

Re: 1975 ANNUAL ELECTION, ELECTION TO FILL UNEXPIRED PORTION OF  
ALDERMAN J. L. MERCIER'S TERM OF OFFICE AND VOTING ON  
BY-LAWS NOS. 6709 AND 6710.

Following is a report from the Municipal Clerk regarding the above..

RECOMMENDATION:

1. THAT the five recommendations contained in the Municipal Clerk's report be adopted.

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TO: MUNICIPAL MANAGER

DATE: October 7, 1975

FROM: MUNICIPAL CLERK

FILE: 2114

SUBJECT: 1975 Annual Election, Election To Fill Unexpired Portion of  
Alderman J. L. Mercier's Term Of Office And Voting On By-Laws  
Nos. 6709 and 6710.

Section 52 of the "Municipal Act" provides:

"52. (1) The Council shall, for the annual elections in each year and at other times as required, appoint

- (a) a Returning Officer;
- (b) the place at which nominations will be held;
- (c) the place or places at which polls will be opened in case a poll is required;
- (d) such Deputy Returning Officers as are required who will preside at the respective polling-places, or delegate to the Returning Officer the power to appoint such Deputy Returning Officers,

and otherwise arrange for the holding of the annual or other election.

- (2) No person shall be appointed by the Council or by the Returning Officer for the purposes of an election who has been or is employed by any other person in or about the election."

Section 126 of the "Municipal Act" provides in part:

- "126. (1) An Alderman may be nominated for the office of Mayor if he has deposited his resignation with the Clerk at least twenty-one days before the nomination-day for the office of Mayor.
- (2) Whether the resignation under subsection (1) is to take effect when the successor is sworn in or at an earlier date, the election to fill the vacancy created by such resignation may be held at the same time as the election for the Mayor, and shall be considered a separate election."

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Section 227 of the "Municipal Act" provides in part:

"227. (1) The provisions of sections 54, 71, 73 to 107 inclusive, 109 to 113, inclusive, and 132 to 147, inclusive, apply, mutatis mutandis, to the voting on a by-law, submission, or question.

(2) The Council shall arrange for the holding of a vote and shall determine the day on which the poll will be held, and the polling-day.

(b) in the case of a by-law requiring the approval of the Minister or the Inspector of Municipalities, shall be not less than ten days and not more than one month after the day upon which the approval is given, or, if more than one approval, upon which the latest approval is given;"

It is recommended that the Municipal Council give consideration to the adoption of the following motions:

- (a) THAT James Hudson, #1008-4960 Sanders Street, Burnaby, B.C. V5H 1S9 be appointed Returning Officer for The Corporation of the District of Burnaby for the:
1. 1975 Annual Election;
  2. Election to fill the unexpired portion of Alderman J. L. Mercier's term of office;
  3. Voting on By-Law No. 6709 cited as "Burnaby Loan Authorization Referendum By-Law No. 1, 1975";
  4. Voting on By-Law No. 6710 cited as "Burnaby Loan Authorization Referendum By-Law No. 2, 1975";
- (b) THAT nominations for the 1975 Annual Election and to fill the unexpired portion of Alderman J. L. Mercier's term of office be held in the Burnaby Municipal Hall Council Chamber, 4949 Canada Way, Burnaby, B.C. V5G 1M2;
- (c) THAT the polling-day for By-Laws Nos. 6709 and 6710 be Saturday the Fifteenth day of November, 1975;
- (d) THAT in case a poll is required for the 1975 Annual Election and to fill the unexpired portion of Alderman J. L. Mercier's term of office same be opened at the following places:

<u>DIVISION NUMBER</u>	<u>POLLING STATION</u>	<u>DIVISION NUMBER</u>	<u>POLLING STATION</u>
1.	Gilmore School	17.	Marlborough School
2.	Burnaby Heights Jr.Sec. School	18.	Windsor School
3.	Capitol Hill School	19.	Morley School
4.	Westridge School	20.	Chaffey-Burke School
5.	Kitchener School	21.	Maywood School
6.	Alpha Secondary School	22.	Suncrest School
7.	Brentwood Park School	23.	Nelson School
8.	Lochdale School	24.	Clinton School
9.	Sperling School	25.	Edmonds House, 7282 Kingsway
10.	Lyndhurst School	26.	Stride Avenue School
11.	Schou School	27.	Edmonds School
12.	Cascade Heights School	28.	Second Street School
13.	Douglas Road School	29.	Armstrong School
14.	Burnaby Municipal Hall	30.	Riverway West School
15.	Seaforth School	31.	Glenwood School
16.	Inman School	32.	Riverside School

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ITEM 2

MANAGER'S REPORT NO. 65

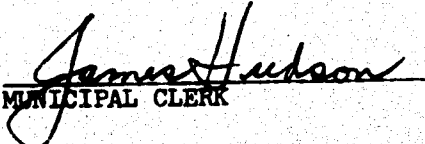
COUNCIL MEETING Oct. 14/75

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- (e) THAT authority be granted to the Returning Officer to appoint his own Deputy Returning Officers.

Section 53 of the "Municipal Act" provides in part:

".....and the nomination for aldermen shall be held in each year, at the place appointed on the last Monday of October (October 27th) from ten o'clock in the forenoon to twelve o'clock Noon, and, .....the polling (if any) shall be held on the third Saturday of November (November 15th) from eight o'clock in the forenoon to eight o'clock in the afternoon."

  
MUNICIPAL CLERK

JH/dew