

DATE OF MEETING June 11, 2018

AUTHORED BY SHEILA GURRIE, CITY CLERK

SUBJECT AMENDMENT TO “GENERAL ELECTION BYLAW 2011 NO. 7129”

OVERVIEW

Purpose of Report

To introduce and give three readings of an amendment to “General Election Bylaw 2011 No. 7129”.

Recommendation

That:

1. “General Election Amendment Bylaw 2018 No. 7129.03” (To amend the bylaw to add a nomination deposit and increase the number of qualified nominators) pass first reading;
2. “General Election Amendment Bylaw 2018 No. 7129.03” pass second reading; and,
3. “General Election Amendment Bylaw 2018 No. 7129.03” pass third reading.

BACKGROUND

Staff are proposing an amendment to the “General Election Bylaw 2011 No. 7129” to include a nomination deposit of \$100 and to increase the number of qualified nominators from 2 to 10.

Candidates for a member of a local government are required to submit a nomination for office in accordance with section 72 of the *Local Government Act*. In accordance with section 72.1 of the *Local Government Act* a local government may, by bylaw, require that a nomination for mayor or councillor be accompanied by a nomination deposit. The amount of a required nomination deposit can differ, but must not be greater than \$100.

In the past the City of Nanaimo has required candidates to be nominated by at least 2 qualified nominators. Under section 71 of the *Local Government Act*, a local government may, by bylaw, set the minimum number of qualified nominators at 10.

Staff are recommending that Council require a \$100 nomination deposit and increase the minimum number of qualified nominators to 10 in order to encourage candidates to take the process seriously.

Under the *Local Government Act*, in order for the “General Election Bylaw 2011 No. 7129” to apply, the bylaw must be adopted at least six weeks prior to voting day.

OPTIONS

1. That:

"General Election Amendment Bylaw 2018 No. 7129.03" (To amend the bylaw to add a nomination deposit and increase the number of qualified nominators) pass first reading;

"General Election Amendment Bylaw 2018 No. 7129.03" pass second reading; and,

"General Election Amendment Bylaw 2018 No. 7129.03" pass third reading.

- **Legal Implication:** The Local Government Act requires an amendment to a bylaw applicable to assent voting be adopted at least six weeks prior to voting day.

SUMMARY POINTS

- The bylaw amendment adds a nomination deposit of \$100 and increases the number of qualified nominators from 2 to 10.
- Under the *Local Government Act* in order for the bylaw to apply it must be adopted at least six weeks prior to voting day.

ATTACHMENTS

"Elections Amendment Bylaw 2018 No. 7129.03" |

Submitted by:

Sheila Gurrie,
City Clerk |