



TOWN OF FARO BYLAW 2024-09

A Bylaw to Regulate the 2024 Municipal Election

WHEREAS Section 220 of the *Municipal Act*, RSY 2002, c. 154, Statutes of the Yukon provides that Council may create bylaws; and

WHEREAS Section 53 of the *Municipal Act*, and amendments thereto, provides that Council may by bylaw regulate the conduct of an election; and

WHEREAS Section 60 (1)(a) of the *Municipal Act*, and amendments thereto, provides that council may dispense with the requirement of a list of electors for an election; and

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

WHEREAS Section 56 of the *Municipal Act* provides that council shall by bylaw:

- (1) Establish the date, time and place for making nominations;
- (2) Establish places at which polls will be held if a poll is required;
- (3) Set hours during which special polls shall be open; and
- (4) Delegate to the Returning Officer the power to appoint Deputy Returning Officers.

NOW THEREFORE pursuant to the provisions of the *Municipal Act* of the Yukon Territory the Council of the Town of Faro, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1.0 Citation of Bylaw

1.1 This bylaw may be cited as the "2024 Municipal Election Bylaw".

2.0 Purpose

2.1 The purpose of this Bylaw is to regulate the conduct of the 2024 Municipal Election in the Town of Faro.

3.0 Definitions

In this Bylaw, the following terms shall have the meanings shown:

3.1 "Act" means the *Municipal Act*, revised Statutes of the Yukon 2002, Chapter 154, and associated regulations and amendments;

3.2 "CANDIDATE" means a person running for office at this election;

3.3 "CAO" means the Chief Administrative Officer for the Town of Faro.

3.4 "COUNCIL" means the elected Council of the Town of Faro.

3.5 "DEPUTY RETURNING OFFICER" means a person who has been appointed and sworn in by the Returning Officer to oversee a polling station during the municipal election and ensure that rules and procedures are followed at that polling station.

- 3.6 "ELECTION OFFICIALS" means the Returning Officer and Alternate Returning Officer appointed pursuant to this bylaw, and includes Senior Deputy Returning Officers, Deputy Returning Officers, Revision Officers, Poll Clerks, Poll Attendants, Tabulator Operators and Standby Election Officers appointed and sworn in by the Returning Officer to assist with the conduct of the election.
- 3.7 "ELECTOR" means a person qualified to vote in a municipal election pursuant to section 48 of the Municipal Act.
- 3.8 "Faro" means the municipal corporation of the Town of Faro;
- 3.9 "LIST OF ELECTORS" means the list of registered electors being used at this election.
- 3.10 "Municipality" means the municipal corporation of the Town of Faro;
- 3.11 "RETURNING OFFICER" means the person appointed by bylaw to be responsible for the administration of the election
- 3.12 "TOWN" means the Town of Faro.

4.0 Election Officials

- 4.1 Julia Salo is hereby appointed Returning Officer for the 2024 municipal election in the Town of Faro.
- 4.2 The Returning Officer is hereby delegated the authority to appoint election officials in sufficient numbers to assist in the conduct of the election. Election officials so appointed will include Deputy Returning Officers and Poll Clerks as necessary.
- 4.3 For the purposes of fulfilling the requirements of Part 3 of the Act, the CAO or their designate shall serve as the Designated Municipal Officer.
- 4.4 Election officials shall, during their employment, refrain from any active or public support or criticism of any candidate.
- 4.5 The following honorariums shall be paid to persons acting as election officials, other than full time officers or employees of the Town of Faro:
 - a. Returning Officer \$30.00 per hour
 - b. Deputy Returning Officer \$25.00 per hour
 - c. Poll Clerk \$20.00 per hour

5.0 Nominations

- 5.1 Council Chambers, located in the Town Office at 200 Campbell Street, is hereby designated as the place for nomination proceedings.
- 5.2 Notice of Nominations shall be posted by **September 18, 2024**.
- 5.3 Nominations will be received by the Returning Officer no later than 12 o'clock noon on Thursday, **September 26, 2024**.

6.0 Special Ballots

- 6.1 Applications for special ballots shall be available, from the office of the Returning Officer, as of the Monday, **October 7, 2024**.

6.2 Pursuant to the requirements of Section 58 of the Act, the Returning Officer may issue a special ballot to an eligible elector any time after the close of nominations and before the date of the advance poll.

6.3 Special Ballots submitted by mail or courier must be sealed within a mailing envelope, on which the name and return address of the elector are clearly written, sent directly to, and received by, the Returning Officer before 2:00pm on the date of the regular poll.

7.0 Advance Poll & Location

7.1 The Advance Polling location shall be established in the Council Chambers located in the Town Office at 200 Campbell Street.

7.2 The advance poll shall be held Thursday, **October 10, 2024**, and the hours of the poll shall be from 8:00 a.m. to 8:00 p.m.

8.0 Polling Day & Location

8.1 The regular poll shall be held Thursday, **October 17, 2024**, between the hours of the poll shall be from 8:00 a.m. to 8:00 p.m., in the Council Chambers of the Town Office at 200 Campbell Street.

9.0 Registration of Electors

9.1 Pursuant to section 60(1) of the Act, the Town hereby dispenses with the requirement to produce a list of electors for the 2024 municipal election.

9.2 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 Act.

9.3 Pursuant to section 60(1)(b) and 61(1)(b) of the Act, the Town does hereby establish the following procedures and forms to govern the conduct of the 2024 municipal election:

a. All individuals meeting the eligibility criteria contained in section 48 of the Act and wishing to cast a ballot shall be required to register by swearing or affirming eligibility, in the presence of a Deputy Returning Officer, using forms provided by the Yukon Government.

b. Once the Voting Register has been completed, the Deputy Returning Officer shall present the elector with ballot(s).

c. No individual shall be permitted to register or vote on behalf of another individual.

10.0 Notice To Electors

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

a. The offences contained in section 160 of the Act; and

b. The penalties associated with the offences contained in section 160 of the 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.

11.0 Challenged Electors

11.1 Within seven (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.

11.2 The Designated Municipal Officer shall, within five (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.

12.0 Severability

12.1 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.

13.0 Repeal

13.1 Bylaw 2021-05 is hereby repealed.

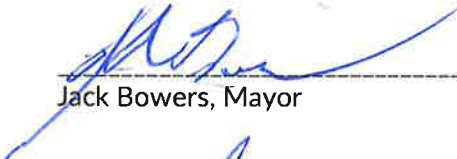
14.0 Enactment

14.1 This Bylaw shall come into effect upon Third and Final Reading.

READ A FIRST TIME this 17th day of July 2024.

READ A SECOND TIME this 17th day of July 2024.

READ A THIRD TIME and finally passed this 23rd day of July 2024.



Jack Bowers, Mayor



Larry Baran, CAO

