



# THE CITY OF DAWSON

## 2022 Municipal By-Election Bylaw

Bylaw No. 2022-14

**WHEREAS** Section 146.01 of the Municipal Act, (Chapter 154, RSY, 2002), and amendments thereto, provides that the council may by bylaw regulate the conduct of a by-election, now

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS**:

### PART I - INTERPRETATION

#### 1.00 Short Title

1.01 This bylaw may be cited as the **2022 Municipal By-Election Bylaw**.

#### 2.00 Purpose

2.01 The purpose of this bylaw is to regulate the conduct of the 2022 municipal by-election to fill one (1) Council position.



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### 3.00 Definitions

3.01 In this Bylaw:

- (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act (RSY 2002, c. 125)* shall apply;
- (b) “CAO” means the Chief Administrative Officer for the City of Dawson;
- (c) “city” means the City of Dawson;
- (d) “council” means the council of the City of Dawson.

## PART II – APPLICATION

### 4.00 Election Officials

- 4.01 Pursuant to section 56(1) of the *Municipal Act*, Mr. Charles Brunner is hereby appointed as Returning Officer and is hereby responsible for the administration of the 2022 municipal by-election.
- 4.02 Pursuant to section 56 (1)(e) of the *Municipal Act*, the Returning Officer is hereby delegated the power to appoint Deputy Returning Officers.
- 4.03 For the purposes of fulfilling the requirements of the Part 3 of the *Municipal Act*, the CAO or their designate shall serve as the Designated Municipal Officer.
- 4.04 Election officials shall, during their employment, refrain from any active or public support or criticism of any candidate.

### 5.00 Nominations

- 5.01 Nomination Day is Friday, June 10, 2022.
- 5.02 Nomination proceedings shall take place in the City Council Chambers located on the upper floor of the City Administration Building located at 1336 Front Street.



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- 5.03 The Returning Officer shall receive nominations no later than 12 noon on Friday, June 10, 2022.
- 5.04 Nominations may be presented to the Designated Municipal Officer, or Returning Officer, or via fax.
- 5.05 All faxed nominations shall be clearly marked "ELECTION NOMINATION" and be sent to the attention of the Returning Officer or Designated Municipal Officer.
- 5.06 In all cases, it shall be the responsibility of the person presenting the nomination to ensure that the nomination is complete and presented prior to the deadline pursuant to this bylaw.

### 6.00 Places and Hours of Polls

- 6.01 The advanced polling place and the regular polling place shall be established at the Art and Margret Fry Recreation Centre
- 6.02 The advanced poll shall be held Thursday, June 23, 2022, and the hours of the poll shall be from 8 a.m. to 8 p.m.
- 6.03 Pursuant to section 53(d) of the *Municipal Act*, council does hereby establish a mobile polling station for the express purpose of attending health care and extended health care facilities within the City of Dawson or at residences of electors' incapable of attending a poll due to physical incapacity.
- 6.04 The mobile poll shall be conducted on Thursday, June 23, 2022.
- 6.05 The Returning Officer is hereby delegated the authority to determine the hours and manner of operation of the mobile poll within the constraints of the *Municipal Act* requirements for conducting an election.
- 6.06 The regular poll shall be held Thursday, June 30, 2022, and the hours shall be from 8 a.m. to 8 p.m.

### 7.00 Registration of Voters

- 7.01 Pursuant to section 60(1) of the *Municipal Act*, the city hereby dispenses with the requirement to produce a list of electors for the 2022 municipal by-election.



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7.02 Pursuant to section 60(1)(b) and 61(1)(b) of the *Municipal Act*, the city does hereby establish the following procedures and forms to govern the conduct of the 2022 municipal by-election:

- (a) All individuals meeting the eligibility criteria contained in section 48 of the *Municipal Act* and wishing to cast a ballot shall be required to register by swearing or affirming the Oath of Elector Eligibility, contained in Appendix A of this bylaw, in the presence of a Deputy Returning Officer.
- (b) Once the Voting Register has been completed, the Deputy Returning Officer shall present the elector with ballot(s).

### 8.00 NOTICE TO ELECTORS

8.01 The Designated Municipal Officer shall supply to the Returning Officer signage to be displayed at all polling stations which shall inform voters of the following:

- (a) The offences contained in section 160 of the *Municipal Act*; and
- (b) The penalties associated with the offences contained in section 160 of the *Municipal Act*; and
- (c) A statement that, pursuant to this bylaw, the name of any individual challenged by a Deputy Returning Officer, a candidate or candidate's agent, or by an elector, who swears an oath of eligibility and votes in the election shall be forwarded to the appropriate authorities for investigation and possible prosecution.

### 9.00 Challenged Electors

9.01 Within 7 days of receipt of election records from the Returning Officer, the Designated Municipal Officer shall examine the Voting Register for the purpose of identifying any elector who was challenged at the poll.

9.02 The Designated Municipal Officer shall, within 5 days of examining the Voting Register, forward copies of the Voting Registrations of all challenged electors to the appropriate authorities for investigation and prosecution.



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### 10.00 Fees

10.01 The following rates shall be paid to persons, other than full time officers or employees of the city, acting as election officials:

Returning Officer	as per contract \$6750
Deputy Returning Officer	\$25.00 per hour
Polling Clerk	\$20.00 per hour

### PART III – FORCE AND EFFECT

#### 11.00 Appendices

11.01 Appendix “A” attached to and referred to in this bylaw forms part of this bylaw and is to be read in conjunction with this bylaw.

#### 12.00 Severability

12.01 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

#### 13.00 Enactment

13.01 This bylaw shall come into force on the day of the passing by council of the third and final reading.



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### 14.00 Bylaw Readings

Readings	Date of Reading
FIRST	May 19, 2022
SECOND	May 19, 2022
THIRD and FINAL	May 26, 2022

**Original signed by:**

*William Kendrick, Mayor*

**Presiding Officer**

*Cory Bellmore, CAO*

**Chief Administrative Officer**



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### PART IV – APPENDIX A

#### APPENDIX "A"

VOTING REGISTER

Municipal Act – Section 60

City of Dawson Bylaw #2022-14

Local Jurisdiction: City of Dawson  
Election Date: June 30, 2022  
Voting Station: \_\_\_\_\_

#### Oath of Elector Eligibility

I, \_\_\_\_\_, of \_\_\_\_\_  
(Name of Elector) (Street Address of Residence)

Do hereby swear / affirm that I am eligible to vote in the above mentioned election because:

- I have not voted previously in this election;
- I am 18 years of age or older;
- I am a Canadian Citizen; and
- I have resided within the boundaries of the City of Dawson for the 12 consecutive months preceding Election Day

\_\_\_\_\_  
Signature of Elector

\_\_\_\_\_  
Signature of Deputy Returning Officer

#### Deputy Returning Officer

Voter Number: \_\_\_\_\_

Ballots Issued to Elector (Check [x] all that apply)

MAYOR

COUNCILLORS

OBJECTION TO PERSON VOTING	Name of Candidate / Candidate Agent Making Objection	Deputy's Initials
	Reason for Objection:	
INCAPACITATED ELECTOR	Ballot of incapacitated Elector was marked by another person: Check <input type="checkbox"/>	
	Reason:	