

# VILLAGE OF HAINES JUNCTION

## BYLAW 370-20

### A Bylaw to regulate the 2020 Summer Municipal By-election

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WHEREAS, Section 56 (1) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that a Council of a municipality shall by bylaw (a) appoint a returning officer to be responsible for the administration of the by-election; (b) establish the place for making nominations; (c) establish accessible places for polls and set hours during which polls shall be open; (d) appoint deputy returning officers as required or delegate to the returning officer the power to appoint deputy returning officers; (e) otherwise arrange for the holding of the by-election or public vote; and

WHEREAS, Section 60 (1) (a) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that Council may by bylaw dispense with the requirement of a list of electors for a by-election; and

WHEREAS, Section 60 (1) (b) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that Council may by bylaw prescribe procedures and forms governing the conduct of by-elections otherwise consistent with the Act; and

WHEREAS, Section 61 (1) (b) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that Council may by bylaw provide for a system of registration of persons entitled to vote at an by-election which shall include the prescribed oath required to be signed by each person applying to vote;

THEREFORE, the Council for the Municipality of the Village of Haines Junction, in open meeting duly assembled, ENACTS AS FOLLOWS;

#### 1.0 Short Title

1.1. This Bylaw shall be cited as the **2020 Summer Municipal By-election Bylaw #370 - 20**

#### 2.0 Purpose

1.2. The purpose of this bylaw is to regulate the conduct of the 2020 Summer Municipal By-election.

#### 3.0 Definitions

- 3.1 “By-election Official” means a person appointed to work in the election process.
- 3.2 “Returning Officer” means a person appointed by Council to conduct the by- election by receiving nominations, attending the polling place and having the power to ask questions, receive declarations or oaths, authorized by law, to be asked for or made by electors.
- 3.3 CAO” means the Chief Administrative Officer for the Village of Haines Junction.

- 3.4 “Council” means the Village of Haines Junction, duly assembled, whose members are sworn to office.
- 3.5 “Deputy Returning Officer” means the person or persons appointed by the Returning Officer to act in his or her absence or as otherwise delegated by the Returning Officer.
- 3.6 “General Polling Day” means the day that people who are not eligible to cast their vote at, either the Advance Poll, Mobile Poll or Special Ballot, cast their vote.
- 3.7” Poll Clerk” means a person or persons appointed by the Returning Officer to assist the Returning Officer in conduct of the election.

#### **4.0 By-election Officials**

- 4.1 Paulette Schatz is hereby appointed Returning Officer for the Village of Haines Junction 2020 Summer municipal by-election.
- 4.2 Council hereby delegates to the Returning Officer, authority to appoint Deputy Returning Officers and Poll Clerks as necessary.
- 4.3 For the purposes of fulfilling the requirements of Part 3 of the Municipal Act, the CAO or their designate is appointed as the Designated Municipal Officer.
- 4.4 By-election officials shall, during their appointment term, refrain from any active or public support or criticism of any candidate.

#### **5.0 Nominations**

- 5.1 Nomination day is Monday, July 6, 2020.
- 5.2 The St. Elias Centre, on the main floor in the Atrium, is hereby designated as the place for nomination proceedings.
- 5.3 Nominations will be accepted by the Returning Officer between 10:00 AM and 12:00 o’clock noon Monday July 6, 2020.
- 5.4 A completed nomination paper which has been witnessed by either the Returning Officer, Notary Public or Designated Municipal Officer, may be faxed to the Returning Officer or Designated Municipal Officer at 867 634 2008 by 12:00 o’clock noon Monday July 6, 2020. It is the responsibility of the nominee to ensure the fax has received.

#### **6.0 Voting Opportunities**

- 6.1 Where the Returning Officer declares that a by-election is required the following voting opportunities will be made available:
  - 6.1.1 Advance Poll;
  - 6.1.2 Mobile Poll;
  - 6.1.3 Special Ballot; and,
  - 6.1.4 General Polling Day.

## **7.0 Advance Poll**

- 7.1 The St. Elias Centre, on the main floor in the Atrium, is hereby designated as the place for Advance Poll proceedings.
- 7.2 The Advance Poll will take place on Tuesday July 14, 2020 between the hours of 8:00 am and 8:00 pm.
- 7.3 The Advance Poll is available to those voters who meet the legislated criteria for the Advance Poll.

## **8.0 Mobile Poll**

- 8.1 The Mobile Poll will take place on July 20, 2020 between the hours of 8:30 am and 4:00 pm.
- 8.2 The Mobile Poll is available to those voters who due to physical incapacity are incapable of attending a poll.
- 8.3 Polling will occur by arrangement with the Returning Officer.

## **9.0 Special Ballots**

- 9.1 Special Ballots will be made available on July 13, 2020 by request to those voters who meet the legislated criteria.
- 9.2 Special Ballots, if hand-returned, must be returned to the Returning Officer by 2:00 pm on July 23, 2020.
- 9.3 Voters who choose to mail their Special Ballots are responsible for ensuring that the Special Ballot may be collected at the Canada Post Office by 12:00 pm on July 23, 2020.

## **10.0 General Polling Day**

- 10.1 General Polling Day will take place on July 23, between the hours of 8:00 am and 8:00 pm.
- 10.2 Voters with surnames beginning with a letter from “A” to M” will vote in the Atrium of the St. Elias Centre.
- 10.3 Voters with surnames beginning with a letter from “N” to “Z” will vote in the Grand Hall of the St. Elias Centre.

## **11.0 Fees**

The following rates shall be paid to persons acting as by-election officers:

- 11.1 Returning Officer \$35.00 per hour
- 11.2 Deputy Returning Officer \$27.00 per hour
- 11.3 Poll Clerks \$22.00 per hour

## **12.0 Registration of Voters**

- 12.1 The Village of Haines Junction shall dispense with the requirement for a list of electors for the 2020 Summer Municipal By-election.

12.2 All persons meeting the eligibility criteria contained in Section 48 of the Municipal Act and wishing to cast a ballot shall be required to register on the approved registration form, attached hereto as Schedule 'A' and forming part of this bylaw, by swearing or affirming the prescribed oath and by recording their name, civic address and signature thereto.

12.3 The Returning Officer and Deputy Returning Officers appointed pursuant to Section 56 of the Municipal Act shall have the authority to administer the system of registration provided for in this bylaw, pursuant to Section 57 of the Municipal Act.

### 13.0 Notice to Electors

13.1 Signage shall be displayed at all polling stations which shall inform voters of the following:

13.1.1 The offences contained in Section 160 of the Municipal Act; and

13.1.2 The penalties associated with the offences contained in Section 164 of the Municipal Act; and

13.1.3 A statement that, pursuant to this bylaw, the name of any individual challenged by a Returning Officer, Deputy Returning Officer, a candidate or candidate's agent, or by an elector, who swears an oath of eligibility and votes in the by- election may be forwarded to the appropriate authorities for investigation and possible prosecution.

### 14.0 Enactment

14.1 This Bylaw shall come into force and effect on the adoption thereof.

### 15.0 Readings

15.1 Read a First time on the 24<sup>th</sup> day of June 2020

15.2 Read a Second time on the 24<sup>th</sup> day of June 2020

15.3 Read a Third time and adopted on the 29<sup>th</sup> day of June 2020



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Thomas Eckervogt, Mayor



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Dan Rodin, CAO



