

VILLAGE OF HAINES JUNCTION

BYLAW #421-25

A Bylaw to regulate the 2025 Municipal By-Election (Councillor)

WHEREAS, Section 56 (1) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that a Council of a municipality shall by bylaw (a) appoint a returning officer to be responsible for the administration of the election or public vote; (b) establish the place for making nominations; (c) establish places that are reasonably accessible to electors who are physically incapacitated at which polls will be held if a poll is required and, subject to section 85, set hours during which polls shall be open; (d) appoint deputy returning officers as required, or delegate to the returning officer the power to appoint deputy returning officers; (e) otherwise arrange for the holding of the election or public vote; and

WHEREAS, Section 60 (1) (a) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that Council may by bylaw dispense with the requirement of a list of electors for an election; and

WHEREAS, Section 60 (1) (b) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that Council may by bylaw prescribe procedures and forms governing the conduct of elections otherwise consistent with the Act; and

WHEREAS, Section 61 (1) (b) of the *Municipal Act*, RSY 2002, c. 154, 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;

THEREFORE, the Council for the Municipality of the Village of Haines Junction, in open meeting duly assembled, ENACTS AS FOLLOWS:

1.0 Short Title

1.1. This Bylaw shall be cited as the **2025 Municipal By-Election Bylaw (Councillor) #421-24**.

2.0 Purpose

2.1 The purpose of this bylaw is to regulate the conduct of the 2025 Municipal Councillor By-Election.

3.0 Definitions

3.1 “Election Official” means a person appointed to work in the election process.

3.2 “Returning Officer” means a person appointed by Council to conduct the election by receiving nominations, attending the polling place and having the power to ask the questions and receive the declarations or oaths authorized by law to be asked of and made by electors.

- 3.3 “CAO” means the Chief Administrative Officer for the Village of Haines Junction.
- 3.4 “Council” means the Village of Haines Junction Council, duly assembled, whose members are sworn to office.
- 3.5 “Deputy Returning Officer” means the person or persons appointed by the Returning Officer to act in his or her absence or as otherwise delegated by the Returning Officer.
- 3.6 “Poll Clerk” means a person or persons appointed by the Returning Officer to assist the Returning Officer in conduct of the election.

4.0 Election Officials

- 4.1 Cathy Mackinnon is hereby appointed Returning Officer for the Village of Haines Junction 2025 Municipal Election.
- 4.2 Council hereby delegates to the Returning Officer authority to appoint Deputy Returning Officers and Poll Clerks, as necessary.
- 4.3 For the purposes of fulfilling the requirements of Part 3 of the Municipal Act, the CAO or their designate is appointed as the Designated Municipal Officer.
- 4.4 Election officials shall, during their appointment term, refrain from any active or public support or criticism of any candidate.

5.0 Nominations

- 5.1 Nomination day is **Wednesday February 12th, 2025**.
- 5.2 The Municipal Office in the St. Elias Convention Centre, is hereby designated as the place for nomination proceedings.
- 5.3 Nominations will be accepted by the Returning Officer before noon on **Wednesday February 19th, 2025**.
- 5.4 A completed nomination paper which has been witnessed by either the Returning Officer, Notary Public or Designated Municipal Officer, may be faxed to the Returning Officer or Designated Municipal Officer at 867 634 2008 by 12:00 o'clock noon **Wednesday February 19th, 2025**. It is the responsibility of the nominee to ensure the fax has been received.

6.0 Voting Opportunities

- 6.1 Where the Returning Officer declares that an election is required the following voting opportunities will be made available:
 - 6.1.1 Advance Poll;
 - 6.1.2 Mobile Poll;
 - 6.1.3 Special Ballot; and,
 - 6.1.4.1 General Polling Day.

7.0 Advance Poll

- 7.1 The St. Elias Convention Centre, on the main floor in the Atrium, is hereby designated as the place for Advance Poll proceedings.
- 7.2 The Advance Poll will take place on **Thursday March 5, 2025**, between the hours of 8:00 a.m. and 8:00 p.m.
- 7.3 The Advance Poll is available to those voters who meet the legislated criteria for the

Advance Poll.

8.0 Mobile Poll

- 8.1 The Mobile Poll will take place on **Thursday March 5, 2025**, between the hours of 8:30 a.m. and 4:00 p.m.
- 8.2 The Mobile Poll is available to those voters who, due to physical incapacity, are incapable of attending a poll.
- 8.3 Polling will occur by arrangement with the Returning Officer.

9.0 Special Ballots

- 9.1 Special Ballots will be made available on **Friday February 21st, 2025**, by request to those voters who meet the legislated criteria.
- 9.2 Special Ballots must be returned to the Returning Officer by 2:00 p.m. on **Thursday March 13th, 2025**.

10.0 General Polling Day

- 10.1 General Polling Day will take place on **Thursday March 13th, 2025**, between the hours of 8:00 a.m. and 8:00 p.m. in the Atrium of St. Elias Convention Centre.

11.0 Fees

- 11.1 The following rates shall be paid to persons acting as election officers:
 - 11.1.1 Returning Officer \$40.00 per hour
 - 11.1.2 Deputy Returning Officer \$30.00 per hour
 - 11.1.3 Poll Clerks \$25.00 per hour

12.0 Registration of Voters

- 12.1 The Village of Haines Junction shall dispense with the requirement for a list of electors for the 2025 Municipal By-Election.
- 12.2 All persons meeting the eligibility criteria contained in Section 48 of the Municipal Act and wishing to cast a ballot shall be required to record their Name, Civic Address and Signature on the Approved Voter Registration List attached hereto as Schedule "A".
- 12.3 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 Municipal Act.

13.0 Prescribed Oaths

- 13.1 The Village of Haines Junction will use the forms and oaths provided by the Yukon Government.

14.0 Notice to Electors

- 14.1 Signage shall be displayed at all polling stations which shall inform voters of the following:
 - 14.1.1 The offences contained in Section 160 of the Municipal Act;
 - 14.1.2 The penalties associated with the offences contained in Section 164 of the Municipal Act; and
 - 14.1.3 A statement that, pursuant to this bylaw, the name of any individual challenged by a Returning Officer, Deputy Returning Officer, a candidate or candidate’s agent, or by an elector, who swears an oath of eligibility and votes in the election may be forwarded to the appropriate authorities for investigation and possible prosecution.

15.0 Enactment

- 15.1 This Bylaw shall come into force and effect on the adoption thereof.

16.0 Readings

- 16.1 Read a First time on the 12th day of February 2025
- 16.2 Read a Second time on the 12th day of February 2025
- 16.3 Read a Third time and adopted on the xx day of xx

Diane Strand, Mayor

Dave Fairbank, CAO

