



Legislation Text

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TAMRMS#: B06

9.2

Bylaw 42/2021 - Election Bylaw Amendment (1st, 2nd, & 3rd Readings)

Presented by: David Leflar, Director of Legal and Legislative Services and Returning Officer

RECOMMENDED MOTIONS

1. That Bylaw 42/2021, amending the Municipal Election Bylaw, be read a first time.
2. That Bylaw 42/2021 be read a second time.
3. That Council give unanimous consent for third reading of Bylaw 42/2021.
4. That Bylaw 42/2021 be read a third time.

PURPOSE OF REPORT

The purpose of this report is to present recommended amendments to the Municipal Election Bylaw for all three readings on June 21, 2021.

ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN

N/A

ALIGNMENT TO LEVELS OF SERVICE DELIVERY

I.1.2 Conducting Votes of Electors

Organization, coordination and delivery of municipal election.

I.1.2.a Election Voting Opportunities

The general election is organized and conducted every 4 years as per legislation. Voting is open between 8:00 a.m. to 8:00 p.m. Advance voting opportunities are available at 10 senior accommodation facilities. Advance Vote Days are available for five days with two of those days having two locations available for voters. Waiting time for voters at voting stations is a maximum of 30 minutes. Reporting of the vote results is available within one hour of the close of voting stations through the website and media release.

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

Section 85.1 of the *Local Authorities Election Act* permits a municipal Council to pass a bylaw to

allow the count of special ballots, advance ballots, and institutional ballots to begin at 7:30 PM on Election Day, provided the bylaw is passed not later than June 30 of an election year:

85.1 (4) An elected authority may pass a bylaw by June 30 of a year in which a general election is to be held allowing the returning officer of the elected authority to count the special ballot box, advance vote ballot box and institutional vote ballot box no earlier than 7:30 p.m. on election day.

BACKGROUND AND DISCUSSION

Proposed Bylaw 42/2021 includes three amendments to the Municipal Election Bylaw:

1. One of the amendments is clerical, correcting an erroneous section reference.
2. Another amendment is to repeal a section that is now outdated, in order to align the Bylaw with recent amendments to the *Local Authorities Election Act* that allow nomination papers to be filed anytime between January 1 of an election year, and noon on Nomination Day.
3. The third amendment is to allow the Returning Officer to commence the count of special ballots, advance ballots, and institutional ballots at 7:30PM on Election Day, rather than wait until 8 pm when the count of all other ballots may begin. How much of an impact this will have, will depend on how many such ballots there are, but the Returning Officer takes the position that anything that can improve our ability to get interim results to the public and to arrive at the final unofficial vote count as soon as possible after the polls close, is worth supporting.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

N/A

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

None at this time.

Program or Service:

On Election night there is high demand for quick results, and the proposed amendment to permit the count of the special, advance, and institutional ballots to start earlier and would allow for election results to be posted to the public earlier.

Organizational:

None at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendation, the following alternatives could be considered:

Alternative 1. City Council may defeat bylaw 42/2021, and the count of all ballots would commence at 8:00PM, upon the close of polls. There would be no effect to the nomination period, as the provisions of the Municipal Election Bylaw 20/2017 is superseded by the amendments to the Act.

Report Date: June 21, 2021

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Department: Legal and Legislative Services

Deputy Chief Administrative Officer: Kerry Hilts

Chief Administrative Officer: Kevin Scoble