



# WHISTLER

## AGENDA

**SPECIAL MEETING OF MUNICIPAL COUNCIL  
TUESDAY, JULY 25, 2017, STARTING AT 3:00 P.M.**

**At Municipal Hall, Flute Room  
4325 Blackcomb Way, Whistler, BC V0N 1B4**

### **ADOPTION OF AGENDA**

Adoption of the Special Council agenda of July 25, 2017.

### **ADMINISTRATIVE REPORTS**

*A presentation by municipal staff.*

General Local  
Government Elections  
Bylaw No. 2160, 2017  
Report No. 17-088  
File No. 4200-20-  
2017(xLGMA)

**That** Council consider giving first, second and third readings to “General Local Government Elections Bylaw No. 2160, 2017”.

### **BYLAWS FOR FIRST, SECOND AND THIRD READINGS**

General Local  
Government Elections  
Bylaw No. 2160, 2017

**That** Council consider giving first, second and third readings to “General Local Government Elections Bylaw No. 2160, 2017”.

### **OTHER BUSINESS**

2017 By-Election  
Appointments

**That** Council amend the previous resolution to appoint Laurie-Anne Schimek as Chief Election Officer, for the 2017 By-Election, to establish the new effective date for the appointment as August 14, 2017.

**That** Council amend the previous resolution to appoint Brooke Browning as Deputy Chief Election Officer, for the 2017 By-Election, to establish the new effective date for the appointment as August 14, 2017.

### **ADJOURNMENT**

*Signed original on file.*

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Brooke Browning, Corporate Officer



## REPORT | ADMINISTRATIVE REPORT TO COUNCIL

**PRESENTED:** July 25, 2017

**REPORT:** 17-088

**FROM:** Chief Administrator's Office

**FILE:** 4200-20-2017(xLGMA)

**SUBJECT:** GENERAL LOCAL GOVERNMENT ELECTIONS BYLAW NO. 2160, 2017

### COMMENT/RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

**That** the recommendation of the Director of Corporate, Economic & Environmental Services be endorsed.

### RECOMMENDATION

**That** Council consider giving first, second and third readings to the "General Local Government Elections Bylaw No. 2160, 2017".

### REFERENCES

Appendix A – "General Local Government Elections Bylaw No. 2160, 2017"

### PURPOSE OF REPORT

The purpose of this report is to introduce a new General Local Government Elections Bylaw that will address the advance voting days required by the *Local Government Act* for the 2017 By-Election.

### DISCUSSION

The *Local Government Act* requires that in order for a bylaw to apply in relation to an election it must be adopted at least 42 days before the first day of the nomination period for the election. The *Local Government Act* also requires that the nomination period begin on the 46<sup>th</sup> day before general voting day. This effectively means that no election-related bylaws can be adopted within 88 days of general voting day.

In accordance with the *Local Government Act*, the general voting day must be a Saturday no later than 80 days after the Chief Election Officer appointment.

The current structure of the "General Local Government Election Bylaw No. 2059, 2014" is not suited to accommodate unexpected by-elections and a new bylaw is necessary in order to address the legislatively required advance voting days. The bylaw currently sets out the required advance voting days as November 5, 2014 and November 8, 2014, which need to be changed to facilitate the 2017 By-Election.

Bylaw 2160, 2017 introduces the required advance voting days as, "the tenth day before general voting day", and "the seventh day before general voting day". This structure imports more flexibility into the bylaw by allowing it to accommodate any potential general voting day in the future – especially important in the case of potential by-elections.

These changes, once adopted, support a general voting day of Saturday, October 28, 2017, as well as the following two advance voting days (locations TBD):

- First advance voting day, Wednesday, October 18<sup>th</sup>, 8:00 a.m. – 8:00 p.m.; and
- Second advance voting day, Saturday, October 21<sup>st</sup>, 8:00 a.m. – 8:00 p.m.

Finally, staff also will request that Council amend the designations of Laurie-Anne Schimek as Chief Election Officer and Brooke Browning as Deputy Chief Election Officer to set a new effective date, for both appointments, of August 14, 2017. These amendments ensure that the full 80 day period within which the general voting day must take place can be accommodated after the adoption of Bylaw 2160, 2017.

### **OTHER POLICY CONSIDERATIONS**

The *Community Charter* requires that there must be at least one day between the third reading and the adoption of a bylaw. The Special Council meeting on July 27, 2017 will provide the opportunity for the potential adoption of “General Local Government Elections Bylaw No. 2160, 2017”.

### **BUDGET CONSIDERATIONS**

There is no budget allocated for a by-election in the current Five-Year Financial Plan. As such, required funds will be allocated to the existing 2017 Contingency fund, and based on historical precedent are expected to total between \$50,000 and \$70,000. Expected costs include staffing, advertising, venue rent, potential rental of electronic vote tabulators, ballots, supplies and costs associated with mail ballot voting.

### **COMMUNITY ENGAGEMENT AND CONSULTATION**

The “General Local Government Elections Bylaw No. 2160, 2017” is being presented at a Special Council meeting.

This new bylaw will provide the community with information regarding the dates and times for voting in the 2017 By-Election. These dates will be further advertised through formal notifications in the local newspapers, as well as on the municipal website.

The need to replace our existing “General Local Government Election Bylaw No. 2059, 2014” has impacted the previously announced tentative general voting day of October 7, 2017 for the 2017 By-Election; therefore, additional communications regarding the new general voting day will be shared directly with the local newspapers and on the municipal website.

## **SUMMARY**

This bylaw, the “General Local Government Elections Bylaw No. 2160, 2017”, replaces the “General Local Government Election Bylaw No. 2059, 2014” in order to provide for the two advance voting days as required by the *Local Government Act* for the purposes of the 2017 By-Election.

This report

Respectfully submitted,

Brooke Browning  
MUNICIPAL CLERK

for

Ted Battiston  
DIRECTOR, CORPORATE, ECONOMIC & ENVIRONMENTAL SERVICES

**RESORT MUNICIPALITY OF WHISTLER**

**GENERAL LOCAL GOVERNMENT ELECTIONS BYLAW NO. 2160, 2017**

A bylaw to provide for the determination of various procedures for the conduct of local government elections and other voting.

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**WHEREAS** under the *Local Government Act*, Council may, by bylaw, determine various procedures and requirements to be applied in the conduct of local government elections and other voting;

**AND WHEREAS** the Council of the Resort Municipality of Whistler wishes to establish voting procedures and requirements under that authority;

**NOW THEREFORE**, the Council of the Resort Municipality of Whistler, in open meeting assembled, **ENACTS AS FOLLOWS:**

**1. CITATION**

This bylaw may be cited for all purposes as “General Local Government Elections Bylaw No. 2160, 2017.”

**2. ACCESS TO NOMINATION DOCUMENTS**

As authorized under section 89 of the *Local Government Act*, public access to nomination documents delivered to the Chief Election Officer will be made available for public inspection at Municipal Hall during its regular office hours from the time of delivery until 30 days after the declaration of the election results. These documents will also be available on the Resort Municipality of Whistler website within the same time frame.

**3. ADDITIONAL ADVANCE VOTING OPPORTUNITIES**

As authorized under sections 106 and 107 of the *Local Government Act*, the following required advance voting opportunities are established for each election, to be held in advance of general voting day for each election:

- (a) one on the tenth day before general voting day from 8:00 a.m. to 8:00 p.m.; and
- (b) one on the seventh day before general voting day from 8:00 a.m. to 8:00 p.m.

Pursuant to sections 106 and 107 of the *Local Government Act*, Council authorizes the Chief Election Officer to establish additional voting opportunities for each election to be held in advance of general voting day and to designate the voting places for and establish the date and voting hours for these opportunities.

**4. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT**

In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with the *Local Government Act*.

**5. SEVERABILITY**

If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, sub-paragraph, clause or phrase.

**6. REPEAL**

“General Local Government Election Bylaw, No. 2059, 2014” is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mayor: Nancy Wilhelm Morden

\_\_\_\_\_  
Brooke Browning, Corporate Officer

I HEREBY CERTIFY that this is a true copy  
of “General Local Government Elections  
Bylaw No. 2160, 2017”.

\_\_\_\_\_  
Brooke Browning, Corporate Officer

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Mayor: Nancy Wilhelm Morden

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Brooke Browning, Corporate Officer

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Bylaw No. 2160, 2017”.

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Brooke Browning, Corporate Officer