

TO: CITY MANAGER 2002 MARCH 25

FROM: CHIEF ELECTION OFFICER

SUBJECT: 2002 ELECTION BYLAWS

PURPOSE: To obtain Council authorization to bring forward bylaws for conducting the 2002 local government election.

RECOMMENDATION:

1. THAT Council authorize the City Solicitor to prepare a bylaw to provide additional Advance Voting Opportunities on 2002 November 6, 7,13 and 14.
2. THAT Council authorize the City Solicitor to prepare a bylaw to provide Special Voting Opportunities in the form of mobile polls and to allow voters to vote outside their established voting divisions.
3. THAT Council authorize the City Clerk to execute an agreement with School District No. 41 to share in the costs of the 2002 Local Government Election as set out in this report.

R E P O R T

The Local Government Act of B.C. requires that Council undertake to do certain things in association with a local government election. Specifically, Council is required to enact bylaws to establish Advance Voting Opportunities, Special Voting Opportunities and to adopt a resolution to enter into an agreement with School District No. 41 to recoup costs for conducting the election of school trustees.

Council is required by the Act to provide an Advance Voting Opportunity on 2002 November 06 (10 days prior to general voting day) and on one other date to be decided by Council. In prior years, Council have also provided for advance voting opportunities on the Wednesday and Thursday immediately prior to general voting day as statistically these days have provided the highest percentage of voter turnout for advance voting. In keeping with that tradition, staff are recommending Advance Voting Opportunities be held on November 6,7,13 and 14. Voting will be held in Studio 103, Shadbolt Centre for the Arts, 6450 Deer Lake Avenue, from 8:00 a.m. to 8:00 p.m. on these dates.

It is recognized that Advance Voting Opportunities have in the past been held on the first floor of City Hall. However, the reconfiguration of the front foyer, the location of the Mayor's Office and the requirements of the Local Government Act with respect to who may be in a voting place, have combined to make this location difficult to manage in accordance with the requirements of the Act, during regular City Hall operating hours. Studio 103 at Shadbolt provides a central, convenient and spacious location which can easily accommodate the requirements for a voting place and maintain appropriate security while conducting the advance vote. City Hall will continue to be used as a regular voting place on General Voting Day.

In previous years Council have established Special Voting Opportunities to allow qualified individuals residing in specified nursing or seniors homes or who are hospital patients on voting day, to vote. We have also permitted residents to vote outside their established voting division provided they make application to do so prior to the close of the list of electors. This accommodates those residents who are affected by past voting division boundary changes but who wish to continue voting at their previous voting place. Staff are recommending Council continue with past practice in providing these opportunities to Burnaby voters, although some facilities have since closed and as a result the number of special voting opportunities will be reduced.

In 1993 the Local Government Act of B.C. was amended to allow municipalities to cost share with school districts for providing election services for the election of school trustees.

In 1996 the Ministry of Education enacted regulations which allow School Districts to pay those portions of election costs directly attributable to the election of School Trustees. This resulted in the City entering into a joint agreement with School District 41 in 1996 and 1999 to recoup their portion of election costs.

Discussions between the City and School District No. 41 have resulted in a recommendation to enter into a similar agreement in 2002. Therefore staff request Council authorization to enter into an agreement to recoup School District election costs to a maximum of \$10,000.

Respectfully submitted,



D.R. Comis,
Chief Election Officer

cc: Deputy City Manager