



Town Council Act

Mar a tionscnaíodh
As initiated

BILL ENTITLED

A bill to establish town councils and directly elected mayors

Be it enacted by the Oireachtas as follows:

Establishment of Town Councils:

1. The government shall establish town councils
 - a. The government shall establish a committee to select which towns shall be installed with town councils.
 - b. There shall be three categories of town councils.
 - i. Large towns shall be categorised as towns with a population of over 20,000. All town councils under this category shall consist of seven members.
 - ii. Moderate towns shall be categorised as towns with a population between 8,000 and 20,000. All town councils under this category shall consist of five members.
 - iii. Small towns shall be categorised as towns with a population between 4,000 and 8,000. All town councils under this category shall consist of three members.

Elections to Town Councils:

2. Elections to the aforementioned Town Councils shall be scheduled by the Electoral Commission.
 - a. The Electoral Commission shall also oversee these elections and associated vote counting.
 - i. These elections shall follow the same format as elections to Dáil Éireann, i.e. STV system, one vote per voter, secret ballot, etc.
 - b. Elections to these town councils shall be held every five years.

- i. The power to dissolve Town Councils shall be bestowed upon the Minister of Local Government
 - 1. Town Councils cannot be dissolved until 40 days before the set date of Town Council elections.
 - 2. Town Councils must be dissolved by the fifteenth day before the date set for Town Council elections.
 - c. The polling stations for these elections shall be decided by the Electoral Commission.
 - i. There shall be at least one polling station inside the boundary of every town council.
- 3. An individual must be a citizen of Ireland, over the age of 18 years reside within the relevant town boundaries to run in a Town Council election.
- 4. An individual must notify the Electoral Commission of their intention to run in a Town Council election no less than fourteen days before the date set for Town Council elections.
 - a. A deposit of €250 must be received by the Electoral Commission from all intending candidates no less than twelve days before the date set do the Town Council elections.
 - i. This deposit shall be returned to the candidate within thirty days if the candidate is elected to the Town Council which they were seeking to be elected to.
 - 1. The deposit will be returned only if the candidate is elected to the Town Council as a result of the election which the deposit was received for.
 - ii. This deposit shall not be returned to the candidate if the candidate is not elected to the Town Council which they were seeking election to.
- 5. All citizens of European Union over the age of fifteen years who can prove they have lived within the relevant town boundaries for over six months shall be entitled to vote in Town Council elections.
 - a. All those who intend to vote in Town Council elections must register to vote with the Electoral Commission and be granted the right to vote before the date set for the election.

Financial Payment of Town Councillors:

- 6. Town Councillors shall receive tax free financial payment as follows:
 - a. Town Councillors representing large towns shall receive €150 per year.
 - i. To receive this payment Town Councillors must be present during the full sitting of at least 75% of sittings of the Town Council.
 - b. Town Councillors representing Moderate Towns shall receive €100 per year.
 - i. To receive this payment Town Councillors must be present during the full sitting of at least 75% of sittings of the Town Council.

- c. Town Councillors representing Small Towns shall receive €50 per year.
 - i. To receive this payment Town Councillors must be present during the full sitting of at least 75% of sittings of the Town Council.

Sittings of Town Councils:

- 7. Town Councils must sit at least four times during the course of a year.
 - a. The course of a year shall be defined as between the date of the first sitting of the Town Council and 365 days after the first sitting.
- 8. The Cathaoirleach of the County Council which the Town Council is situated in shall appoint a Cathaoirleach of the Town Council
 - a. Shall the Town Council represent a town which is situated on the border of multiple County Councils, the Electoral Commission shall decide which County Council Cathaoirleach shall appoint the Cathaoirleach of the Town Council.
 - b. The Cathaoirleach of any Town Council must be a sitting TD, Senator or County Councillor.
 - c. The Cathaoirleach shall chair all Town Council Meetings
 - i. A Cathaoirleach must be present to conduct a Town Council sitting. Shall the Cathaoirleach be unable to chair a meeting he/she must appoint a[nother] County Councillor/TD/Senator to chair the sitting.
 - ii. The Cathaoirleach is entitled to move that a councillor leave the meeting because of his/her conduct. If that motion is seconded, the councillor must leave.
 - iii. The Cathaoirleach has the power to adjourn a sitting due to general disorder or because a person asked to leave has refused to do so.
- 9. Any individual legally residing in Ireland and/or who is an Irish citizen has the right to address a Town Council, if one member of that Town Council requests the Cathaoirleach of the Town Council to schedule a time for that individual to speak.
 - a. The Cathaoirleach of the Town Council must comply with the request.
 - b. Any individual who meets these criteria is entitled to at least ten minutes of uninterrupted speech.

Motions of Town Councils:

- 10. Town Councils shall have the power to vote on motions.
 - a. A motion is deemed to have been declared by a Town Council if and when the Town Council votes a majority in favour of the motion.
 - i. If an equal amount of Town Councilors vote for and against a motion, the Cathaoirleach shall vote on the motion. The Cathaoirleach may vote however he/she pleases on the motion, but they cannot abstain.
 - b. If a motion is accepted by a Town Council, it is read during a sitting of the relevant County Council.

- i. The County Council shall vote on the motion. If the motion passes this vote a request for the motion to be read by the Ceann Comhairle in the Dáil chamber is sent to the Ceann Comhairle.
 - 1. The Ceann Comhairle is not obliged to read the motion.
 - 2. The motion will not be voted on unless it is submitted separately by a TD.