms. Chow's situation. Mayor Ford has already stated that if either Milczyn or Holyday wins the provincial by-election, a municipal by-election should be held to fill the vacant council seat. The expense for this will fall at the feet of the taxpayer.

We would have hoped that Holyday, as a Conservative, abided by his own words.

COUNCILLOR HOLYDAY'S 2004 MOTION

(The full text of Councillor Holyday's motion is reprinted from pages 41-43 of the "Certificate of Amendments" prepared by the City Clerk, City of Toronto, May 26, 2004)

WHEREAS in an open and accountable free society, an oath of office calls for a total commitment to fulfill the duties and responsibilities that voters expect and deserve during a term of office; and

WHEREAS our democratic institutions are not a business, nor are the votes a commodity to be purchased and then ignored at will; and

WHEREAS it is incumbent upon individuals when standing for office to recognize that the public fully expects that winning candidates will honour their selection with conscientious dedication for the full period of the mandate; and

WHEREAS any disruption in a term of office can cause a new election to be held with considerable cost to the taxpayers; and

WHEREAS should the Council decide upon an appointment in place of an election, the democratic rights of citizens to elect their representative is denied and perversion of the system ensues; and

WHEREAS the financial difficulties endured by Council to balance the budget and maintain services make it imperative that no unnecessary expense be incurred; and

WHEREAS citizens standing for office should be aware of both the remuneration and demands of office and understand that the public expects that they, once elected, honour that trust and complete their term; and

WHEREAS any time a Councillor is absent (with or without pay) from Council deliberations, the ward involved remains unrepresented on many key issues; and

WHEREAS it has never been more important to have a strong Council unaligned with political party interests to best effect negotiations with other levels of government; and

WHEREAS it is manifestly unfair that some councillors use their candidacy for higher office to buttress the evaluation of their local incumbency by voters; and

WHEREAS a councilor's role in governing Toronto affairs should not be used like a Las Vegas poker table where you 'fold a hand' and play another later without risk, penalty or moral censure; and

WHEREAS the public, according to published surveys, perceives the democratic process to be so fundamentally flawed and controlled by opportunists, that voter turnout is at an all-time low;

NOW THEREFORE BE IT RESOLVED THAT this Council recognize the electoral abuse that takes place when a Ward remains unrepresented for weeks at a time and enact appropriate safeguards to prevent voluntary absenteeism in the pursuit of another office;

AND BE IT FURTHER RESOLVED THAT candidates for Council should swear upon filing their nomination papers that, if elected, they will serve at least half the term of their mandate before seeking another office, or a result of such a decision, trigger automatic dismissal;

AND BE IT FURTHER RESOLVED THAT Toronto Council request the Government of Ontario to amend *The Municipal Elections Act* to allow a municipality to place restrictions on the terms under which their members may stand for a higher office.