

ITEM	3
MANAGER'S REPORT NO.	66
COUNCIL MEETING	84/10/22

RE: LIST OF ELECTORS

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Municipal Clerk be adopted.

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1984 October 15

File: 2114

TO: MUNICIPAL MANAGER

FROM: MUNICIPAL CLERK

SUBJECT: LIST OF ELECTORS

RECOMMENDATIONS:

1. THAT the Minister of Municipal Affairs be requested to give consideration to amending the Municipal Act whereby the preparation of a List of Electors be required only for those years in which Municipal Elections are to be held.
2. THAT a copy of this report be sent to the Minister of Municipal Affairs, Parliament Buildings, Victoria, B.C., V8V 1X4 and the Union of British Columbia Municipalities, 313 Sixth Street, New Westminster, B.C., V3L 3A7.

S U M M A R Y

This report provides the reasons for staff's recommendation that the requirement for a List of Electors each year be changed to permit the preparation of a List of Electors for only those years during which a Municipal Election is to be held.

R E P O R T

The following legislation is considered pertinent to the subject and noted for Council's consideration.

**. Municipal Act Section 85 - Date for Nomination and Polling**

Section 85 makes provision for the election of a Mayor to take place every second year.

After the first election, the nomination for mayor shall be held in every second year, and the nomination of aldermen shall, subject to section 86, be held in each year, at the place designated, on the last Monday of October from 10 a.m. to 12 noon, and, except for any advance poll as provided in section 88, the polling, if any, shall be held on the 3rd Saturday of November from 8 a.m. to 8 p.m.

LIST OF ELECTORS (Continued)

● **Municipal Act Section 86 - Aldermen: Biennial Election**

Section 86 of Municipal Act was amended in 1973 (Assented to 1973 April 18th) to permit Municipal Councils to provide for biennial elections for Aldermen. This amendment permitted Municipal Councils to choose between continuing to conduct municipal elections each year or changing to the format of conducting an election every two years.

A municipal council may provide, by bylaw and notwithstanding any other provisions of this Act or the letters patent, that all aldermen shall be elected biennially. The bylaw shall provide for the transition from an annual election to a biennial election of aldermen.

● **Public Schools Act Section 26A**

Section 26A of the Public Schools Act was amended in 1976 (assented to 1976 June 30) to provide for the election of school trustees to take place every two years.

(1) Where all the municipalities in a school district have provided for the biennial election of aldermen, the Board of the school district may

(a) by bylaw, and

(b) with the approval of the Minister, provide for the election biennially of the trustees of the school district.

(2) A bylaw under subsection (1) shall make provision for the transition from annual election to biennial election of the trustees.

(3) Where a bylaw under this section is in effect, the references in this Act to annual elections shall deemed to be references to biennial elections.

● **Municipal Act Section 55 (1) - List of Electors**

This section deals with the requirement for a List of Electors.

(1) The clerk, from the register of electors prepared and maintained by him, shall prepare annually a list of electors in which he shall insert, so far as ascertainable by him, the name and address of every person entitled under this Act to have his name entered.

● **Municipal Act Section 67 (1) - Updated List**

This section makes provision for updating the List of Electors should such a list be required.

(1) After the annual municipal election, and not later than 30 days prior to the date appointed by the council for nominations for an election under section 187 (Election to fill Vacancy) or the date determined by the council for a submission under sections 301 and 302, (Electors Voting on Bylaws) the clerk shall prepare and post an updated list of electors to consist of the names on the last revised list of electors together with the names of all applicants who have been added to the register of electors, but omitting the names of persons removed from the register of electors. The updated list shall also have all corrections made in the register of electors.

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LIST OF ELECTORS (Continued)

- At the regular Council Meeting held on 1976 July 05 the Council of the day adopted the following recommendation as Recommendation No. 1 as put forth by the Election Procedures Committee which was one of the five recommendations submitted for consideration by this committee chaired by Alderman Stusiak:

**1. THAT Biennial Elections begin in the District of Burnaby in 1977.**

As a result of the above noted legislation and subsequent to 1977 Burnaby has conducted municipal elections every second year with the exception of 1978 whereby an election was held to elect school trustees for a one year term which then permitted a full biennial election for Mayor, Aldermen and School Trustees to take place in 1979.

A List of Electors has continued to be prepared each year with the approximate cost for the 1984 List being \$13,000.00. Only twelve copies of the List were printed and the only requirement for this List would occur if a member of Council were to vacate their seat on Council between the period of October 01 of the year preceding an election year and July 01 of an election year, or if a referendum was required to be held in a normally off election year.

It was noted with interest that the membership of the Union of British Columbia Municipalities, at the recent convention, adopted the following resolution put forward by the City of Cranbrook:

AND BE IT FURTHER RESOLVED that the Union of British Columbia Municipalities urge the Minister of Municipal Affairs to provide local government the option to eliminate the List of Electors and use the poll book for control.

This resolution would appear to be applicable to those municipalities which use only one polling place whereas in Burnaby this poll book proposal would not provide adequate control for our thirty eight (38) polling places. This resolution does, however, indicate the concerns of many B.C. municipalities with the constantly escalating costs of conducting municipal elections.

CONCLUSION

Based on the foregoing I have concluded that the expense of preparing a List of Electors in non election years is not warranted in that it is only on rare occasions that such a List would be required and in these cases the Act already provides for an updated List. For those municipalities that have chosen not to proceed with biennial elections and continue with annual elections the requirement for a List of Electors each year still remains. However, for the benefit of those municipalities such as Burnaby who have chosen to go to biennial elections the Act should be amended to provide for the requirement of a List only during years when regularly scheduled elections are to take place.

  
C.A. Turpin  
MUNICIPAL CLERK

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