MACKENZIE
BRITISH COLUMBIA

2024 By-Election Nomination Package

PART 2 – Candidate Information

District of Mackenzie Council

MACKENZIE
BRITISH COLUMBIA

Part 2 – Candidate Information

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MACKENZIE
BRITISH COLUMBIA

2024 By-Election
Key Dates

Pre-Candidate Information Session	6:00 – 7:00 pm, September 25, 2024 Mackenzie Recreation Centre
Nomination Period	Opens: 9:00 am Tuesday, Oct. 1, 2024 Closes: 4:00 pm Friday, Oct. 11, 2024
Declaration of Candidates	After 4:00 pm October 11, 2024
Candidate Nomination and Endorsement Challenge *Last day to challenge a candidate nomination and endorsement.*	October 15, 2024
Candidate Withdrawal *Last day to withdraw as a candidate*	October 18, 2024
Declaration of Election by Voting or Acclamation	4:00 pm October 21, 2024
Campaign Period *Candidate and third-party expense limits apply during this period. Election signage may be posted during this time.*	Opens: Saturday, October 19, 2024 Closes: Saturday, November 16, 2024
Advanced Voting Days	Wednesday, November 6, 2024 Friday, November 15, 2024
Special Voting Day *(only for patients and employees at the Mackenzie & District Hospital)*	Friday, November 15, 2024
General Election Day	Saturday, November 16, 2024
Campaign Financing Disclosure Statement Filing Deadline	February 14, 2025
Campaign Financing Disclosure Statement Late Filing Deadline with $500 Late Filing Fee	March 16, 2025

MACKENZIE
BRITISH COLUMBIA

PUBLIC NOTICE

BY-ELECTION 2024
NOTICE OF NOMINATION PERIOD

PUBLIC NOTICE IS HEREBY GIVEN AS FOLLOWS:

Nominations for the offices of:

Councillor – one (1) to be elected

will be received by the Chief Election Officer or a designated person, as follows:

From:	**Tuesday, October 1, 2024 – 9:00 am**	**(excluding weekends/**
To:	**Friday, October 11, 2024 – 4:00 pm**	**stat. holidays)**

Nomination packages can be submitted:

By hand, mail or other delivery service:
District of Mackenzie
1 Mackenzie Blvd., Bag 340
Mackenzie, BC, V0J 2C0

By fax: 250-997-5186

By email: election@districtofmackenzie.ca

Originals of faxed or emailed nomination documents must be received by the Chief Election Officer by **Friday October 18, 2024 at 4:30 pm.**

Interested persons can obtain information on the requirements and procedures for making nominations including nomination forms online at www.districtofmackenzie.ca and in person from the District of Mackenzie Office, 1 Mackenzie Blvd., from 8:30 am September 11, 2024 to the close of the nomination period.

QUALIFICATIONS FOR OFFICE

A person is qualified to be nominated, elected, and to hold office as a member of local government if they meet the following criteria:

- Canadian citizen;
- 18 years of age or older on general voting day, November 16, 2024;
- resident of British Columbia for at least 6 months immediately before the day nomination papers are filed; and

- not disqualified under the *Local Government Act* or any other enactment from voting in an election in British Columbia or being nominated for, being elected to or holding the office, or be otherwise disqualified by law.

CAMPAIGN PERIOD EXPENSE LIMITS

In accordance with the *Local Elections Campaign Financing Act*, for the 2024 By-Election, the following expense limits for candidates during the campaign period apply:

Councillor $5,398.92

THIRD PARTY ADVERTISING LIMITS

In accordance with the *Local Elections Campaign Financing Act*, for the 2024 By-Election, the following third-party advertising limits apply:

Councillor $809.84

FURTHER INFORMATION AND RESOURCES

For further information on the **nomination process**, please contact:

Emily Kaehn, Chief Election Officer 250-997-3221 Ext. 225
Luke Thorne, Deputy Chief Election Officer 250-997-3221 Ext. 231
Email: election@districtofmackenzie.ca

For further information on **campaign period expense limits and third-party advertising limits**, please contact Elections BC:

Toll-free phone: 1-800-661-8683
Email: electoral.finance@elections.bc.ca

Further resources:
District of Mackenzie: www.districtofmackenzie.ca
Province of BC: www.gov.bc.ca/localelections



CANDIDATE'S GUIDE

TO LOCAL ELECTIONS IN B.C.

2022

BRITISH COLUMBIA

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Key Contacts

Ministry of Municipal Affairs

Contact the Ministry of Municipal Affairs (Ministry) for answers to questions about the material contained in this guide. Ministry staff can also provide additional information about local elections administration in British Columbia.

Ministry of Municipal Affairs
Governance and Structure Branch
PO Box 9839 Stn. Prov. Govt.
Victoria, BC V8W 9T1
Phone: 250 387-4020
Email: LGgovernance@gov.bc.ca
Website: www.gov.bc.ca/localelections

Elections BC

Contact Elections BC for answers to questions about elector organization registration, election advertising, third party sponsors or campaign financing (including campaign contribution and expense limits).

Elections BC
Phone: 250 387-5305
Toll-free: 1 800 661 8683 / TTY 1 888 456-5448
Fax: 250 387-3578
Toll-free Fax: 1 866 466-0665
Email: electoral.finance@elections.bc.ca
Website: https://elections.bc.ca

Ministry of Education and Child Care

Contact the Ministry of Education and Child Care for answers to questions about school trustee elections and the *School Act*.

Ministry of Education and Child Care
Education Policy Branch
Phone: 250 387-8037
Email: EDUC.Governance.Legislation@gov.bc.ca
Website: https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/school-trustee-election-procedures

Service BC Contact Centre (Enquiry BC)

Contact the Service BC Contact Centre (Enquiry BC) for answers to questions about Provincial Government programs and services.

Service BC Contact Centre (Enquiry BC)
In Victoria call: 250 387-6121
In Vancouver call: 604 660-2421
Elsewhere in B.C. call: 1 800 663-7867
Outside B.C.: 604 660-2421
Email: EnquiryBC@gov.bc.ca
Website: https://www2.gov.bc.ca/gov/content/home/get-help-with-government-services

Municipal and Regional District Information

Contact CivicInfoBC for local elections statistics, election results and local government mailing addresses, telephone numbers, email addresses and websites.

CivicInfoBC
Phone: 250 383-4898
Email: info@civicinfo.bc.ca
Website: www.civicinfo.bc.ca/directories

Other Resources

BC Laws

BC Laws provides free public online access to the current laws of British Columbia. This unofficial current consolidation of B.C. Statutes and Regulations is updated continually as new and amended laws come into force.

Electronic versions of the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act* and the *Offence Act* are available online at: www.bclaws.ca

NOTE: The Province of British Columbia does not warrant the accuracy or the completeness of the electronic version of the B.C. Statutes and Regulations available online at BC Laws.

Elections Legislation

Printed versions of local elections legislation including the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act* and the *Offence Act* are available at public libraries in communities throughout British Columbia. Printed versions of the Acts are also available from Crown Publications, Queens Printer for British Columbia at:

Crown Publications: Queen's Printer for British Columbia
563 Superior Street
Victoria, BC V8V 0C5
Phone: 250 387-6409
Toll Free: 1 800 663-6105
Fax: 250 387-1120
E-mail address: crownpub@gov.bc.ca
Website: www.crownpub.bc.ca/

Educational Materials

The Ministry of Municipal Affairs, Elections BC, the Union of B.C. Municipalities, the Ministry of Education and Child Care, and the BC School Trustees Association collaborated to produce educational materials and guides for the 2022 general local elections.

The Ministry of Municipal Affair's educational materials are available online at: www.gov.bc.ca/localelections

- Candidate's Guide to Local Elections in B.C.
- Elector Organization Guide to Local Elections in B.C. (Booklet)
- General Local Elections 101 (Brochure)
- Scrutineer's Guide to General Local Elections (Booklet)
- Supporting a Candidate for Local Elections in B.C. (Brochure)
- Thinking About Running for Local Office? (Brochure)
- Voter's Guide for Electors Living on Reserve (Brochure)
- Voter's Guide to Local Elections in B.C. (Brochure available in: Chinese-Simplified; Chinese-Traditional; English; Farsi; French; Korean; and, Punjabi)
- What Every Candidate Needs to Know (Brochure)

Candidates in elections conducted by the City of Vancouver must refer to the *Vancouver Charter* and its regulations for specific provisions regarding the City of Vancouver general local election.

Educational materials developed by Elections BC are available online at: https://elections.bc.ca/local-elections/forms-and-guides/local-guides/

- Elector Organization Annual Financial Report Completion Guide
- Guide for Local Elections Third Party Sponsors in B.C.
- Guide for Local Non-election Assent Voting Advertising Sponsors in B.C.
- Guide to Elector Organization Registration
- Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents
- Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents

Fact Sheets

- Administrative monetary penalties
- Candidate quick reference sheet
- Elector organization quick reference sheet
- Election advertising
- Endorsed candidates and elector organizations
- Fundraising functions
- Shared election expenses
- Third party sponsor quick reference sheet

Educational materials developed by the Ministry of Education and Child Care are available online at: https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/school-trustee-election-procedures

- School Trustee Election Procedures in British Columbia

Educational materials developed by the BC School Trustees Association are available online at: https://bcsta.org/resources-and-services/trustee-elections/

- BCSTA Guide to School Trustee Candidates

Disclaimer

The information contained in the *Candidate's Guide to Local Elections in B.C.* (guide) is provided as general reference and while all attempts have been made to ensure the accuracy of the material – the guide is not a substitute for provincial legislation.

Please refer directly to the latest consolidation of provincial statutes at BC Laws (www.bclaws.ca) for specific election-related provisions and requirements within the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act* and the *Offence Act*.

NOTE: The *Candidate's Guide to Local Elections in B.C.* was prepared to help candidates understand the electoral process and legislation regarding local elections in British Columbia. Each candidate must refer to the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act*, and the *Offence Act* for specific provisions related to local elections.

Terms in **boldface** font are further explained in the Glossary.

New Elections Legislation – Shared Roles and Responsibilities

The *Local Elections Campaign Financing Act* – enacted in 2014 – was created to enhance campaign financing rules and ensure greater accountability and transparency in local elections.

The *Local Elections Campaign Financing Act* separates the rules that regulate election advertising, campaign contribution and election expense limits and campaign financing disclosure from the more procedural rules that apply generally to local elections.

In 2021, the *Local Elections Campaign Financing Act* was amended to:

- establish a pre-campaign period that lengthens the time election advertising is regulated from 29 to 89 days. During the pre-campaign period election advertising, such as billboards or commercials, must include sponsorship information;
- require elector organizations to register with Elections BC before accepting a campaign contribution, incurring an election expense or endorsing a candidate; and,
- provide Elections BC with additional investigative and enforcement tools to ensure compliance with the campaign financing and advertising rules in the *Local Elections Campaign Financing Act*. Elections BC can issue monetary penalties for a wide range of contraventions, including exceeding campaign contribution limits or expense limits.

Elections BC is the non-partisan and independent Office of the Legislature responsible for the administration of the provincial electoral process in B.C. and campaign financing and advertising rules for local elections and non-election assent voting events under the *Local Elections Campaign Financing Act*.

Chief Election Officers appointed by local governments continue to be responsible for local government elections administration, including receiving nomination documents, declaring **candidates**, administering voting opportunities, counting ballots and declaring election results.

Chief Election Officers also work with Elections BC to monitor compliance with election advertising rules and may assist Elections BC to address incidents of non-compliance. In this way, the practical, on the ground presence and knowledge of Chief Election Officers has been combined with the expertise of Elections BC to create an effective approach to administering the local elections campaign financing and election advertising rules.

See Appendix A for more information about local election partner roles and responsibilities.

Candidates must be familiar with the *Local Elections Campaign Financing Act* and its requirements. The *Local Elections Campaign Financing Act* is available online at BC Laws (www.bclaws.ca).

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*, the *Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents*, the *Guide for Local Elections Third Party Sponsors in B.C.* and the *Guide to Elector Organization Registration* for detailed information and instructions about registration, the campaign financing disclosure process and requirements and rules related to third party sponsors.

Introduction

Local elections are the foundation of democratic local governments in British Columbia (B.C.).

Locally elected officials are charged with making decisions that affect the daily lives of citizens, families, and the business community – **municipal councils**, **regional district boards**, **boards of education**, **Islands Trust**, **local community commissions**, **specified parks boards** and other local bodies influence jobs, create safe communities for British Columbians and shape the long-term vision for their community.

The local elections process enables residents and property owners to determine the body of individuals who will make decisions and govern on their behalf following **general voting day**.

Local governments (**municipalities** and **regional districts**) have roles that include:

- acting as a political forum through which citizens, families and business owners within the local community express their collective vision; and,
- providing services and programs to the community.

General local elections for **mayors**, **councillors**, **electoral area directors**, **school trustees**, **Islands Trust local trustees**, **local community commissioners** and **specified parks board commissioners** in B.C. are held every four years.

Local governments hold **by-elections** to fill council and regional district board vacancies that occur between **general local elections**.

The *Candidate's Guide to Local Elections in B.C.* (guide) provides those considering running for elected office, **candidates**, election officials, **financial agents** and the general public with comprehensive, detailed information about the local elections process.

The guide provides: general information about local elections in B.C.; the key participants in local elections (e.g., electors, candidates, candidate representatives, **third party sponsors** and **elector organizations**); the key administrators in local elections (e.g., local government election officials and **Elections BC**); elected officials' responsibilities; and, who is qualified to run for office.

The major elements of the local elections process – the call for nominations; **election campaigns**; candidate representatives; what happens on general voting day; and, how successful candidates take office are also described in the guide.

The guide focuses primarily on candidates for **municipal councils** and **regional district boards**; however, the information in the guide may also be applicable to candidates for the **Islands Trust Council**, **local community commissions** and **specified parks boards**.

Elections BC has published the *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*, the *Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents*, the *Guide for Local Elections Third Party Sponsors in B.C.* and the *Guide to Elector Organization Registration* that describe the campaign financing and election advertising rules and disclosure requirements.

General local elections will be held on **Saturday, October 15, 2022**.

The *School Trustee Election Procedures in British Columbia, for School Trustees* has been published by the Ministry of Education and Child Care and is available online.

Local Elections Generally

Local Government Act – sections 59, 65, 66, 92 and 104–110
Local Elections Campaign Financing Act – sections 17, 31–41 and 73–79

An election bylaw enables a municipal council or regional district board to make decisions about election administration, such as whether: voting machines will be used; mail ballot voting will be available; additional advance voting opportunities will be offered; voter registration will be conducted in advance or on voting day only; and/or, nomination deposits will be required.

Each local government (**municipality** and **regional district**) is responsible for running its own **local election**. Local governments may also run school trustee elections on behalf of **boards of education**.

Municipal councils and regional district boards appoint a **Chief Election Officer** to run the local election in accordance with the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act*, the *Offence Act* and the local government's **election bylaw**.

The elections legislation contains provisions that must be consistently applied to all local elections; however, the legislation is also flexible enough that local governments are able to make choices about how to conduct elections in a manner that suits local circumstances (e.g., using the Provincial Voters List, and/or drawing by lot to break a tie between two or more candidates).

Voting Opportunities

General voting day is usually the most publicized or widely known voting opportunity **resident electors** and **non-resident property electors** have to cast their ballot in local elections.

An **advance voting opportunity** must also be available whereby eligible **electors** may cast their ballot in local elections. Two other types of voting opportunities may also be available to eligible electors: special voting; and, mail ballot voting.

Local governments have the authority to increase **elector** access to the voting process by offering mail ballot voting (to all electors) and holding additional voting opportunities for their citizens. Providing for mail ballot voting and increasing the number of voting opportunities may positively impact voter turnout and increase overall access to the electoral process.

General Voting Day

General voting day for the 2022 general local elections is **October 15**.

General voting day is the primary opportunity for **candidates** seeking office as a **mayor**, **councillor**, **electoral area director**, **Islands Trust local trustee**, l**ocal community commissioner** or **specified parks board commissioner** to be elected to office by eligible electors. Voting places are open from 8:00 a.m. to 8:00 p.m. local time on general voting day.

Advance Voting

The required advance voting opportunity for the 2022 general local election is **October 5**.

An **advance voting opportunity** must be held 10 days prior to general voting day. This required advance voting day allows eligible electors who may not otherwise be able to vote on general voting day to cast their ballot. Local governments with populations greater than 5,000 are required to hold at least two advance voting opportunities.

Local governments may set out in their election bylaws whether additional advance voting opportunities will be offered, or in communities of less than 5,000, whether the required additional advance voting opportunity will be waived.

See Appendix B for other key dates in the 2022 general local elections.

Special Voting

Special voting opportunities may be held in any location – inside or outside the local government boundary – to provide eligible electors who may not otherwise be able to attend a voting place an opportunity to cast their ballots during local elections.

Special voting opportunities are generally held in hospitals, long-term care facilities or other locations where electors' mobility may be impaired. Only designated **electors** are eligible to vote at special voting opportunities – for example, a local government may decide only patients and staff would be entitled to vote during a special voting opportunity held at a hospital.

Electors may not cast their ballot on the Internet or by telephone.

Mail Ballot Voting

Mail ballot voting provides *all* electors who are unable to attend a special, advance or general voting opportunity the ability to vote in local elections. Local governments must have provided for mail ballot voting in their election bylaw.

New or amended election bylaws must be adopted by **July 4, 2022** in order to be in effect for the 2022 general local elections.

Key Participants

Electors, candidates, financial agents, official agents, scrutineers, **volunteers**, **third party sponsors** and **elector organizations** are the key participants in the local elections process.

Electors

The right to vote in local elections is conferred on **resident electors** and **non-resident property electors**.

Resident electors are those people that may be eligible to vote in local elections based on where they reside. Non-resident property electors are those people that reside in one **jurisdiction** and own property in a different jurisdiction where they can also vote if they are eligible.

A resident elector must:

- be 18 years of age or older when registering to vote or will be 18 years of age on general voting day;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months immediately before registering to vote;
- be a resident of the **jurisdiction** when registering to vote; and,
- not be disqualified under the *Local Government Act* or any other enactment from voting in a local election or be otherwise disqualified by law.

Refer to the *Local Government Act, s.67* for the rules for determining B.C. residency.

A non-resident property elector must:

- be 18 years of age or older when registering to vote or will be 18 years of age on general voting day;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months immediately before registering to vote;
- have owned real property in the **jurisdiction** for at least 30 days before registering to vote; and,
- not be disqualified under the *Local Government Act* or any other enactment from voting in a local election or be otherwise disqualified by law.

An elector must have been a B.C. resident prior to **April 14, 2022** in order to register to vote on general voting day.

Candidates

A candidate is an individual seeking election as a **mayor**, **councillor**, **electoral area director**, **Islands Trust local trustee**, **local community commissioner** or **specified parks board commissioner** within a **municipality**, **regional district electoral area**, Trust area, community commission area or specified parks board jurisdiction.

A candidate must have been nominated by eligible electors and have been declared a candidate by the **Chief Election Officer** in order to run for elected office.

Financial Agents

A financial agent is a representative that candidates are legally required to have during an election campaign. The financial agent is legally responsible for ensuring that the financial aspects of the candidate's election campaign comply with the *Local Elections Campaign Financing Act*.

Financial agents have a number of obligations under the *Local Elections Campaign Financing Act*, including opening and depositing contributions to, and paying election-related expenses from, a candidate's campaign account; maintaining records for campaign contributions, election expenses and all other campaign transactions; and filing the candidate's required disclosure statement with Elections BC within 90 days following general voting day.

A candidate is their own financial agent unless they appoint another individual to the position. The appointment of a financial agent by a candidate must be made in writing and the person must consent to the appointment.

Official Agents

Candidates may appoint an official agent to represent them during the election process. The official agent may act as a campaign manager or spokesperson or be the point of contact for the people helping on a candidate's election campaign.

Scrutineers

Scrutineers represent candidates at advance, special and general voting opportunities and observe voting procedures and scrutinize the ballot-counting process after the close of voting on general voting day. Scrutineers are also known as "candidate representatives" in provincial legislation.

Further information about scrutineers is available in the *Scrutineers Guide to Local Elections in B.C.*

Volunteers

Volunteers are individuals who provide services, such as preparing and distributing flyers, canvassing, phoning eligible voters, handling logistics and taking on other election campaign-related activities. Candidates and elector organizations may enlist volunteer services.

A volunteer must not receive any payment or remuneration for their services.

Contact Elections BC by phone at: 250 387-5305 or elsewhere in B.C. call: 1 800 661-8683 (Toll-free) or by email at: electoral.finance@elections.bc.ca for answers to questions about being a volunteer for an election campaign.

Third Party Sponsors

A third party sponsor is an individual or organization that sponsors election advertising independently from candidates and elector organizations.

Third party advertising includes advertising for or against a candidate and/or an elector organization. In the **campaign period**, it also includes advertising on an issue with which a candidate or elector organization is associated.

Third party sponsors must be independent from candidates and/or elector organizations and must not coordinate, or sponsor advertising together with, or on behalf of a candidate and/or elector organization. Third party sponsors must register with Elections BC before conducting advertising during the **pre-campaign** and campaign periods.

Refer to Elections BC's *Guide for Local Elections Third Party Sponsors in B.C.* for more information about third party sponsors.

Elector Organizations

Elector organizations are organizations that endorse or intend to endorse a candidate(s) in local elections. Elector organizations may be referred to as "civic political parties."

Fundamentally, elector organizations endorse candidates. Elector organizations may have their name, abbreviation or acronym shown on the ballot beside their endorsed candidate(s) name and generally promote their endorsed candidate(s) or the organization's viewpoints during an election campaign.

Elector organizations must register with Elections BC and comply with the contribution and expense limits as well as the campaign financing disclosure requirements under the *Local Elections Campaign Financing Act*. Elector organizations must also file annual financial reports about their financial activities outside of election years with Elections BC.

Refer to the *Elector Organization Guide to Local Elections in B.C.* for more information about elector organizations.

Key Election Administrators

Local governments and **Elections BC** administer local elections in B.C.

Election Officials

Municipal councils and **regional district boards** appoint a **Chief Election Officer** to administer local elections. The Chief Election Officer may be a senior local government employee (e.g., **Corporate Officer**) or a private contractor hired to conduct the election on the local government's behalf.

Generally, Chief Election Officers are responsible for overseeing all local election administration activities, including: receiving nomination documents; declaring candidates; administering voting opportunities; counting ballots; and, declaring election results. The Chief Election Officer is also responsible for training the Deputy Chief Election Officer, Presiding Election Officials and any additional election officials required to conduct local elections.

The Chief Election Officer must conduct the election in accordance with the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act*, the *Offence Act* and the local government's **election bylaw**.

The *Local Elections Campaign Financing Act* refers to local Chief Election Officers as "local election officers." Local Chief Election Officers and local election officers perform the same role and function during local elections.

Elections BC

Elections BC is the non-partisan and independent Office of the Legislature responsible for the administration of the provincial electoral process in B.C. and the campaign financing and advertising rules for local elections and non-election assent voting events under the *Local Elections Campaign Financing Act*.

Elections BC administers, investigates and enforces the campaign financing disclosure requirements including expense limits, campaign contribution limits and election advertising rules under the *Local Elections Campaign Financing Act*. Elections BC also has the authority to conduct investigations of any matter that might contravene the *Local Elections Campaign Financing Act* and levy administrative monetary penalties for non-compliance with the *Local Elections Campaign Financing Act*.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*, the *Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents*, the *Guide for Local Elections Third Party Sponsors in B.C.* and the *Guide to Elector Organization Registration* for more information about campaign financing and third party advertising rules.

B.C. CHIEF ELECTORAL OFFICER

The B.C. Chief Electoral Officer's role is different from the Chief Election Officer's role. The *B.C. Chief Electoral Officer* is an independent officer of the Legislature who oversees the provincial electoral process in B.C. The *Local Elections Campaign Financing Act* gives the B.C. Chief Electoral Officer the additional role of overseeing campaign financing and election advertising in local elections and ensuring compliance with the *Local Elections Campaign Financing Act*.

About Being an Elected Official

Local Government Act – sections 198-199, 204 and 207
Community Charter – sections 81, 119,123 and 125
Vancouver Charter – sections 9, 139 and 145.1

There are responsibilities and restrictions prospective **candidates** may wish to consider before they decide to run for elected office – these include the term of office, time commitment, remuneration, voting, financial disclosure, privacy, ethics, responsible conduct and the respective roles of elected officials and local government staff.

Term of Office

Candidates elected in **general local elections** serve a four-year term. This term begins at the first **municipal council** or **regional district board** meeting following general local elections. The term ends immediately before the first council or regional district board meeting following the general local elections four years later.

Time Commitment

Holding local office can represent a significant time commitment. Councils usually hold one meeting every week or two and regional district boards generally hold one meeting each month. Elected officials are expected to be prepared for meetings so that they can participate in an informed way and contribute to collective decision-making.

Councillors and regional district board members may also sit on special committees, boards or commissions that may require additional meetings and time commitment, along with attending public hearings and community engagement activities.

Council may also appoint members to the regional district board based upon whom it believes best represents the municipality's regional interests. Candidates elected as **electoral area directors** and municipal council members who are appointed as **municipal directors** serve together on the regional district board. Councillors and electoral area directors may also serve on committees or commissions that require an additional time commitment to the regional district board.

A mayor or councillor may be appointed to the regional district board.

Absences from Meetings

An elected official absent from meetings for 60 consecutive days or four consecutive regularly scheduled council or board meetings (whichever is longer) may be disqualified from office. This does not apply when the elected official has been absent because of illness or injury, when the municipal council or regional district board has given the individual permission to be absent or because the elected official is on a mandatory leave of absence.

Remuneration

Elected officials generally receive honouraria or other financial compensation while in elected office. Remuneration varies from community to community – in some communities, elected officials may be compensated for part-time hours and find they sometimes work full-time hours. Local governments have the legislative authority and are responsible for setting the remuneration for elected officials.

Prospective candidates may wish to contact the local government to determine the remuneration elected officials receive in a given community.

Obligation to Vote

Every elected official present at a municipal council and regional district board meeting must vote "*for*" or "*against*" a motion. The official meeting record will show that those councillors or board members that did not expressly vote "*yes*" or "*no*" voted in favour of the motion. The only exception would be when an elected official has declared a conflict of interest related to the matter being voted upon – the elected official would then be prohibited from voting and must leave the meeting until after the vote had been taken.

Ongoing Financial Disclosure

Elected officials are required under the *Financial Disclosure Act* to file a **financial disclosure statement** at the time they submit nomination documents, each year while holding office and shortly after leaving office.

The *Financial Disclosure Act* disclosure statement details an elected official's corporate and personal holdings and must be available for public inspection.

Prospective candidates are required to file a financial disclosure statement at the time they submit nomination documents. The financial disclosure statement must be filed with the local government **Corporate Officer**. Failure to file a financial disclosure statement carries a penalty of up to $10,000.

The *Financial Disclosure Act* disclosure statement is not the same as the candidate campaign financing disclosure statement required under the *Local Elections Campaign Financing Act* that each candidate must file after general local elections.

The *Financial Disclosure Act* is administered by the Ministry of Attorney General. Refer to *Municipal officials – financial disclosure* for more information about ongoing financial disclosure.

Privacy

Elected officials perform many of their duties in the public eye. Social media has increased the amount of exposure and feedback elected officials receive. As such, aspects of an elected official's life may become a matter of public interest and may result in a loss of privacy.

The Ethics of Elected Office

Elected officials are entrusted with significant decision-making authority. Mayors, councillors and regional district board members have a great deal of influence over, and responsibility for, the services and programs that citizens receive.

Elected officials must conduct themselves in an open, transparent and accountable manner and avoid situations that may bring their integrity or the integrity of the municipal council or the regional district board into question.

Responsible Conduct

Responsible conduct is how locally elected officials conduct themselves in their relationships with elected colleagues, local government staff and the public – and is directly connected to how a community is governed. An elected official's relationships with their colleagues, local government staff and the public play a significant role in helping carry out their responsibilities.

Elected officials who demonstrate *integrity*, *accountability*, *respect*, *leadership* and *collaboration* with other elected officials and local government staff are essential to the effectiveness and success of a local government.

- *Integrity* means being honest and demonstrating strong ethical principles:
  - Upholding the public interest, serving citizens diligently to make decisions in the best interests of the community, and behaving in a manner that promotes public confidence in local government.
- *Accountability* means an obligation and willingness to accept responsibility or to account for one's actions.
  - Being transparent in how an elected official individually, and a council/board collectively, conducts business and carries out their duties; listening to and considering the opinions and needs of the community in all decision-making; and, allowing for discourse and feedback.
- *Respect* means having due regard for others' perspectives, wishes, and rights; displaying deference to the offices of local government, and the role of local government in community decision-making.
  - Treating every person, including other members of the council/board, staff and the public, with dignity, understanding and respect, and valuing the role of diverse perspectives and debate in decision-making.
- *Leadership and Collaboration* means an ability to lead, listen to and positively influence others; coming together to pursue a common goal through collective efforts.
  - Calmly facing challenges and providing considered direction on the issues of the day, while empowering colleagues and staff to do the same; creating space for open expression by others; taking responsibility for one's own actions and reactions; and, accepting the decisions of the majority.

Many local governments across B.C. utilize various tools to support responsible conduct including code of conduct bylaws, procedure bylaws and WorkSafeBC harassment and anti-bullying policies.

Further information about responsible conduct and expectations for B.C.'s locally elected officials is available online.

Characteristics of an Effective Locally Elected Official

The most effective locally elected officials:

- **DILIGENT** – are prepared for meetings, ask questions and participate respectfully in discussions to contribute to a positive environment so that effective decisions can be made;
- **RESPONSIBLE** – understand the role of a locally elected official, and municipal council (council) and regional district board protocols and the legislative requirements that apply to locally elected officials, councils and regional district boards, and the local government system as a whole;
- **PROACTIVE** – address community and council and regional district board issues proactively by working to find collective solutions and being able to make informed decisions;
- **COMMITTED** – have the time, energy and motivation required to be effective and responsive to the community's needs;
- **PATIENT/TOLERANT** – have patience and tolerance for others' points of view, and for the council or regional district board's processes and procedures;
- **INFLUENTIAL** – build relationships; provide facts; explain points of view; listen to concerns and provide real examples of the impact of not taking action; and,

- **SELF-AWARE** – assess their strengths and weaknesses; know their biases and the types of behaviours and comments that can cause upset; are aware of their impact on others.

Codes of Conduct

Many local governments have created codes of conduct to assist elected officials to conduct themselves in an appropriate manner. A code of conduct is a set of rules outlining how elected officials must behave when carrying out their elected duties. Codes of conduct provide guidance in addition to the obligations elected officials have under legislation, bylaws, policies and other legal rules.

A council or regional district board must decide whether to establish a code of conduct or, if one already exists, whether to update it within six months of the first regular council or board meeting following general local elections.

Codes of conduct can also promote a positive, ethics-focused organizational culture and create a shared understanding about the roles and responsibilities of locally elected officials and local government staff, and what they can and cannot do.

The guide *Forging the Path to Responsible Conduct in Your Local Government* provides further information about responsible conduct and codes of conduct.

There are new code of conduct requirements for local governments following the 2022 general local elections. Within six months of its first regular meeting following the general local elections, local governments will have to consider whether to establish a code of conduct or, if one already exists, whether to update it.

If a local government decides not to establish or review a code of conduct, it will have to make available, upon request, a statement respecting the reasons for its decision.

Conflict of Interest and Other Ethical Standards

Disclosure of Conflict

CONFLICT OF INTEREST

Local Government Act section 205

Community Charter, sections 100-109

Vancouver Charter, sections 145.2-145.92

The *Community Charter* conflict of interest rules set out that locally elected officials who have a financial (pecuniary) interest in a matter that will be discussed or voted upon at a municipal council or regional district board meeting must declare that interest in the matter. Following their declaration, they may not participate in discussions, vote or exercise influence on that matter.

Elected officials must not vote on, or participate in discussions about, any matters where they have a direct or indirect financial interest that is not shared with the broader community.

Municipal councils or regional district board members who believe they have a financial interest in a matter under discussion, must:

- declare their interest in the matter;
- withdraw from the meeting;
- not participate in the discussion or vote; and,
- not attempt to influence, in any way, the voting of other elected officials on the matter.

An elected official who has a direct or indirect financial interest in a matter and has participated in discussions or attempted to influence the vote or votes on the matter, may be disqualified from office.

Given that conflict of interest is complex and dependent on the particular facts in a given circumstance, conflict of interest can only be decided by the courts; ultimately the courts have the expertise to apply the law to the facts of a specific situation.

If an elected official was unsure about whether they were in a conflict of interest, it would be best for that elected official to seek independent legal advice.

SCENARIO – CONTRACTUAL CONFLICT?

Aaron Michaels owns Arrow Landscaping, a local gardening and landscaping company – he is also a municipal councillor.

Arrow Landscaping holds a contract with a nearby municipality and does not currently have a contract with the municipality where Aaron is a councillor – although the company did submit a bid the last time there was a request for tenders.

The current municipal landscaping contract is about to expire, and council is considering whether to extend the current contract or put the contract out to tender.

Councillor Michaels has a *direct and/or indirect financial interest* in this matter and is likely to be in a conflict of interest if Councillor Michaels participated in any discussions or votes related to the landscaping contract.

Councillor Michaels would have a *direct financial interest* if Arrow Landscaping submitted a bid for the municipal landscaping contract. If only a small number of landscaping companies operate in the region, Councillor Michaels also has an *indirect financial interest* in decisions that affect the companies that compete with Arrow Landscaping for business – even if Arrow Landscaping did not submit a bid to provide services to the municipality.

Councillor Michaels must inform council about his connection to the contract and excuse himself from further debate and discussion by leaving the room until the council moves on to another topic, to avoid any perception of influencing or affecting council's decision.

Inside Influence

An elected official who has a monetary interest in a matter must not use their office to attempt to influence a decision, recommendation, or action to be made or taken on a matter at a council or committee meeting, or by officers and employees of the local government. For example, a councillor would likely be in contravention of the inside influence restriction if they lobbied the municipal approving officer regarding an application to subdivide land owned by that councillor.

Outside Influence

An elected official who has a monetary interest in a matter must not use their office to attempt to influence a decision, recommendation, or other action to be made or taken on a matter by any other person or body. For example, a councillor would likely be in contravention of the outside influence restriction if they lobbied a provincial regulator on behalf of a business partner using the municipality's letterhead in correspondence with the provincial regulator.

Accepting Gifts

Elected officials must not accept a fee, gift or other personal benefit that is directly connected to the performance of their duties as a municipal council or regional district board member. Elected officials may, however, accept gifts or other personal benefits received as a matter of social obligations or protocol related to their position (such as a gift from a visiting delegation from another government) and compensation authorized by law.

An elected official who received such a gift must file a disclosure statement with the local government **Corporate Officer**. The statement must include: the nature of the gift; its source; when it was received; and, the circumstances under which it was given and received. The statement must be filed as soon as possible after the gift was received.

Disclosure of Contracts

Elected officials must publicly disclose any contract in which they have a monetary interest. This requirement applies to contracts between the local government and elected official, as well as to contracts between the local government and persons or companies with whom the elected official is connected. For example, this would include contracts with a company in which the elected official is a director, officer, significant shareholder or senior employee.

Use of Insider Information

An elected official must not use information that is not otherwise available to the general public for gaining or furthering a monetary interest. The *Community Charter* does not specify a time limit for this restriction. As such, the restriction applies indefinitely – or until the information is made available by the municipal council or regional district board to the general public.

Voting for an Illegal Expenditure

Elected officials must not vote for a bylaw or resolution authorizing the expenditure, investment, or other use of money contrary to the *Community Charter*, *Local Government Act*, or the *Vancouver Charter*.

Consequences

Elected officials who contravene any of the conflict of interest provisions may be disqualified from holding office and may be required to pay the local government for any financial gain as a result of the contravention.

Confidentiality

Past and present elected officials are required to keep confidential information private until such time as that information is made publicly available by the municipal council or regional district board.

Information contained in records that have not been released to the public, and information discussed in closed meetings must be kept confidential until that information is released in an open meeting. A local government may recover any damages that result from an elected official, or former elected official, who intentionally disclosed confidential information.

Elected Officials and Local Government Staff

Elected officials perform a role that is distinct from the role of the Chief Administrative Officer, or **Corporate Officer**, and other local government staff. Elected officials are decision-makers and set strategic policies and priorities for the municipality or regional district – they do not implement policies and decisions or otherwise administer the local government.

Elected officials are not authorized to fulfill local government staff roles or duties.

Local government staff (e.g., Chief Administrative Officer and Corporate Officer) are responsible for implementing municipal council or regional district board decisions and providing advice to elected officials. The Chief Administrative Officer or Corporate Officer is the primary point of contact between elected officials and local government staff (e.g., land use planners, bylaw enforcement officers, public works staff) employed by the municipality or regional district.

Elected officials do not have regular contact with local government staff, nor do elected officials perform, or supervise, the roles or duties assigned to local government staff. An elected official *must not* interfere with, hinder, or obstruct the work of local government officers or employees.

Qualifications

Local Government Act – sections 64 and 81 - 83

Who May Run For Office

A person who has not been disqualified from seeking or holding elected office may become a **candidate** in local elections.

A candidate for **mayor**, **councillor**, or **electoral area director** must:

- be 18 years of age or older on **general voting day**;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months immediately before filing nomination documents; and,
- not be disqualified under the *Local Government Act* or any other enactment from voting in an election in British Columbia or from being nominated for, being elected to or the holding office, or be otherwise disqualified by law.

Prospective candidates for local office must be nominated by at least two eligible electors from the jurisdiction where the person is seeking election. Local governments may require 10 or 25 nominators for each prospective candidate.

Prospective candidates must have been a B.C. resident prior to **March 8, 2022** to be eligible to run in the 2022 general local elections.

Local Government Employees

Local government staff (e.g., officers and employees), who wish to run for office in the local government where they work must take a leave of absence in order to run and they must resign if elected.

The requirement for a salaried employee to take a leave of absence and resign if successfully elected may apply in the following circumstances, a:

- municipal employee running for elected office in the municipality in which they are employed;
- municipal employee seeking to be elected as an electoral area director for the regional district of which their municipal employer is a member;
- regional district employee seeking to be elected as a member of the board of the regional district in which they are employed; and,
- regional district employee seeking to be elected as the mayor or councillor of a municipality that is a member of the regional district.

An employee who was not successful in their bid for local elected office would then return to the job from which they took the required leave of absence.

Local government employees must take a leave of absence to run for elected office and must resign from their position if elected.

Local Government Volunteers

Generally, volunteers who do not receive monetary compensation for services provided to a local government are not "employees" for election purposes and would not be required to take a leave of absence or resign if elected.

A person may still be considered a volunteer if they are compensated for the requirements set out in the *Volunteer Eligibility for Office Regulation*.

Further information about local government employees, local government volunteers, B.C. Public Service employees and Federal Government employees eligibility to run for office is available online.

The requirement that a volunteer who received monetary compensation from the local government may need to take a leave of absence and resign if successfully elected will likely apply in the following circumstances:

- a paid municipal volunteer must take a leave of absence (and resign when elected) in order to run for and hold office in the municipality where they are volunteering;
- a paid municipal volunteer must take a leave of absence (and resign when elected) in order to run for and hold office in the regional district where the municipality is a member;
- a paid regional district volunteer must take a leave of absence (and resign when elected) in order to run for and hold office in a member municipality; and,
- a paid regional district volunteer must take a leave of absence (and resign if elected) in order to run for and hold office in an electoral area within the Regional District in which they serve.

B.C. Public Service Employees

B.C. Public Service employees may seek nomination as a candidate in local elections. The duties of elected office must not affect the employee's normal working hours and there must not be a conflict of interest between the employee's duties as an elected official and their duties as a B.C. Public Service employee.

Federal Employees

Federal public service employees may seek nomination as a candidate in local elections after they obtain permission from the Public Service Commission of Canada (PSC).

Federal employees must not be declared a candidate or undertake any candidacy-related activities unless they have first obtained permission from the PSC. The PSC may grant permission, with or without conditions, when it is satisfied that seeking nomination as, or being, a candidate will not impair or be perceived as impairing an employee's ability to perform their job-related duties in a politically impartial manner.

Visit: https://www.canada.ca/en/public-service-commission.html under the "Political Activities" section, or contact the PSC at 1 866 707-7152 (Toll-free), or by e-mail at cfp.activitespolitiques-politicalactivities.psc@canada.ca for further information.

Members of the Legislative Assembly of B.C. (MLAs) may seek nomination as a candidate in local elections. MLAs may hold office both provincially and locally, as long as the person can fulfill the duties of both offices.

Who May Not Run For Office

A person is not eligible to run as a candidate for any local government office if they:

- have been convicted of an indictable offence and are disqualified from the date of the conviction until the date on which they are sentenced;
- have been convicted of and sentenced for an indictable offence and are in custody;
- have been found guilty of an election offence, such as intimidation or vote-buying or other election offence, and are prohibited from holding office;
- are judges of the Provincial Court, Supreme Court or Court of Appeal;
- are involuntarily confined to a psychiatric facility or other institution;
- have been disqualified for specified reasons such as, failing to:
  - file a campaign financing disclosure statement in a previous election;
  - make an oath of office; or,
  - attend local government meetings in the manner and frequency required by the *Community Charter*; or,
- have been disqualified under the *Local Government Act* or any other enactment from voting in an election in British Columbia or from being nominated for, elected to or holding office under the *Local Government Act* or be otherwise disqualified by law.

Nominations

Local Government Act – sections 84-93 and 97-101

The nomination period for the 2022 general local elections begins at 9:00 a.m. local time on **August 30** and ends at 4:00 p.m. local time on **September 9**.

The declaration of candidates for the 2022 general local elections takes place at 4:00 p.m. local time on **September 9**.

The nomination period for the 2022 general local elections may be extended until 4:00 p.m. local time on **September 12**.

Nomination Period and Declaration of Candidates

The nomination period is the only time during which the **Chief Election Officer** is permitted to accept nomination documents and deposits (where applicable) from nominees for office. The nomination period begins at 9:00 a.m. local time on the 46th day before general voting day and ends at 4:00 p.m. local time on the 36th day before general voting day.

The Chief Election Officer is required to publish notice about the nomination period that includes: the offices for which candidates are to be elected; the dates, times and places at which nominations will be received; and, how interested persons can obtain information about the requirements and procedures for making a nomination.

It is the nominee's responsibility to ensure all the required information in the nomination documents are submitted to the Chief Election Officer (or designate) by the deadline and that the information is accurate and complete. A nominee officially becomes a **candidate** when they have submitted all the required information in the nomination documents and have been subsequently declared a candidate by the Chief Election Officer.

The Chief Election Officer officially declares the nominees who have met the candidacy requirements and have become candidates for the local government election after the end of the nomination period.

The Chief Election Officer may extend the nomination period until 4:00 p.m. local time on the third day after the end of the nomination period when there are fewer candidates than positions to be elected. Any subsequent nominees would be declared candidates at that time.

See Appendix B: 2022 General Local Elections Key Dates for other key election dates.

Who May Nominate

Prospective candidates for local office must be nominated by at least two eligible electors from the local government where the person is seeking election. Local governments have the ability to require, by bylaw, two, 10, or, in **jurisdictions** with populations greater than 5,000, 25 nominators for each prospective candidate.

A nominator must be eligible to vote in the jurisdiction as a **resident elector** or as a **non-resident property elector**. To nominate a candidate for local office, the nominator must:

- be 18 years of age or older when they register to vote or will be 18 years of age or older on general voting day;
- be a Canadian citizen;
- have been a resident of B.C. for at least six months before registering to vote;
- be a resident in the municipality or electoral area for which the nomination is being made, or in the case of a non-property resident property elector, own real property in the municipality or electoral area, for 30 days immediately before the day of registration; and,

- not be disqualified under the *Local Government Act* or any other enactment from voting in an election or be otherwise disqualified by law.

Prospective candidates may wish to consider having more nominators than are required by the local government in case one or more nominators is determined to be ineligible.

Contact the Chief Election Officer to determine the number of nominators required by the local government. Local government contact information is available from CivicInfoBC.

Endorsement by an Elector Organization

A registered **elector organization** can endorse a candidate on the ballot by submitting all the required information in the **endorsement** documents to the Chief Election Officer and Elections BC during the nomination period.

Only elector organizations registered with Elections BC can file endorsement documents, receive campaign contributions and incur election expenses.

The elector organization must have a membership of at least 50 eligible electors (either resident electors or non-resident property electors) at the time it submits registration information to Elections BC.

Deadline for elector organizations to register with Elections BC is **August 2, 2022**.

An elector organization cannot endorse more candidates in an election than there are offices to be filled, and a candidate can only be endorsed by one elector organization. Candidates endorsed by elector organizations must indicate their consent to the endorsement by providing their signature as part of the endorsement documents submitted to the Chief Election Officer and Elections BC by the elector organization.

Refer to the *Elector Organization Guide to Local Elections in B.C.* and the *Guide to Elector Organization Registration* for more information about elector organization endorsements.

Nomination Documents

Nomination documents are generally available from local government offices during regular business hours two to four weeks before the nomination period begins and remain available until the nomination period ends.

Nomination documents must be submitted in writing to the Chief Election Officer – or a person designated by the Chief Election Officer and must include the following:

- the person's full name (first, middle, last);
- the person's usual name, if it is different from their full name and they would rather have that name appear on the ballot – e.g., Catherine instead of Cathy;
- the office for which the person is nominated (e.g., mayor, councillor, or electoral area director);
- the person's residential address;
- the person's mailing address, if different from their residential address;
- the names and residential addresses of nominators, and, if one or more of the nominators is a non-resident property elector, the address of the property owned by the nominator(s) in the jurisdiction; and,
- a statement signed by each nominator that, to the best of their knowledge, the person is qualified to hold local government office in British Columbia.

Do not put additional information on nomination documents (e.g., personal information not required by legislation).

Nominees must be aware of, understand and intend to comply with the *Local Elections Campaign Financing Act*.

The nomination documents must also include supporting information that demonstrates the person's consent and preparedness to run in general local elections, including:

- the person's written consent to the nomination;
- the person's financial disclosure statement, as required by section 2(1) of the *Financial Disclosure Act*;
- a signed declaration that either the person is acting as their own financial agent, or identifying the individual they have appointed as their financial agent;
- the person's **solemn declaration** that:
  - they are qualified to be nominated for office;
  - the information provided in the nomination documents is true;
  - they fully intend to accept the office if elected; and,
  - they are aware of the *Local Elections Campaign Financing Act*, understand the requirements and restrictions under the *Local Elections Campaign Financing Act* and intend to comply with the *Local Elections Campaign Financing Act*.

Original copies of documents submitted by fax or email must be submitted to the Chief Election Officer by 4:00 p.m. local time on **September 16** for the 2022 general local elections.

Nomination documents can be submitted to the Chief Election Officer, or other person designated for that purpose, in person, by mail, fax or email. The Chief Election Officer must receive original copies of any documents submitted by fax or email by 4:00 p.m. local time on the 29th day before general voting day. The nomination is not valid if the original nomination documents are not received by the deadline.

Any changes to the nomination document information that take place after the election results have been declared must be sent directly to Elections BC.

Standardized nomination forms are available from local governments across B.C.

SOLEMN DECLARATIONS

Candidates must make a number of "solemn declarations." **Solemn declarations** require the person making the declaration to attest to the truthfulness of a given statement – such as that a candidate is aware of certain legislative requirements or intends to take office if elected.

Solemn declarations are legal statements and the person making the declaration is responsible for ensuring that they are making true and accurate solemn declarations. A person who made a false or misleading solemn declaration has committed an election offence and is subject to penalties including fines of up to $5,000 and/or imprisonment for up to one year.

Prospective candidates can make the required solemn declarations with a Commissioner for Taking Affidavits for B.C. (e.g., lawyer, notary public) or make a declaration before the Chief Election Officer when the prospective candidate submits their nomination documents to the Chief Election Officer or other person designated for that purpose.

Nomination Deposits

Local governments may require prospective candidates to pay a refundable nomination deposit of up to $100 when they submit their nomination documents – the deposits are fully refunded when candidates file their campaign financing disclosure statement with Elections BC within 90 days following local elections.

The nomination deposit is refunded by the local government when a nominee withdraws their candidacy before the nomination period ends. The refund is returned after the nomination period closes.

Contact the Chief Election Officer to determine if a nomination deposit is required by the local government.

Challenge of Nomination

Nomination documents are available for public inspection in local government offices during regular office hours from the time they have been submitted until 30 days after the election results have been declared. Local governments may, by bylaw, choose to make the documents available during all or part of the time period. They may also choose to make the documents available to the public via other means, including on the Internet.

Nomination documents for the 2022 general local elections are available for public inspection until **November 18** if the official election results were declared on **October 19**.

A person who inspects or accesses nomination documents must only use the information they contain for purposes related to:

- local election activities;
- the conflict of interest provisions in the *Community Charter*, *Vancouver Charter*, and/or *School Act*;
- the disqualification provisions in the *Local Government Act*, *Local Elections Campaign Financing Act*, *Community Charter* and/or *Vancouver Charter*; and/or,
- provisions in the *Freedom of Information and Protection of Privacy Act*.

An eligible **elector**, another nominee for office or the Chief Election Officer can challenge a prospective candidate's nomination when they believe the nomination documents are incorrect or the person is not otherwise eligible to be nominated for office. Nomination challenges must be made through an application to the Provincial Court.

Challenges to nominations for the 2022 general local elections can be submitted until 4:00 p.m. local time on **September 13**. The Provincial Court is required to hear the challenge and make a ruling by 4:00 p.m. local time on **September 16**.

The Provincial Court accepts challenges to nominations from the time the nomination documents were submitted to the Chief Election Officer (or their designate) until 4:00 p.m. local time on the fourth day after the nomination period ends. The application must briefly set out the facts upon which the challenge is based and be supported by an affidavit signed by the challenger. The Provincial Court is required to hear the challenge and make a ruling within 72 hours of the challenge period ending.

A prospective candidate whose nomination has been challenged is entitled to immediate notification of the challenge. They must receive a copy of the challenge of nomination application and the date and time of the Provincial Court hearing within 24 hours of the application being submitted to the Provincial Court. The prospective candidate is also entitled to an opportunity to prove their eligibility to be nominated for elected office. The Provincial Court decision on the challenge of nomination is final and may not be appealed.

Withdrawing a Nomination

Nominees for the 2022 general local elections may withdraw their candidacy until 4:00 p.m. local time on **September 16**.

Prospective candidates are not required to file candidate disclosure documents for the 2022 general local elections if they withdraw before 4:00 p.m. local time on **September 16**.

Prospective candidates may reconsider and withdraw their candidacy during the nomination period and for seven days following the close of nominations. The prospective candidate must provide written notice of their withdrawal to the Chief Election Officer, and the Chief Election Officer must then remove the prospective candidate's name from the ballot.

A prospective candidate may still withdraw their candidacy after the deadline by giving written notice to the Chief Election Officer. The Minister responsible for local government must approve the withdrawal before the Chief Election Officer can remove the prospective candidate's name from the ballot. The Minister is not obligated to approve the prospective candidate's withdrawal.

Any candidates who have withdrawn from **general local elections** after candidates have been declared by the Chief Election Officer are required to file a campaign financing disclosure statement with Elections BC – even if they received no campaign contributions and incurred no election expenses.

Candidates who fail to file a campaign financing disclosure statement, or do not obtain a Supreme Court order for relief from the obligation to file, forfeit their nomination deposit to the local government, are automatically disqualified from being nominated for, elected to or holding office anywhere in B.C. until after the next general local elections and potentially face additional penalties. A candidate declared elected also loses their seat and the seat then becomes vacant.

Campaign financing disclosure statements are not required when a prospective candidate withdraws before the declaration of candidates. Any nomination deposit paid by the prospective candidate is returned after the nomination period ends.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents* for more information about campaign financing disclosure.

Election Campaigns

Local Elections Campaign Financing Act – sections 4–10, 31–41 and 44

What are Election Campaigns?

An **election campaign** is a connected series of actions (e.g., advertising, canvassing, meetings and speeches) for the purpose of electing a **candidate** or a group of candidates to a **municipal council** or **regional district board**.

Typically, an election campaign involves candidates and/or elector organizations communicating with the electorate, through:

- public appearances and speeches;
- advertisements on television, radio, the Internet and social media (e.g., Facebook, Twitter, YouTube), in newspapers and in magazines;
- brochures, signs, posters and billboards;
- mail inserts and newsletters; and,
- bumper stickers, buttons and displays and/or exhibitions.

An election campaign may be undertaken by a candidate or an elector organization during local elections. In some cases, candidates and elector organizations may work together on an election campaign where the elector organization has endorsed the candidate; in other cases, a group of candidates who are not endorsed by an elector organization may choose to work together to share costs.

ELECTION PERIOD, PRE-CAMPAIGN PERIOD AND CAMPAIGN PERIOD

The **election period** for general local elections begins at the start of the calendar year (January 1) in which the general local elections will be held and ends at the start of the campaign period (28 days before general voting day).

The **pre-campaign period** for general local elections begins on the 89th day before general voting and ends at the start of the campaign period (28 days before general voting day).

The **campaign period** for general local elections begins on the 28th day before general voting day and ends on the close of general voting day.

There are a number of election financing rules, including recording and disclosure requirements that apply to candidates, elector organizations and third party sponsors during the election, pre-campaign and campaign periods.

The election period for the 2022 general local elections begins on **January 1** and ends at midnight on **September 16**.

The pre-campaign period for the 2022 general local elections begins on **July 18** and ends at midnight on **September 16**.

The campaign period for the 2022 general local elections begins on **September 17** and ends on **October 15**.

Candidate Election Campaigns

Candidates generally direct their own election campaigns during local elections. Candidates may retain an election campaign manager and campaign **volunteers** to prepare and distribute flyers, call eligible voters, handle logistics and take on other election campaign-related activities. Candidates have considerable flexibility in organizing their election campaigns, provided they avoid committing election and/or campaign financing offences.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents* for more information about the election period, campaign period requirements, offences and penalties that apply to candidates.

Elector Organization Election Campaigns

Fundamentally, elector organizations endorse candidates. Elector organizations may have their name, abbreviation or acronym shown on the ballot beside their endorsed candidate(s) name and generally promote their endorsed candidate(s) or the organization's viewpoints during an election campaign.

Candidates and elector organizations may form mutually beneficial partnerships in order to realize a similar intended outcome – the election of the candidates endorsed by the elector organization.

Election campaigns for elector organizations are generally a connected series of actions designed to elect a candidate or a group of candidates to a municipal council, regional district board, Islands Trust local trust committee, specified parks board or board of education. Typically, an election campaign involves elector organizations and/or candidates communicating with the electorate through:

- public appearances and speeches;
- advertisements on television, radio, the Internet, in newspapers and magazines;
- social media (e.g., Facebook, Twitter, YouTube);
- brochures, signs, posters, billboards;
- mail inserts and newsletters; and,
- bumper stickers, buttons and displays and/or exhibitions.

Elector organizations and candidates each direct their own separate election campaign; however, an endorsed candidate may decide not to run their own election campaign and instead rely solely on the elector organization to run campaign activities on the candidate's behalf.

Alternatively, a candidate and an elector organization may agree to run complementary campaigns in which both the candidate and the elector organization undertake election campaign activities designed to elect that candidate within a specific jurisdiction.

Refer to the *Elector Organization Guide to Local Elections in B.C.* for further information about elector organizations.

Campaign financing and election advertising rules apply to elector organization election campaigns. Every elector organization must appoint a **financial agent** to ensure the financial aspects of the election campaign are run in accordance with the *Local Elections Campaign Financing Act*.

All candidates endorsed by an elector organization must have a written campaign financing arrangement with the elector organization.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents* for more information about the campaign financing rules, offences and penalties that apply to elector organizations.

Elector Organizations Must be Registered

Only elector organizations registered with Elections BC can file endorsement documents, receive campaign contributions and incur election expenses. For more information visit Elections BC online.

Third Party Sponsor Advertising

A **third party sponsor** is an individual or organization that conducts election advertising independently from a candidate or elector organization campaign. Third party sponsors must be independent from candidates and/or elector organizations and must not coordinate, or sponsor advertising together with, or on behalf of a candidate and/or elector organization.

Third party sponsors are required to register with Elections BC before undertaking election advertising during the **pre-campaign** and **campaign periods**.

Refer to Elections BC's *Guide for Local Elections Third Party Sponsors in B.C.* for more information about the campaign financing rules, offences and penalties that apply to third party sponsors.

Advertising Rules

New rules for third party sponsors are in effect for the 2022 general local elections. There are limits placed on sponsorship contributions made by eligible individuals to third party sponsors. For more information about third party advertising rules visit Elections BC online.

Key Election Campaign Activities

Key campaign activities may include a planned set of actions, events or initiatives (e.g., canvassing, telephone banks, events and advertising) designed to promote a candidate or a group of candidates and communicate their election platform to the electorate during an election campaign.

Campaign activities usually trigger campaign financing rules and candidates must ensure they are aware of and follow the rules. A candidate that has failed to follow campaign financing requirements may have committed an offence and may be subject to penalties.

Contact Elections BC by phone at: 250 387-5305 or elsewhere in B.C. call: 1 800 661-8683 (Toll-free) or by email at: electoral.finance@elections.bc.ca for detailed information about campaign financing rules.

LIST OF REGISTERED ELECTORS (VOTER'S LIST)

Each candidate is entitled to one free copy of a list of registered electors (voter's list) if one is used by the local government to register electors and conduct the local election. Additional copies may be available to candidates at a cost determined by the local government. A list of registered electors is not available if the local government only permits registration on voting day (same day registration).

The list of registered electors must only be used by candidates for election campaign-related purposes – such as door-knocking, canvassing voters, flyer distribution, and/or calling eligible voters to remind them to "get out and vote."

A candidate must agree, in writing, that the information provided on the list of registered electors will only be used for election purposes before receiving a copy of the list. Contact the local government for more information about how to obtain a copy of the list of registered electors.

A candidate using the voter's list must treat the personal information it contains carefully. The list must be returned to the local government or otherwise destroyed following the local elections.

The list of registered electors cannot be made available to the elector organization that is endorsing a candidate.

Canvassing

Candidates and campaign **volunteers** may canvass door-to-door throughout the community in order to raise awareness about the candidate or elector organization and their election platform, identify which issues are important to electors and determine elector support for a given candidate.

Candidates and their canvassers must have reasonable access to distribute candidate information at cooperative, strata and rental properties from 9:00 a.m. to 9:00 p.m. local time during the **campaign period**.

Government-issued photo ID and proof of candidacy, or written authorization to canvass on behalf of a candidate, must be made available upon request when a candidate and/or their canvassers are canvassing in a cooperative, strata or rental property.

Telephone Banks

Candidates may establish telephone banks as one aspect of their election campaign. Campaign volunteers may use the telephone bank to contact eligible **electors** to raise awareness about the candidate or elector organization, determine the level of support for their candidate and identify which issues are important to electors.

In-person telephone banks (as opposed to auto-dialing robocalls) may also be used by candidates or their representatives during advance and general voting opportunities to contact and remind eligible electors to "get out and vote."

In-person Events

Candidates may hold "meet and greet" events (e.g., luncheons or fundraising dinners) where the electorate can listen to their platform or position on specific issues and ask questions.

Local governments, community groups and local media often provide opportunities for candidates to communicate their platform or position on specific issues to the electorate at "all-candidate" forums. Local governments are not obligated to organize, supervise or inform candidates of these events.

Advertising

Advertising is a key component in most local election campaigns. Subject to the campaign financing and election advertising rules in the *Local Elections Campaign Financing Act*, candidates, registered elector organizations and registered **third party sponsors** may use print, radio, television, the Internet and/or social media (e.g., Facebook, Twitter, YouTube) advertising to promote or oppose candidates, elector organizations or points of view during an election campaign.

It is an election offence to transmit election advertising on general voting day.

Election advertising and campaigning of any sort is prohibited within 100 metres of a voting place during voting proceedings. This includes displaying signs, posters, flyers, bumper stickers on vehicles parked outside the voting place, badges worn by supporters, canvassing or soliciting votes, or otherwise trying to influence electors to vote for a particular candidate.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents* for more information about election advertising.

Signs

Signs play a significant role in election advertising. Candidates may have supporters display signs on their behalf in windows, on lawns, or post signs in other public places throughout the **jurisdiction**.

Local governments have the authority to regulate the size, placement, maintenance and removal of signs and other forms of public advertising – the rules may be quite different between local governments.

The Ministry of Transportation and Infrastructure regulates sign placement along Provincial highways, medians, bridges and along major roadways. Contact the local government or local *Ministry of Transportation and Infrastructure office* before placing election campaign signs on medians, bridges or along major roads.

Sponsorship Information

There are rules with respect to sponsorship information on election advertising during the pre-campaign and campaign period. Please refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents* for more information about sponsorship information.

Local Election Offences and Penalties

Local Government Act – sections 161-166

Candidates and campaign workers convicted of vote-buying, intimidation, campaigning near a voting place during voting proceedings, providing or distributing false information, or conducting other activities contrary to the *Local Government Act* or *Vancouver Charter* may be subject to penalties.

Local Election Offences

Vote-buying

It is an election offence to offer incentives to an elector to vote or not to vote, or to vote for a particular candidate. Inducements can include offers of money, gifts, refreshments, entertainment, employment or any other benefit. It is also an offence for an elector to accept inducements to vote.

Vote-buying includes buying coffee for patrons or volunteering to drive an elector to a voting place in exchange for their vote. These activities are permitted as long as there is no obligation on the elector, whether overt or implied, to vote for a certain candidate(s).

Intimidation

It is an election offence to intimidate an elector, by action or threat, to compel the elector to vote, or to refrain from voting. It is also an election offence to punish an elector for voting or refraining from voting generally, or for voting for a particular candidate(s).

Other Election Offences

Other election offences under the *Local Government Act* include, and are not limited to:

- falsely withdrawing a candidate from an election, distributing a false statement that a candidate has withdrawn or falsely withdrawing an elector organization's candidate endorsement, consenting to nomination when ineligible to do so;
- participating in fraudulently voting (including voting more than once in an election or obtaining a ballot in the name of another person);
- interfering with the secrecy of the ballot, tampering with ballots or ballot boxes, or printing, reproducing, giving out or destroying ballots without authorization;
- campaigning and engaging in other activities that show support for one candidate over another, or for an elector organization, within 100 metres of a voting place during voting proceedings; and,
- providing false or misleading information when required, inspecting or accessing election materials or using the information for purposes not authorized under the *Local Government Act*; and, hindering or obstructing an election official in the performance of their duties.

Election offences are generally dealt with by the Supreme Court of B.C. Generally, local election offences are prosecuted if Crown counsel chooses to proceed with laying charges after the police have undertaken an investigation and made a recommendation to Crown counsel.

Reporting and Enforcement of Local Election Offences

The Chief Election Officer has the authority to enforce local election rules, such as the challenge of a candidate's nomination or elector eligibility and to maintain order at voting places. Local election officials also have the authority to challenge an elector's ability to vote on the basis that they are not entitled to vote or that they accepted an inducement to vote.

If a person believes someone has committed an election offence, contact the police. The police are responsible for conducting an investigation and recommending to Crown counsel whether charges could be laid. Crown counsel makes the determination as to whether to proceed with a prosecution. Election offences are prosecuted through the courts.

The *Local Government Act* and *Vancouver Charter* provide that a person is not guilty of an election offence if they exercised due diligence to prevent the commission of the offence.

Local Election Penalties

Vote-buying, accepting an inducement to vote or intimidating an elector to vote for a particular candidate may result in penalties including fines of up to $10,000, imprisonment for up to two years and/or disqualification from holding elected office in a local government, board of education (including on the francophone education authority) or the Islands Trust for up to seven years.

Individuals and/or elector organization representatives (e.g., the financial agent) may be subject to penalties that include fines of up to $5,000 and/or imprisonment for up to one year if they are convicted of:

- a nomination-related offence, such as falsely withdrawing a candidate or an elector organization endorsement;
- a voting-related offence, such as voting when not entitled to do so;
- a ballot and/or ballot box offence, including interfering with ballots or ballot boxes;
- voting proceedings offences such as canvassing or soliciting votes or posting, displaying or distributing election advertising within 100 metres of a voting place where voting proceedings are being conducted; or;
- conducting any other activity contrary to the *Local Government Act* and/or the *Local Elections Campaign Financing Act*.

Local Election Officials' Authority

The Chief Election Officer and Presiding Election Officials must maintain the integrity and secrecy of the voting process.

The Chief Election Officer and Presiding Election Officials may restrict or regulate the number of people admitted to a voting place and remove or cover election advertising within 100 metres of a voting place during voting proceedings.

Elections BC can delegate authority to Chief Election Officers during the **campaign period** to enter onto property and remove, cover or destroy election advertising that contravenes the *Local Elections Campaign Financing Act*.

The Chief Election Officer and Presiding Election Officials may require a person to show identification when they believe the person is at a voting place when not permitted to be present, disturbing the peace and order of voting, interfering with voting proceedings or contravening elections legislation. They may also order anyone engaged in these activities, including **scrutineers**, to leave a voting place and remove, or have a peace officer remove, the person.

Election officials also have the authority to challenge an elector's ability to vote on the basis that they are not entitled to vote or that they accepted an inducement to vote.

In extreme cases the Chief Election Officer or Presiding Election Official may adjourn voting proceedings when they believe people's health or safety at the voting place or the integrity of the vote is at risk.

See Appendix A for information about local elections partner roles and responsibilities.

See Appendix C for questions and answers about the Chief Election Officer's role and responsibilities.

Candidate Representatives

Local Government Act – sections 102 and 103
Vancouver Charter – sections 53 and 54
Local Elections Campaign Financing Act – section 17

A **candidate** may appoint an individual or individuals to assist running an **election campaign** and to otherwise represent the candidate when the candidate is unable to appear in person. Each candidate may choose to appoint an official agent and/or **scrutineers**. Every candidate must have a **financial agent** – they are their own financial agent unless they appoint another individual to the position.

Each candidate representative who attends a voting place must have made a solemn declaration to preserve the secrecy of the ballot and not interfere with an elector marking a ballot. Official agents and scrutineers may attend a voting place once they have made their solemn declaration – financial agents must have permission from the Presiding Election Official to be present at a voting place.

Contact the local government for information about how candidate representatives make their solemn declaration.

Financial Agent

A financial agent is a representative that candidates and elector organizations are legally required to have during an election campaign. Financial agents are responsible for administering campaign finances in accordance with the *Local Elections Campaign Financing Act*. This includes:

- opening and depositing contributions to, and paying election-related expenses from, a candidate's campaign account;
- maintaining records for campaign contributions, election expenses and all other campaign transactions; and,
- filing the candidate's required disclosure statement with Elections BC within 90 days following general voting day.

A candidate is their own financial agent unless they appoint another individual to the position. A candidate who chooses to appoint another person to act as their financial agent must make that appointment in writing. The appointment must include the:

- person's full name;
- effective date of the appointment;
- mailing address, **address for service**, telephone number and email address (if available) for the person appointed; and,
- person's signed consent to act as the financial agent.

The appointment must be signed by the candidate and submitted to the Chief Election Officer before the nomination period ends. The financial agent appointment information is then forwarded by the Chief Election Officer to Elections BC as soon as practicable after the appointment has been made.

A candidate is their own financial agent unless they appoint another individual to be their financial agent.

A person may act as a financial agent for more than one election campaign. A person may act as the financial agent for an elector organization and all candidates that it has endorsed. However, each candidate election campaign may have only one financial agent at a time.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents* and for information about the financial agent's role and responsibilities.

Candidate representatives must carry copies of their appointment documents whenever they represent the candidate at an election proceeding.

Official Agent

Candidates may appoint an official agent to represent them during the election process. The official agent can act as the campaign manager or spokesperson or be the point of contact for the people helping on the candidate's election campaign. Official agents can appoint scrutineers to represent the candidate during voting proceedings.

A candidate must appoint their official agent in writing and deliver the appointment (including the name and address of the person) to the Chief Election Officer as soon as practicable after the appointment has been made.

Scrutineers

Scrutineers represent candidates at voting opportunities by observing voting procedures and scrutinizing the ballot-counting process at the close of voting on general voting day. A candidate and/or their official agent may appoint scrutineers.

Each candidate is permitted under the *Local Government Act* or *Vancouver Charter* to appoint one scrutineer for each ballot box used at a voting place. A local government may pass a bylaw to permit each candidate to have more than one scrutineer present for each ballot box used at a voting place and establish specific restrictions and conditions in the bylaw as deemed necessary.

The scrutineer appointment must be made in writing and must include the person's full name and mailing address. The appointment must be signed by the candidate and submitted to the Chief Election Officer as soon as practicable after the appointment has been made.

Refer to the *Scrutineer's Guide to Local Elections in B.C.* for further information about scrutineers.

Voting Opportunities

Local Government Act – sections 105, 111, 133-143 and 163

Voting Times

Voting places must be open from 8:00 a.m. to 8:00 p.m. local time on **general voting day**, the required **advance voting opportunity** and another advance voting opportunity (date can be determined by the local government) for local governments with populations greater than 5,000.

Local governments may set specific hours for any special voting opportunities or additional advance voting opportunities held during local elections.

All voting places must close by 8:00 p.m. local time on general voting day.

Voting places must be open from 8:00 a.m. to 8:00 p.m. local time on general voting day and the required advance voting opportunity.

Counting Ballots

Ballot counting begins after voting places close at 8:00 p.m. local time.

Candidates are entitled to be present during the ballot count and may assign one representative to each location where ballot counting takes place. Candidates or candidate representatives (e.g., scrutineer or official agent) must raise their objection to a ballot's acceptance or rejection with the Presiding Election Official supervising the ballot counting process.

Objections to the acceptance or rejection of a ballot must be raised while the ballot is being considered during the count. Objections to accept or reject a ballot and the Presiding Election Official's decision relative to the ballot in question are recorded and submitted with the ballot account for the voting place to the **Chief Election Officer**.

Ballot counting for the 2022 general local elections begins after 8:00 p.m. local time on **October 15**.

The Presiding Election Official's decision to reject or accept a ballot can only be overturned by the Chief Election Officer – or by the Provincial Court following a judicial recount.

Ballot accounts, that outline individual voting place results and reconcile the number of ballots distributed with the number of ballots cast in the local government election, are prepared at each voting place. Ballots are then packaged and returned to the Chief Election Officer at the local government office, where the official election results are then determined.

Each candidate is notified by the Chief Election Officer as to the time and location for the final ballot count and when the official election results will be declared. The official election results may not necessarily be announced on general voting day.

Conduct at Voting Places

The Chief Election Officer has the authority to establish the process and standards of conduct that voters, candidates and candidate representatives (e.g., scrutineers) must abide by at voting places during advance, special and general voting day opportunities.

Candidate Conduct

Candidates must not be present at a voting place during an advance or special voting opportunity or on general voting day except to cast their ballot. Candidates must not campaign within 100 metres of a voting place on general voting day – it is an election offence to do so. Candidates may wish to cast their ballot at an advance voting opportunity to avoid this situation.

Candidates are permitted to be present while ballots are being counted following the close of general voting. Candidates or candidate representatives (e.g., scrutineer or official agent) must not touch the ballots or ballot boxes or otherwise interfere with election officials during the counting process – except to object to a ballot's acceptance or rejection by an election official.

No one is permitted to enter or leave a voting place while the ballot count is in progress.

Scrutineer Conduct

Candidates (and/or their official agent) may appoint scrutineers to observe the voting and ballot counting process at voting places during advance, special and general voting opportunities.

Scrutineers must follow the legislation, the local government's election bylaw and the direction of the Chief Election Officer and Presiding Election Official at the voting place and during voting proceedings and the ballot counting process.

Scrutineers are not permitted to wear anything (e.g., shirt, cap, badge, button, pen or pin) that shows support for a particular candidate. Scrutineers must not interfere with the voting place routines and/or the election officials' duties. Scrutineers are not permitted to handle election documents.

Refer to the *Scrutineer's Guide to Local Elections in B.C.* for further information about scrutineer roles, responsibilities and conduct.

Local governments, by bylaw, and Chief Election Officers have the authority to establish specific rules governing scrutineer conduct and responsibilities. Local governments may also permit more than one scrutineer for each candidate to be present per ballot box at a voting place during voting proceedings.

Scrutineers and election officials generally only communicate during times when no voters are present at the voting place – unless the scrutineer has challenged a voter's eligibility to receive a ballot. A scrutineer may challenge a voter's right to receive a ballot based on their belief that the elector is not entitled to vote or has accepted an inducement to vote. Challenges to a voter's eligibility to receive a ballot must be raised before the ballot is issued to the elector.

Scrutineers may also challenge a ballot's acceptance or rejection during the ballot counting process. The objection must be made to the Presiding Election Official supervising the ballot counting process. Objections to a ballot's acceptance or rejection must be raised while the ballot is being considered during the count.

Objections to the Presiding Election Official's decision relative to the ballot in question are recorded and submitted with the ballot account for that voting place to the Chief Election Officer.

After General Voting Day

Local Government Act – sections 144–157 and 202
Community Charter – sections 120 and 124
Vancouver Charter – sections 140 and 143

The *Local Government Act*, *Community Charter* and *Vancouver Charter* provide for several legislated procedures (e.g., breaking tie votes, taking the oath of office) that may or must be completed following **general voting day**.

Announcing Results

The official election results may not immediately be announced after the close of voting on general voting day – the **Chief Election Officer** may announce preliminary results after concluding the ballot count on general voting day and announce the official results at a later date.

The official election results must be declared within four days after the close of voting on general voting day. The Chief Election Officer must state the number of ballots cast in favour of each **candidate** for each position. Those candidates with the most votes would then be declared elected.

Official election results for the 2022 general local elections must be declared by 4:00 p.m. local time on **October 19**.

Judicial Recount

A judicial recount must be conducted if two or more candidates have the same number of votes following the determination of official election results.

An eligible elector, candidate, candidate representative (e.g., scrutineer or official agent), or the Chief Election Officer may apply to the Provincial Court for a judicial recount. An application for a judicial recount can only proceed on the basis that the:

- ballots were incorrectly accepted or rejected;
- ballot account does not accurately record the number of valid votes for a candidate;
- final determination of results did not correctly calculate the total number of valid votes for a candidate; or,
- same number of votes was received by two or more candidates.

The period to apply for a judicial recount begins as soon as the official election results have been declared and ends nine days after the close of general voting.

The applicant must notify candidates and the Chief Election Officer about the judicial recount application. The applicant, the Chief Election Officer, candidates and their official agents and legal counsel are entitled to be present during a judicial recount. The Provincial Court has the authority to determine any other people permitted to attend the recount.

Judicial recounts are based on the ballots and ballot boxes used in the local elections. The Provincial Court declares the election results at the completion of the ballot recount.

A tie between two or more candidates must be broken in accordance with the *Local Government Act* or *Vancouver Charter* and the local government **election bylaw**. The judicial recount must be completed within 13 days after the close of general voting.

The period to apply for a judicial recount for the 2022 general local elections ends on **October 24**.

A judicial recount for the 2022 general local elections must be completed by **October 28**.

Breaking Ties

There are two methods for breaking ties in a local election when two or more candidates have an equal number of votes – drawing by lot (a random draw) or by runoff election.

A local government must have passed an **election bylaw** that specifies that drawing by lot will be used as the method for breaking a tie. Otherwise, a runoff election must be held to break the tie.

A local government election bylaw that states ties will be broken by lot means that the names of the *tied candidates* are written on pieces of paper, placed into a container, and one name is drawn by a Provincial Court-appointed person. The Provincial Court then declares the candidate whose name was drawn to be elected to office.

A runoff election means that *all unsuccessful candidates* from the original election may run in a second election.

The Chief **Election Officer** is required to notify candidates that a runoff election has been called to break the tie. Candidates then have three days to notify the Chief Election Officer if they do not intend to run in the runoff election.

The Chief Election Officer must set a date for the runoff election for a Saturday no later than 50 days after the judicial recount was completed. Generally, runoff elections are conducted under the same rules as the original local election.

Invalid Election

A candidate, the Chief Election Officer or at least four eligible electors of the jurisdiction, may petition the Supreme Court to invalidate a local election.

A petition to invalidate a local government election may only be made on the basis that:

- an elected candidate was not qualified to hold office;
- the election was not conducted in accordance with elections legislation; or,
- a candidate committed an election offence such as vote-buying or intimidation during the local election.

A petition to invalidate a local election must be made within 30 days after the official election results were declared. The Supreme Court must set a date for the petition to be heard between 10 and 21 days after the petition was filed. The petitioner(s) must serve the local government with notice of the petition to declare the election invalid.

A petition to invalidate a 2022 general local election must be made by **November 18** if the official election results were declared on **October 19**.

Oath of Office

Every **municipal councillor** must make an oath of office or solemn affirmation before they can assume their position on **municipal council**. Every **electoral area director** must also make an oath of office or solemn affirmation before they can assume their position on the **regional district board**.

The default oath of office requires elected officials to affirm:

- I am qualified to hold the office of .....[office]..... for the .....[jurisdiction]..... to which I have been [elected] [appointed];

Candidates elected in the 2022 general local elections must make an oath or solemn affirmation by **December 3, 2022** if the official election results were declared on **October 19**.

- I have complied with the provisions of the .....[applicable Act]..... in relation to my election to this office; [omit this point for persons who have been appointed];
- I will abide by all rules related to conflicts of interest under the .....[applicable Act].....;
- I will carry out my duties with integrity;
- I will be accountable for the decisions that I make, and the actions that I take, in the course of my duties;
- I will be respectful of others;
- I will demonstrate leadership and collaboration; and
- I will perform the duties of my office in accordance with the law.

Municipal councillors appointed to the regional district board must make a second oath of office or solemn affirmation in addition to the oath of office or solemn affirmation they made before they assumed their position on the municipal council.

Candidates elected in general local elections must make their oath of office or solemn affirmation within 45 days after the official election results were declared. Acclaimed candidates must make an oath of office or solemn affirmation within 50 days of the date set for general voting – had voting been required.

Candidates acclaimed in the 2022 general local elections must make an oath of office or solemn affirmation by **December 4**.

The oath of office or solemn affirmation may be made before a judge, justice of the peace, Commissioner for Taking Affidavits for B.C. or the local government **Corporate Officer**. Candidates who fail to make an oath or affirmation of office are disqualified from holding office until after the next general local elections.

Taking Office

A candidate may take the oath of office or make a solemn affirmation as soon as they are declared elected by the Chief Election Officer; however, elected candidates do not take office immediately.

Municipal council members formally take office at the first regularly scheduled council meeting following general local elections.

The inaugural meeting after the 2022 general local elections must be held by **November 10**.

The term of office for a municipal council member appointed to a regional district board begins when the person has made an oath of office or solemn affirmation as a regional district director.

The term of office for regional district **electoral area directors** begins at the first regularly scheduled board meeting in the calendar month after the month in which general local elections were held.

The term of office for regional district electoral area directors elected in the 2022 general local elections begins on the first Monday after **November 1** following the general local elections – or when the director has made their oath of office or solemn affirmation – whichever is later.

Campaign financing rules under the *Local Elections Campaign Financing Act* were established to create accountability and transparency around campaign financing.

Campaign Period Expense Limits

The campaign period for the 2022 general local elections begins on **September 17** and ends on **October 15**.

In 2016, the *Local Elections Campaign Financing Act* was amended to establish expense limits that would apply to the **campaign period** expenses of candidates and **elector organizations**. The amendments also established spending limits for **third party sponsors**.

Expense limits are determined using a consistent formula for all candidates and are generally based on the population of the election area where the elections are being held.

Campaign Contribution Limits

In 2017, *the Local Elections Campaign Financing Act* and the *Local Elections Campaign Financing Regulation* were amended to set campaign contribution limits for the election campaigns of candidates and elector organizations and to ban campaign contributions from organizations, including corporations and unions and contributions from outside of British Columbia in local elections.

Campaign contribution rules apply for the 2022 general local election. Further information about campaign contributions is available from Elections BC.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents* and *Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents* for detailed information regarding campaign financing rules.

Elections BC Officials' Authority

Elections BC administers, investigates and enforces campaign financing, **third party sponsor** and election advertising provisions under the *Local Elections Campaign Financing Act*.

Elections BC is responsible for reviewing candidate, elector organization and third party sponsor campaign financing disclosure statements to ensure compliance with the *Local Elections Campaign Financing Act*. Elections BC also publishes campaign contribution data and the campaign financing disclosure statements and the lists of disqualified candidates and third party sponsors online.

Elections BC has the authority to conduct audits and investigations related to non-compliance with campaign financing, election advertising and third party sponsor provisions – it can also delegate certain powers (e.g., removing non-compliant advertising) to other individuals, such as Chief Election Officers to act on its behalf. Elections BC works with Chief Election Officers to determine the most effective approach to dealing with non-compliant election advertising.

Elections BC also has the authority to impose administrative monetary penalties on candidates, elector organizations (and their authorized principal officials) and third party sponsors for failing to comply with the *Local Elections Campaign Financing Act*.

See Appendix A for information about local election partner roles and responsibilities.

See Appendix C for questions and answers about Elections BC's role and responsibilities.

Glossary

address for service

A mailing address or email address provided by an individual or organization at which notices and other communications are accepted as served on or otherwise delivered to the individual or organization.

advance voting opportunity

A voting day, prior to general voting day, for electors who choose to vote on that day for any reason. Typically, electors who vote at that time do so because they:

Sections 107-108 of the *Local Government Act*

Sections 69-70 of the *Vancouver Charter*

- expect to be absent on general voting day from the jurisdiction for which the election is to be held;
- will be unable to vote on general voting day for reasons of conscience;
- will not be able to attend a voting place on general voting day for reasons beyond the elector's control;
- have a physical disability or are mobility impaired which would make it difficult to reach or navigate within a busy voting place on general voting day;
- are candidates or candidate representatives; or,
- are election officials.

assent voting

Sections 169-171 of the *Local Government Act*

Sections 129-131 of the *Vancouver Charter*

Voting on a bylaw or other matter for which a local government is required to obtain elector assent under Part 4 of the *Local Government Act* or Part 2 of the *Vancouver Charter*. Elector assent is obtained when a majority of the votes counted are in favour of the bylaw or question. Assent voting events were formerly referred to as a "referendum."

B.C. Chief Electoral Officer (Elections BC)

The B.C. Chief Electoral Officer is an independent officer of the Legislature who oversees the provincial electoral process in B.C. The *Local Elections Campaign Financing Act* provides the B.C. Chief Electoral Officer the additional role of overseeing campaign financing and election advertising in local elections and assent voting and ensuring compliance with the *Local Elections Campaign Financing Act*.

board

See entry for "regional district board."

board of education

Section 1 of the *School Act*

Section 30(2) of the *School Act*

A school district's governing body as constituted under the *School Act*. A board of education is comprised of three, five, seven or nine trustees, or as otherwise determined by the Minister of Education and Child Care.

by-election

An election held between general local elections to fill a vacancy that occurred due to the death, disqualification or resignation of a municipal council or regional district board member, school trustee, specified parks board commissioner or Islands Trust local trustee.

Municipal councils are not required to hold a by-election when the vacancy occurs in the same calendar year as a general local election. Regional district boards and the Islands Trust Council are not required to hold a by-election to fill a vacancy that occurs after July 1 in the same calendar year as general local elections.

Section 54 of the *Local Government Act*

Section 10 of the *Vancouver Charter*

campaign account

An account opened at a financial institution by a financial agent to be used exclusively for a candidate or elector organization's election campaign purposes. The account must be opened in the candidate or elector organization's name and be separate and distinct from any personal or business accounts.

Sections 18 and 20 of the *Local Elections Campaign Financing Act*

campaign contribution limits

The applicable limit for a campaign contribution provided to a candidate or elector organization as established under the *Local Elections Campaign Financing Act*.

Section 30.01 of the *Local Elections Campaign Financing Act*

campaign period

During the campaign period, election advertising, such as billboards or commercials must include sponsorship information. The campaign period starts on the 28th day before general voting day and ends when voting closes at 8:00 p.m. local time on general voting day.

Section 10(2) of the *Local Elections Campaign Financing Act*

candidate

A candidate is a person seeking election as a mayor, councillor, electoral area director, school trustee, Islands Trust local trustee, local community commissioner or specified parks board commissioner within a municipality, regional district electoral area, board of education, Trust area, community commission area or specified parks board jurisdiction.

That person must be nominated by eligible electors and declared a candidate by the Chief Election Officer.

Section 47 of the *Local Government Act*

Section 7 of the *Vancouver Charter*

chief election officer

Municipal councils and regional district boards appoint a Chief Election Officer to administer local elections. The Chief Election Officer must conduct the election in accordance with the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter* (in the City of Vancouver), the *Community Charter*, the *School Act*, the *Offence Act* and the relevant local government election bylaw.

Sections 58 and 59 of the *Local Government Act*

Section 14-15 of the *Vancouver Charter*

corporate officer

An individual appointed by a municipal council or regional district board who is responsible for:

Section 148 of the *Community Charter*

Section 236 of the *Local Government Act*

- ensuring accurate meeting minutes are prepared;
- ensuring access is provided to records of council or board committees;
- certifying copies of bylaws;
- administering oaths and taking affirmations, affidavits and declarations;
- accepting notices and documents that are required or permitted to be given to, served on, filed with or otherwise provided to the council or board; and,
- keeping the corporate seal and affixing it to required documents.

council

See entry for "municipal council."

councillor

A member of a municipal council who is not the mayor. Every council member has the following responsibilities under the *Community Charter*, to:

Section 115 of the *Community Charter*

- consider the well-being and interests of the municipality and its community;
- contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;
- participate in council meetings, committee meetings and meetings of other bodies which the member is appointed;
- carry out other duties assigned by the council; and,
- carry out other duties assigned under the *Community Charter* or any other Act.

election bylaw

A bylaw that enables a municipal council or regional district board to make decisions about election administration, including whether:

Section 56 of the *Local Government Act*

Sections 12 of the *Vancouver Charter*

- voting machines will be used, and if so, the procedures that will govern their use;
- mail ballot voting will be used, and if so, what procedures will govern its use;
- additional advance voting opportunities will be offered, or, in communities of less than 5,000, whether the required additional advance voting opportunity will be waived;
- voter registration will be conducted both on voting day and in advance or on voting day only; and/or,
- nomination deposits (not to exceed $100) will be required.

An election bylaw must be adopted at least 56 days before the first day of the nomination period in a general local election or 42 days before the first day of the nomination period in a by-election.

election campaign

An election campaign is a connected series of actions (e.g., advertising, meetings and speeches) for the purpose of electing a candidate or a group of candidates to a municipal council or regional district board.

Typically, an election campaign involves candidates and/or elector organizations communicating with the electorate, through:

- public appearances and speeches;
- advertisements on television, radio, the Internet and social media (e.g., Facebook, Twitter, YouTube);
- in newspapers and magazines;
- brochures, signs, posters and billboards;
- mail inserts and newsletters; and,
- bumper stickers, buttons and displays and/or exhibitions.

election period

The election period for general local elections begins at the start of the calendar year (January 1) in which the election is held and ends at the beginning of the campaign period for general local elections.

Section 10(1) of the *Local Elections Campaign Financing Act*

Elections BC

The non-partisan and independent Office of the Legislature responsible for the administration and enforcement of the provincial electoral process in B.C. and the campaign financing and advertising rules for local elections and non-election assent voting events under the *Local Elections Campaign Financing Act*.

elector

An individual who is a resident elector or non-resident property elector and who is qualified to vote in municipal, regional district, board of education, Islands Trust, community commission or specified parks board elections.

Sections 64-66 of the *Local Government Act*

Sections 22-24 of the *Vancouver Charter*

elector organization

An elector organization is an organization that endorses or intends to endorse a candidate(s) in local elections and that file endorsement documents with the Chief Election Officer and Elections BC. Elector organizations may be referred to as "civic political parties."

Elector organizations are required to register with Elections BC to endorse a candidate in an election, receive a campaign contribution or incur an election expense. Only those elector organizations registered with Elections BC can endorse candidates, receive campaign contributions and incur election expenses.

Section 92 of the *Local Government Act*

Section 45.3 of the *Vancouver Charter*

Section 30.06 of the *Local Elections Campaign Financing Act*

Sections 19-23 and 25 of the *Local Elections Campaign Financing Act*

electoral area director

A regional district board member who has been elected to that position by electoral area electors.

Section 199(2) of the *Local Government Act*

Section 92 of the *Local Government Act*

Section 30.06 of the *Local Elections Campaign Financing Act*

Section 45.3 of the *Vancouver Charter*

endorsement

The process by which an elector organization can formalize its relationship with one or more candidates running in local elections. Endorsement documents must be submitted to the Chief Election Officer and Elections BC.

An endorsement allows the elector organization's name, abbreviation or acronym to appear on the ballot beside the candidate's name. An elector organization may endorse more than one candidate – a candidate may only be endorsed by one elector organization at a given time.

Section 63.05 of the *Local Elections Campaign Financing Act*

expense limits

The maximum value of campaign period expenses that a candidate may use in a campaign period as established under the *Local Elections Campaign Financing Act*.

Sections 17 and 19 of the *Local Elections Campaign Financing Act*

financial agent

A financial agent is a representative that candidates and elector organizations are legally required to have during an election campaign. A candidate is their own financial agent unless they appoint another individual to that position.

The financial agent is responsible for administering campaign finances in accordance with the *Local Elections Campaign Financing Act*. This includes opening and depositing contributions to, and paying election-related expenses from, a candidate's campaign account; maintaining records for campaign contributions, election expenses and all other campaign transactions, and filing the candidate's required disclosure statement with Elections BC within 90 days following general voting day.

Section 2(1) of the *Financial Disclosure Act*

financial disclosure statement

A corporate and personal holdings statement made public by all nominated, elected and appointed public officials required under the *Financial Disclosure Act*.

The financial disclosure statement is intended to help public officials avoid conflict of interest situations by identifying their financial interests. Financial disclosure statements must be filed with the designated local government officer at the time of nomination, annually while holding elected office, and shortly after leaving elected office.

general local elections

A collective reference to the elections conducted throughout the province every four years for the:

- mayor and councillors of a municipality;
- electoral area directors of each regional district;
- school trustees of each board of education;
- commissioners of each specified parks board;
- commissioners of each local community commission that uses a four-year term; and,
- local trustees of each area in the Islands Trust.

Section 52(2) and 54(5) of the *Local Government Act*

Section 9(2) and 10(5) of the *Vancouver Charter*

general voting day

The final voting day in general local elections or a by-election. General voting day is held on the third Saturday in October for general local elections, and a Saturday chosen by the Chief Election Officer for a by-election.

Islands Trust

A federation of local island governments with a mandate to make land use decisions that preserve and protect the Islands Trust area.

Section 5 of the *Islands Trust Act*

Islands Trust Council

The Islands Trust governing body composed of two elected trustees (local trustees) from each local Trust area and two appointed trustees from each municipal council in the Trust area (municipal trustees).

Section 6 of the *Islands Trust Act*

Islands Trust local trustee

An individual elected to serve on a Local Trust Committee for each local Trust area within the Islands Trust. Two candidates are elected from each local Trust area. The local trustees are also members of the Islands Trust Council.

jurisdiction

The applicable municipality, regional district, board of education or Trust council in which general local elections, by-elections or assent voting is being held.

Section 1(2) of the *Local Elections Campaign Financing Act*

local community commission

A body established by regional district bylaw in an electoral area to provide advice in relation to, or management of, one or more regional district services provided within the "local community." Between four and six elected commissioners and the electoral area director generally comprise a local community commission.

Section 243 of the *Local Government Act*

Commissioners may be elected for a four-year term during general local elections or for a one-year term, as specified in the regional district establishing bylaw.

local community commissioner

See entry for "local community commission."

local elections

A collective term referring to general local elections or by-elections that may be conducted by municipalities, regional districts, boards of education, specified parks boards, local community commissions, or the Islands Trust.

mayor

An individual elected to head the municipal council and be the municipal chief executive officer. The mayor has responsibilities under the *Community Charter* (Charter) in addition to their councillor responsibilities, including to:

- provide leadership to the council, including recommending bylaws, resolutions and other measures that, in the mayor's opinion, may assist the peace, order and good government of the municipality;
- communicate information to the council;
- preside at council meetings when in attendance;
- provide, on behalf of the council, general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council;
- establish standing committees in accordance with section 141 of the Charter;

Section 116 of the *Community Charter*

- suspend municipal officers and employees in accordance with section 151 of the Charter;
- reflect the will of council and to carry out other duties on behalf of the council; and,
- carry out other duties assigned by or under the Charter or any other Act.

municipal council

Sections 114-121 of the *Community Charter*

The governing body of a municipality composed of a mayor and several councillors. A municipal council may consist of between five and 11 members – the number of councillors depends on the population of the municipality. All municipal council members are elected during general local elections unless elected in a by-election held to fill a council vacancy between general local elections.

The municipal council is a decision-making body and is responsible for setting the strategic policies and priorities for the local government – municipal councils do not implement policies and decisions.

municipal director

Section 198(2) of the *Local Government Act*

A council member appointed to the regional district board from a municipality within the regional district jurisdiction. A municipal director may be a mayor or councillor. The municipal director serves on the regional district board until the municipal council appoints a replacement or until they cease to be a council member.

municipality

Sections 3-40 of the *Local Government Act*

A local government area represented by a mayor and councillors elected to serve on a municipal council. A municipality provides services within a defined geographic area.

non-resident property elector

An individual that does not live in a jurisdiction and who is entitled to vote in local elections by virtue of owning property in that jurisdiction. A non-resident property elector must:

- be 18 years of age or older when registering to vote or will be 18 years of age or older on general voting day;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months immediately before registering to vote;
- have owned real property in the jurisdiction for at least 30 days before registering to vote; and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.

Section 66 of the *Local Government Act*

Section 24 of the *Vancouver Charter*

pre-campaign period

Section 10(1.1) of the *Local Elections Campaign Financing Act*

During the pre-campaign period, election advertising, such as billboards or commercials, must include sponsorship information. The pre-campaign period starts on the 89th day before general voting day and ends on the 29th day before general voting day.

referenda

See entry for "assent voting."

regional district

A local government area represented by elected and appointed representatives serving on a regional district board. A regional district provides services within a defined geographic area which may consist of municipalities and/or unincorporated electoral areas.

Sections 193-194 of the *Local Government Act*

regional district board

The regional district governing body composed of electoral area elected representatives and appointed representatives from the municipal councils within the regional district jurisdiction.

Sections 194-205 of the *Local Government Act*

resident elector

An individual qualified to vote in an election by virtue of living in the jurisdiction.

On the day of registration, a resident elector must:

- be 18 years of age or older when registering to vote or will be 18 years of age or older on general voting day;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months immediately before registering to vote;
- be a resident of the municipality or electoral area on the day of registration; and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.

Sections 65 and 67 of the *Local Government Act*

Section 23 of the *Vancouver Charter*

school board

See entry for "board of education."

school trustee

A member of the board of education for a school district.

Section 1 of the *School Act*

scrutineer

An individual appointed in writing by a candidate (and/or their official agent) who may observe voter registration, voting procedures at voting places during advance, special and general voting opportunities and the ballot-counting process.

Section 102(1)(b) of the *Local Government Act*

Section 53(1)(b) of the *Vancouver Charter*

specified parks board

A board of commissioners having responsibility for the governance of a public park system and its attendant services, such as recreational operations. Commissioners of specified parks boards are elected to a four-year term during general local elections.

Sections 485-497A of the *Vancouver Charter*

Sections 3, 7 and 14 of the *Cultus Lake Park Act*

specified parks board commissioners

See entry for "specified parks board."

solemn declaration

Section 97 of the *Local Elections Campaign Financing Act*

A written oath or solemn affirmation of a signed statement witnessed by the Chief Election Officer or their delegate, or a Commissioner for Taking Affidavits for B.C. (e.g., lawyer or notary public).

third party advertising

Section 11 of the *Local Elections Campaign Financing Act*

Third party advertising includes advertising for or against a candidate and/or an elector organization. In the campaign period, it also includes advertising on an issue with which a candidate or elector organization is associated – such as funding for a local recreation centre or preserving parkland.

third party sponsor

Section 9 of the *Local Elections Campaign Financing Act*

A third party sponsor is an individual or organization that sponsors election advertising independently from candidates and elector organizations. Third party sponsors must register with Elections BC before conducting advertising during the pre-campaign and campaign periods.

Third party sponsors must be independent from candidates and/or elector organizations and must not coordinate, or sponsor advertising together with, or on behalf of a candidate and/or elector organization.

volunteer

An individual who provides services, such as canvassing, preparing and distributing flyers, calling eligible voters, handling logistics and taking on other election campaign-related activities. A volunteer must not receive any remuneration or material benefit for their services.

A self-employed individual who provides services they normally sell or charge for is not a volunteer. Likewise, an individual whose employer continues to pay them while they are working on a campaign is not a volunteer.

Appendix A: Local Election Partner Roles and Responsibilities

LOCAL ELECTION PARTNER ROLES AND RESPONSIBILITIES	
WHO	**ROLES / RESPONSIBILITIES**
BC School Trustees Association	Produce and distribute elections educational material about school trustee elections and boards of education roles and responsibilities
Chief Election Officers	Provide nomination and endorsement documents, and receive nomination, endorsement and candidate and elector organization representative documents
	Collect nomination deposits (if applicable)
	Oversee all local elections administration activities (e.g., declare candidates, set up voting opportunities, count votes and declare the election results)
Elections BC	Provide local elections campaign financing and election advertising-related educational guides, online resources and presentations to local government staff, candidates, elector organizations, third party sponsors and the general public
	Provide information and support by telephone and email to candidates, elector organizations, third party sponsors, local government staff, other local elections participants and the general public about the campaign financing (including election expense limits and campaign contribution limits) and election advertising process
	Receive elector organization endorsement documents
	Receive nomination and candidate representative documents from local election officials
	Receive updates to information in nomination and candidate representative documents
	Register elector organizations and third party sponsors
	Investigate non-compliant local elections advertising
	Enforce local elections campaign financing and election advertising rules, including election expense limits, campaign contribution limits and third party advertising rules
	Review and publish disclosure statements, annual financial reports and supplementary reports
	Collect $500 late filing fee
	Investigate local elections campaign financing irregularities
	Maintain disqualification lists
	Report on the administration of compliance with the *Local Elections Campaign Financing Act*

Appendix A: Local Election Partner Roles and Responsibilities

LOCAL ELECTION PARTNER ROLES AND RESPONSIBILITIES	
WHO	**ROLES / RESPONSIBILITIES**
Local Government Management Association	Provide election education manuals and workshops to local government election officials
	Provide information and support by telephone and email to local government election officials about local elections administration
Ministry of Attorney General	Is responsible for the *Financial Disclosure Act* and provides guidance related to the disclosure of assets, debts and sources of income by candidates and an elected officials (who must file a disclosure statement annually)
Ministry of Education and Child Care	Prepare school trustee election procedures guide for boards of education, school district administrators, and election officials
	Provide information about provisions in the *School Act* regarding general school elections
Ministry of Municipal Affairs	Provide election education guides, webinars, videos and presentations to candidates, local government staff, elector organizations, other election participants and the general public
	Provide information and support by telephone or email to candidates, local government staff, other election participants and the general public about local elections administration
Union of B.C. Municipalities	Develop election educational material for locally elected officials

Appendix B: 2022 General Local Elections Key Dates

2022 GENERAL LOCAL ELECTIONS KEY DATES		
ACTION OR DEADLINE	**DATE**	**ACT/S.#**
Start of Election Period	**January 1, 2022**	LECFA: s.10(1)(a)(i)
Candidate B.C. Residency Deadline	March 8, 2022	LGA: s.81(1)(c)
Elector Residency Deadline	April 14, 2022	LGA: s.65(1)(c) & s.66(1)(d)
Election Bylaw Adoption Deadline	July 4, 2022	LGA: s.56
Start of Pre-Campaign Period	July 18, 2022	LECFA: s. 10
Start of Period for Notice of End of Advance Elector Registration	July 24, 2022*	LGA: s.71(5)
Start of Period for Notice of Nominations	July 31, 2022*	LGA: s.85(1)
Start of Period for Notice of List of Registered Electors	July 31, 2022*	LGA: s.77(6)
Election Bylaw Adoption Deadline – Board of Education	August 2, 2022	SA: s.45(6)
End of Period for Notice of Close of Advance Elector Registration	August 16, 2022	LGA: s.71(5)
End of Period for Notice of Nominations	August 23, 2022	LGA: s.85(1)
End of Period for Notice of List of Registered Electors	August 23, 2022	LGA: s.85(1) & s.77(6)
End of Advance Elector Registration	August 23, 2022	LGA: s.71(4)
Adoption of Provincial Voters List	August 24, 2022	LGA: s.76
Start of Nomination Period	**August 30, 2022**	LGA: s.84(1)
Start of Challenge to Nomination and Endorsement Period	August 30, 2022	LGA: s.91 & s.96
Start of Inspection of List of Registered Electors Period	August 30, 2022	LGA: s.77(3)
Start of Objections to Elector Registration Period	August 30, 2022	LGA: s.79(2)
Start of Period for Notice of Required Advance Voting	September 5, 2022*	LGA: s.107(5)
End of Nomination Period	**September 9, 2022**	LGA: s.84(1) & s.89(5)
Declaration of Candidates	September 9, 2022	LGA: s.97(1) & s.97(2)
End of Period of Objections to Elector Registrations	September 9, 2022	LGA: s.79(2)
End of Extended Nomination Period	September 12, 2022	LGA: s.97(2)
End of Challenge to Nomination and Endorsement Period	September 13, 2022	LGA: s.91 & s.96

Appendix B: 2022 General Local Elections Key Dates

2022 GENERAL LOCAL ELECTIONS KEY DATES		
ACTION OR DEADLINE	**DATE**	**ACT/S.#**
Elector Local Property Ownership Deadline	September 14, 2022	LGA: s.65(1)(d) & s.66(1)(e)
Start of Period for Notice of Election	September 15, 2022	LGA: s.99(1)
Nomination Documents Originals to Chief Election Officer Deadline	September 16, 2022	LGA: .89(5)
Candidate Nomination Withdrawal Deadline	**September 16, 2022**	LGA: s.101(1)
Elector Organization Endorsement Withdrawal Deadline	September 16, 2022	LGA s. 95
End of Pre-Campaign Period	**September 16, 2022**	LECFA: s.10
End of Election Period (12:00 Midnight)	**September 16, 2022**	LECFA: s.10(1)
Start of Campaign Period (12:01 am)	**September 17, 2022**	LECFA: s.10(2)
Declaration of Election by Voting or Acclamation	September 19, 2022	LGA: s.98(2) & s.98(3)
End of Period for Notice of Required Advance Voting	September 28, 2022	LGA: s.107(5)
Required Advance Voting Opportunity	**October 5, 2022**	LGA: s.107(1)
End of Period for Notice of Election	October 8, 2022	LGA: s.99(1)
General Voting Day	**October 15, 2022**	LGA: s.52
Mail Ballot Voting Deadline	October 15, 2022	LGA: s.110(9)
Announcement of Preliminary Election Results	October 15, 2022	LGA: s.144(1)
End of Period for Inspection of List of Electors	October 15, 2022	LGA: s.77(3)
End of Campaign Period	**October 15, 2022**	LECFA: s.10(2)
Start of Advance Registration for Next Election	October 17, 2022	LGA: s.71(4)
Last Day for Declaration of Official Election Results by Voting	October 19, 2022	LGA: s.146(1)
Last Day for Declaration of Official Election Results by Acclamation	October 19, 2022	LGA: s.158(1)
Start of Period to Apply for Judicial Recount	October 19, 2022	LGA: s.148(3)
Start of Public Inspection of Voting Day Materials	October 19, 2022	LGA: s.160(3)
End of Period to Apply for Judicial Recount	October 24, 2022	LGA: s.148(3)
Start of Period to Make Oath of Office	October 25, 2022	LGA: s.147(1)
Deadline for Completion of Judicial Recount	October 28, 2022	LGA: s.149(1)

Appendix B: 2022 General Local Elections Key Dates

2022 GENERAL LOCAL ELECTIONS KEY DATES		
ACTION OR DEADLINE	**DATE**	**ACT/S.#**
First Day to Hold Runoff Election	October 29, 2022	LGA s.151 & s.152
Start of Period to Hold First Council Meeting	November 1, 2022	CC: s.124(2)(g)
End of Period to Hold First Council Meeting	November 10, 2022	CC: s.124(2)(g)
End of Period for Public Inspection of Nomination Documents	November 18, 2022	LGA: s.89(7)
End of Public Inspection of Voting Day Materials	November 18, 2022	LGA: s.160(3)
End of Period for Application to the Supreme Court to Invalidate Election	November 18, 2022	LGA: s.153(3)
Last Day for Chief Election Officer to Submit Election Report	November 18, 2022	LGA: s.158(1)
End of Period to Make Oath of Office (by Voting)	December 3, 2022	LGA: s.202(1)(a) & s.202(1)(b); CC: s.120(1)(a) & s.120(1)(b)
End of Period to Make Oath of Office (by Acclamation)	December 4, 2022*	LGA: s.202(1)(a) CC: s.120(1)(a) SA: s.50(1)(a)
Start of Period to Destroy Election Material	December 15, 2022	LGA: s.160(8)
End of Period for Runoff Election	December 18, 2022	LGA: s.152
End of Period to File Campaign Financing Disclosure Statement with Elections BC	January 13, 2023	LECFA: s.47(1), s.56 & s.90
Start of Period for Late Filing of Campaign Financing Disclosure Statement with Elections BC	January 14, 2023	LECFA: s.47(2) & s.56
End of Period for Late Filing of Campaign Financing Disclosure Statement with Elections BC	February 13, 2023	LECFA: s.47(2) & s.56

*This date may be subject to change under the *Interpretation Act*.

Definitions:

CC – means *Community Charter*
LGA – means *Local Government Act*
LECFA – means *Local Elections Campaign Financing Act*
SA – means *School Act*

Appendix C: Elections BC and Chief Election Officer Questions and Answers

ELECTIONS BC AND CHIEF ELECTION OFFICER QUESTIONS AND ANSWERS	
QUESTION	**ANSWER**
Who do I get nomination documents from?	Chief Election Officer
Who do I give my completed nomination documents to?	Chief Election Officer
Who do I pay my nomination deposit to (if required)?	Chief Election Officer
Who do I make my solemn declaration to?	Chief Election Officer or Commissioner for Taking Affidavits (e.g., Lawyer, Notary)
Who declares candidates?	Chief Election Officer
Who oversees the administration of local elections (e.g., designing ballots, setting up voting opportunities, counting votes)?	Chief Election Officer
Who declares the election results?	Chief Election Officer
Who do I contact about election expense limits and campaign contribution limits?	Elections BC
Who do I contact for information about campaign financing?	Elections BC
Who do I contact for information about election advertising rules?	Elections BC
Who do elector organizations register with?	Elections BC
Who do I register with as a third party sponsor?	Elections BC
Who do I send nomination document updates to?	Elections BC
Who do I file campaign financing disclosure statements and supplementary reports with?	Elections BC
Who do I pay the $500 late filing fee to?	Elections BC
Who maintains the disqualification lists?	Elections BC
Who do I submit prohibited contributions to?	Elections BC
Who addresses instances of non-compliant advertising?	Elections BC and/or Chief Election Officer


BRITISH
COLUMBIA

Local Elections Campaign Financing Act

Candidates must be familiar with the *Local Elections Campaign Financing Act* and its requirements.

Candidates will be required to declare awareness and understanding of the *Act* and intent to comply with the requirements and restrictions of the *Act,* at the time of making the nomination declaration.

The *Local Elections Campaign Financing Act* is available online by visiting: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14018

Hard copies will be provided upon request by contacting the Chief or Deputy Chief Election Officer at 250-997-3221 or email election@districtofmackenzie.ca

If you have any question or concerns regarding the *Local Election Campaign Financing Act* please contact:

Elections BC
Tel.: 250 387-5305
Toll-free: 1 855 952-0280
Email: electoral.finance@elections.bc.ca

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BRITISH COLUMBIA

Guide to Local Elections
Campaign Financing for Candidates

The Guide to Local Elections Campaign Financing in B.C.is provided by Elections BC and will be mailed along with required disclosure statement forms to each candidate following filing of nomination papers.

This guide is also available online at https://elections.bc.ca/docs/lecfa/guide-to-local-elections-campaign-financing-in-bc-for-candidates-and-their-financial-agents.pdf

The guide provides valuable information for local elections participants and outlines their responsibilities under the *Local Elections Campaign Financing Act*, including:

- Elections BC's role in local elections
- Shared roles under the *Local Elections Campaign Financing Act*
- Campaign financing periods
- Disclosure statements
- Financial agents
- Bank accounts
- Market value
- Campaign contributions
- Recording and disclosure requirements of other income
- Transfers
- Surplus campaign funds
- Expenses
- Election advertising
- Court order for relief, campaign financing offences and penalties
- Resources
- Glossary
- Contact information

If you have any questions with regard to Campaign Financing please contact Elections BC's local elections campaign financing team.

Elections BC
Tel.: 250 387-5305
Toll-free: 1 855 952-0280
email: electoral.finance@elections.bc.ca

Local Elections in British Columbia 2022:



General Local Elections 101

BRITISH COLUMBIA



This brochure answers a few of the basic questions about local government elections in British Columbia. Local government is government at the community level – government that affects British Columbians, every day.

Locally elected officials are charged with making decisions that affect the daily lives of citizens, families, the business community and others.

Municipal councils, regional district boards, boards of education, specified parks boards, local community commissions and the Islands Trust local trust committees and other local bodies influence jobs, foster healthy, safe and sustainable communities for British Columbians and shape the long-term vision for their communities.

GENERAL LOCAL ELECTIONS

What are general local elections?

Through general local elections, residents and non-resident property electors determine the individuals who will collectively make decisions and govern on their behalf following general voting day. Electors do this by voting – casting their ballots in favour of a candidate(s).

What jurisdictions hold general local elections?

General local elections are held for: municipalities; regional districts; boards of education; specified parks boards; local community commissions; and, Islands Trust trust areas.

How often are general local elections held?

General local elections for: mayors; councillors; electoral area directors; school trustees; specified parks board commissioners; local community commissioners; and, Islands Trust local trustees are held every **four years on the third Saturday of October.**

General local elections will be held on **Saturday, October 15, 2022.**

How many people run for elected office in general local elections?

Approximately 3,300 candidates run for 1,650 positions in over 250 jurisdictions across British Columbia.

Because British Columbia is made up of small and large communities, the scale of individual general local elections varies. Some communities may only have a handful of candidates running for office and one or two voting places, while others may have many candidates running for office and multiple voting places.

What should the public expect from people who run for elected office?

People who demonstrate *integrity*, *accountability*, *respect*, *leadership* and *collaboration* with other elected officials and local government staff are essential to the effectiveness and success of a local government.

Refer to the ***Foundational Principles of Responsible Conduct*** **brochure** and the ***Forging the Path to Responsible Conduct*** **guide** for information about the key values that guide locally elected officials' conduct.

What is responsible conduct of locally elected officials?

Responsible conduct is how locally elected officials conduct themselves in their relationships with elected colleagues, local government staff and the public – and is directly connected to how a community is governed.

An elected official's relationships with their colleagues, local government staff and the public can play a significant role in helping councils and regional district boards carry out their collective responsibilities as decision-makers for their communities.

How are general local elections administered?

General local elections are a shared responsibility between local governments (municipalities and regional districts) and Elections BC. Each local government is responsible for running its own general local election.

Local governments appoint Chief Election Officers to run the elections process. The Chief Election Officer may be a senior local government employee, such as a corporate officer, or a private contractor hired to conduct the election on the local government's behalf.

Chief Election Officers are responsible for overseeing all general local elections administration activities, including: receiving nomination documents; declaring candidates; administering voting opportunities;



counting ballots; and, declaring election results. Chief Election Officers also work with Elections BC to monitor compliance with election advertising regulations and may assist Elections BC to address incidents of election advertising non-compliance.

Elections BC is the non-partisan and independent Office of the Legislature responsible for the administration of the provincial electoral process in B.C. and the campaign financing and advertising rules for local elections and non-election assent voting events under the *Local Elections Campaign Financing Act*. These rules are administered and enforced by Elections BC.

What legislation governs general local elections?

General local elections must be run in accordance with the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act*, and the local government's election bylaw, as applicable.

The elections legislation contains provisions that must be consistently applied to all general local elections; however, the legislation is also flexible enough that local governments are able to make choices about how to conduct some aspects of elections in a way that suits local circumstances – such as offering mail ballot voting for all electors, determining the number of advance voting opportunities to be held or drawing lots to break a tied election.

The election bylaw enables a local government to make decisions about election administration, including whether: voting machines will be used; mail ballot voting will be allowed; additional advance voting opportunities will be offered; voter registration will be conducted both on voting day and in advance or on voting day only; and, nomination deposits will be required.



Who are the key participants in general local elections?

Electors, candidates, financial agents, official agents, scrutineers, volunteers, elector organizations and third party sponsors are the key participants in general local elections.

Electors

An elector is an individual who is a resident elector (e.g., lives in the municipality or regional district electoral area) or a non-resident property elector (registered owner of real property in a municipality or regional district electoral area) and who is qualified to vote in municipal, regional district, school district, specified parks board, local community commission or Islands Trust elections.

Candidates

A candidate is an individual seeking election as a mayor, councillor, electoral area director, school trustee, specified parks board commissioner, local community commissioner or Islands Trust local trustee, within a municipality, regional district electoral area, school district, specified parks board jurisdiction, local community commission area or Islands Trust trust area. A candidate must be nominated by eligible electors and declared a candidate by the Chief Election Officer.

Candidate nominators must be qualified under the *Local Government Act* or *Vancouver Charter* to nominate a candidate for office.

Financial Agents

A financial agent is a representative that candidates and elector organizations are legally required to have during an election campaign. **A candidate is their own financial agent unless they appoint another individual to the position.**

The financial agent is responsible for administering campaign finances in accordance with the *Local Elections Campaign Financing Act*. This includes opening and depositing contributions to, and paying election-related expenses from, a candidate's campaign account; maintaining records for campaign contributions, election expenses and all other campaign transactions, and filing the candidate's required disclosure statement with Elections BC within 90 days following general voting day.

Official Agents

Candidates may appoint an official agent to represent them during the election process. The official agent may act as the campaign manager or spokesperson or be the point of contact for the people helping on the candidate's election campaign.

Candidates must appoint their official agent in writing and deliver the appointment (including the name and address of the person) to the Chief Election Officer as soon as practicable after the appointment has been made.

Scrutineers

Candidates or their official agent may appoint scrutineers to observe voting procedures and the ballot-counting process.

Further information about scrutineers is available in the ***Scrutineers Guide to General Local Elections***

Each candidate or their official agent may appoint one scrutineer for each ballot box used at a voting place during general local elections. In some cases, the local government's election bylaw may allow a candidate to have more than one scrutineer for each ballot box used at a voting place.



Candidates must appoint their scrutineers in writing and deliver the appointment (including the name and address of the person) to the Chief Election Officer as soon as practicable after the appointment has been made.

Volunteers

Candidates and/or elector organizations may retain volunteers to take on election campaign-related activities (such as preparing and distributing flyers, canvassing, calling eligible voters and/or handling logistics).

Third party sponsors may also use volunteers to undertake their advertising activities independent of an election campaign.

A volunteer who works on an election campaign must not receive any payment or remuneration for their services.

Elector Organizations

Elector organizations are organizations that endorse or intend to endorse a candidate(s) in general local elections and that file endorsement documents with the Chief Election Officer and Elections BC.

Election campaigns for elector organizations are generally a connected series of actions designed to elect a candidate or a group of candidates to a municipal council, regional district board, board of eduction, specified parks board, local community commission or Islands Trust trust area.

An elector organization may endorse candidates on the ballot by allowing its name, abbreviation or acronym to appear on the ballot beside its endorsed candidate(s) name and/or promote the candidate(s) and the organization's viewpoints during an election campaign. Elector organizations may also be known as "civic political parties."

New campaign financing rules came into effect on December 1, 2021. **Elector organizations are required to register with Elections BC** to endorse a candidate in an election, receive campaign contributions or incur election expenses.

To register an elector organization, see the registration forms for elector organizations, and read Elections BC's *Guide to Elector Organization Registration*.

Elector organizations must also file annual financial reports with Elections BC detailing their finances, including campaign contributions received and all expenditures incurred.

Third Party Sponsors

Third party advertising includes advertising for or against a candidate and/or an elector organization. In the campaign period, it also includes advertising on an issue with which a candidate or elector organization is associated.

Third party sponsors must register with Elections BC before conducting advertising during the pre-campaign and campaign periods.

Third party sponsors must be independent from candidates and/or elector organizations and must not coordinate, or sponsor advertising together with or on behalf of a candidate and/or elector organization.

Refer to Elections BC's ***Guide for Local Elections Third Party Sponsors in B.C.*** for detailed information regarding third party sponsors.

What are some of the key dates in general local elections?

2022 GENERAL LOCAL ELECTIONS KEY DATES	
ACTION OR DEADLINE	**DATE**
Start of Election Period	January 1, 2022
Start of Pre-Campaign Period	July 18, 2022
Start of Nomination Period	August 30, 2022
End of Nomination Period	September 9, 2022
Declaration of Candidates	September 9, 2022
Candidate Nomination Withdrawal Deadline	September 16, 2022
End of Pre-Campaign Period	September 16, 2022
End of Election Period (12:00 Midnight)	September 16, 2022
Start of Campaign Period (12:01 a.m.)	September 17, 2022
Required Advance Voting Opportunity	October 5, 2022
General Voting Day	October 15, 2022
End of Campaign Period	October 15, 2022
Last Day for Declaration of Official Election Results by Voting	October 19, 2022
Start of Period to Make Oath of Office	October 25, 2022
End of Period to Make Oath of Office (by Voting)	December 3, 2022

2022 GENERAL LOCAL ELECTIONS KEY DATES	
ACTION OR DEADLINE	**DATE**
End of Period to Make Oath of Office (by Acclamation)*	December 4, 2022
End of Period to File Campaign Financing Disclosure Statement with Elections BC	January 13, 2023
Start of Period for Late Filing of Campaign Financing Disclosure Statement with Elections BC	January 14, 2023
End of Period for Late Filing of Campaign Financing Disclosure Statement with Elections BC	February 13, 2023

*This date may be subject to change under the *Interpretation Act*.

FURTHER INFORMATION

Local government mailing addresses, telephone numbers, email addresses and websites are available online from CivicInfoBC at: www.civicinfo.bc.ca/directories

For answers to legislative **questions about municipal and regional district elections** please contact:

Ministry of Municipal Affairs
Governance and Structure Branch
Phone: 250 387-4020
Email: LGgovernance@gov.bc.ca
Website: www.gov.bc.ca/localelections

For answers to **questions about elector organization registration, election advertising, third party sponsors or campaign financing disclosure** please contact:

Elections BC
Phone: 250 387-5305
Toll-free: 1 800 661-8683 / TTY 1 888 456-5448
Fax: 250 387-3578
Toll-free Fax: 1 866 466-0665
Email: electoral.finance@elections.bc.ca
Website: https://elections.bc.ca

Full text of the *Local Government Act, Local Election Campaign Financing Act, Community Charter, Vancouver Charter, School Act,* and *Offence Act* can be found online at: www.bclaws.ca

DISCLAIMER

In the event that there is inconsistency between this brochure and the *Local Government Act*, the *Local Elections Campaign Financing Act*, or any other Act, the legislation shall prevail.

Thinking About Running for Local Office?



This brochure was created to help potential candidates with answers to questions they may have before making the final decision to run for local office.

The information in this brochure is intended to help you think about the role you will play and the impact you will have on your community as an elected official. This brochure provides general information about, the:

- principles of effective locally elected officials;
- characteristics of effective locally elected officials;
- responsible conduct of locally elected officials;
- roles and responsibilities of locally elected officials; and,
- decisions local governments (municipalities and regional districts) make.

QUESTIONS TO CONSIDER BEFORE RUNNING FOR OFFICE:



- **Why do I want to be a locally elected official?**
- **How will I contribute to my community as a locally elected official?**
- **What are my objectives for holding office and do they reflect the needs of my community?**
- **How will I work with my colleagues even if we have different points of view?**

Why consider running for office?

As a locally elected official, you will be entrusted with making decisions that directly affect the daily lives of residents, families, local business owners and many others in the community. It is important to think about how you can best serve your community if you are elected and the expectations of being a locally elected official.

An effective local government requires dedicated, ethical and informed leaders who are committed to their communities. Perhaps you want to become an elected official so you can:

- be actively involved in the local democratic process;
- contribute your experience and knowledge to your community;
- address various issues in your community; and/or,
- lead change in your community.

What are some of the principles locally elected officials need to uphold?

Effective local government leaders generally conduct themselves according to principles such as:

INTEGRITY - being honest and demonstrating strong ethical principles;

ACCOUNTABILITY - an obligation and willingness to accept responsibility or to account for one's actions;

RESPECT - having due regard for others' perspectives, wishes, and rights; displaying respect for the office of local government, and the role of local government in community decision-making; and,

LEADERSHIP AND COLLABORATION - an ability to lead, listen to and positively influence others; coming together to pursue a common goal through collective efforts.

Refer to the *Foundational Principles of Responsible Conduct* brochure and the *Forging the Path to Responsible Conduct* guide for more information about the key values and principles that guide locally elected officials' conduct.

What are some of the characteristics of an effective locally elected official?

The most effective locally elected officials are:

DILIGENT - are prepared for meetings, ask questions and participate respectfully in discussions to contribute to a positive environment so that effective decisions can be made;

RESPONSIBLE - understand the role of a locally elected official and municipal council (council) and regional district board protocols and the legislative requirements that apply to locally elected officials, councils and regional district boards, and the local government system as a whole;

PROACTIVE - address community and council and regional district board issues proactively by working to find collective solutions and being able to make informed decisions;

COMMITTED - have the time, energy and motivation required to be effective and responsive to the community's needs;

PATIENT/TOLERANT - have patience and tolerance for others' points of view, and for the council or regional district board's processes and procedures;

INFLUENTIAL - build relationships; provide facts; explain points of view; listen to concerns and provide real examples of the impact of not taking action; and,

SELF-AWARE - assess their strengths and weaknesses; know their biases and the types of behaviours and comments that can cause upset; are aware of their impact on others.

How do you demonstrate these characteristics? Are they traits that come naturally to you or will you need to work to build and maintain them? What are your strengths and how will they help shape the way your local government moves forward if you are elected?

What is responsible conduct of locally elected officials?

Responsible conduct is how locally elected officials conduct themselves in their relationships with elected colleagues, local government staff and the public – and is directly connected to how a community is governed. An elected official's relationships with their colleagues, local government staff and the public plays a significant role in helping carry out their responsibilities.

FOR REFLECTION:

- **What does responsible conduct mean to you?**
- **How do you express your disagreement with others?**
- **How do you work through disagreement with others?**
- **Are you able to disagree while still maintaining a professional attitude and an open mind?**
- **How will you demonstrate the personal characteristics necessary to be effective, even in challenging situations?**

Responsible conduct is not optional – it is essential to good governance. Examples of good governance for you to consider include:

- providing for the stewardship of a community's public assets;
- providing services, laws and programs for the public's benefit; and,
- acting in a way that is accountable, transparent, ethical, respectful of the rules of law, collaborative, effective and efficient.

Many local governments across British Columbia utilize various tools to support responsible conduct including code of conduct bylaws, procedure bylaws and WorkSafeBC harassment and bullying policies.

Refer to the "*Forging the Path to Responsible Conduct*" guide for more information about the key values that influence the responsible conduct of locally elected officials.

Check out the panel discussion series "*Being an Effective Elected Official*" to hear from current local elected officials about the role.

What are the responsibilities of a locally elected official?

Mayors, councillors and regional district board members are expected to contribute to the betterment of their local government, to provide leadership, and to serve and act on behalf of all citizens of the community.

An elected official must:

- consider the well-being and interests of the entire community;
- contribute to the development and evaluation of policies and programs with respect to local government services;
- participate in council/regional district board and committee meetings and contribute to decision-making;
- carry out other duties as assigned (such as heading committees); and,
- follow the rules set out by local government legislation (e.g., regularly attending meetings and declaring conflict of interest), bylaws (e.g., meeting procedures and code of conduct) and policies that govern how council and regional district board members exercise their authority.

What is the role of a council/regional district board?

Councils and regional district boards act as a political forum through which citizens, families and business owners within the local community express their collective vision. Councils and regional district boards also provide services and programs to the community.

The role of a council/regional district board is to:

- set strategic direction;
- adopt the local government's financial plan;
- broadly allocate resources to services, capital projects, programs and other priorities;
- represent citizens;
- engage with the community; and,
- make policies and adopt bylaws.

Refer to the *What is Local Government* video for detailed information about local government governing bodies and their representatives.

What is the role of the mayor/regional district board chair?

The mayor and regional district board chair have all the responsibilities of a municipal councillor or regional district board member plus several additional responsibilities. The mayor and regional district board chair:

- are the spokesperson, reflecting the collective decisions of the council/regional district board;
- lead deliberations and collective decision-making, and recommend bylaws and resolutions;
- chair meetings, maintain the order and conduct of debate, ensure meeting rules are followed, and encourage the expression of differing viewpoints;
- create standing committees, appoint people to these committees and decide the committees' mandates; and,

- communicate with local government staff, primarily the Chief Administrative Officer (CAO) and/or City Manager and, on behalf of the council or the regional district board, provide general direction to staff about how to implement policies, programs and other decisions.

What is the role of local government staff?

A locally elected official's interactions with staff are important to achieving the council/regional district board's goals. Locally elected officials provide direction, while staff manage and implement the council/regional district board's decisions and direction. The roles and responsibilities of elected officials and local government staff are distinct and interdependent.

All local governments must have at least two officer positions: one responsible for the local government's corporate administration and the other responsible for its financial administration. Local governments may establish any officer position in addition to the required positions.

Local governments in British Columbia often establish a CAO/City Manager position – although this position is not required by legislation. The CAO/City Manager is typically the only member of staff directly hired by the council or regional district board. The CAO/City Manager is then responsible and accountable for hiring and supervising all other staff.

LOCAL GOVERNMENT STAFF:

- **implement the direction, decisions and policies of the council/regional district board and manage the local government's resources;**
- **provide the council/regional district board with information and professional advice to ensure informed decision-making; and,**
- **communicate local government policy and decisions to the public and other orders of government.**

The relationship between the CAO/City Manager and the mayor/regional district board chair provides a critical link between the council/regional district board and staff.

How do councils and regional district boards make decisions?

Council and regional district board decisions may be influenced or informed by:

- community needs;
- the local government's legal authority as outlined in legislation (e.g., *Community Charter* and *Local Government Act*);
- the local government's long-term plans and policies;
- the local government's finances and strategic direction;
- staff recommendations;
- conflict of interest and ethical conduct rules; and,
- the local government's code of conduct bylaw or respectful workplace policies.

Within six months of a general local election, every municipal council and regional district board must consider whether to establish a new code of conduct bylaw or revise an existing one. If a local government decides not to do so, it will need to provide its reasons to the public. The council and regional district board will also have to reconsider their decision before January 1 of the year of the next general local elections.

Why is collaboration important in effective decision-making?

Being collaborative and working through conflict are critical components of being an effective elected official. Council and regional district board members' ability to work together and resolve conflict respectfully are keys to council and regional district board effectiveness and good governance. Collaboration is a key part of leadership – and is a foundational principle of responsible conduct.

Democracy is about having a diversity of views. You will be one voice at a table focused on making collective decisions. Often you may find early agreement at the table, and it is important to be prepared to manage situations that may not align with what you think is the correct course of action.

QUESTIONS TO CONSIDER:



- **How do you appropriately express your disagreement and work through it with others?**
- **Are you able to disagree while still maintaining a professional attitude and an open mind?**
- **How will you demonstrate the personal characteristics necessary to be effective, even in challenging situations?**

What are some of the demands locally elected officials face?

Being in elected office can be a very rewarding experience – making a difference in your community is both important and fulfilling. It can also be quite demanding.

Some of the demands of being in elected office include:

- a high volume of reading and learning in order to know your local government's policies, procedures and local government legislation;

- a substantial time commitment even when it may be considered only a "part-time" job;
- attending numerous meetings on a regular basis; and,
- public and potential media scrutiny.

What are some of the ways potential candidates can prepare for elected office?

Some ways you can prepare include:

- reading your local government's key planning documents, reports, procedure bylaw and code of conduct bylaw (if available);
- attending council or regional district board meetings to learn about priority issues and projects in your community and observe what being on a council/ regional district board may be like;
- reviewing your local government's website to understand its key priorities and initiatives;
- attending neighbourhood association meetings or getting to know key groups in your community, such as the Chamber of Commerce, service groups, social agencies or environmental stewardship groups, to better understand the diversity of interests in your area;
- reading the *Local Government Act*, *Community Charter* and the *Local Elections Campaign Financing Act* to gain an understanding of the legislative requirements that local governments must follow; and,
- researching the Internet for information about local governments and basic facts about the local government system in British Columbia.

Refer to the "*You've decided to run for local office*" webpage for information potential candidates may have before making the decision to run for local office.

Further information:

Local government mailing addresses, telephone numbers, email addresses and websites are available online from CivicInfoBC at: www.civicinfo.bc.ca/directories

- Ministry of Municipal Affairs
  www.gov.bc.ca/localelections
- Union of BC Municipalities
  www.ubcm.ca
- Local Government Leadership Academy
  www.lgla.ca
- Local Government Management Association of BC
  www.lgma.ca

BRITISH COLUMBIA

UBCM

LGLA
LOCAL GOVERNMENT LEADERSHIP ACADEMY

LGMA
LOCAL GOVERNMENT MANAGEMENT ASSOCIATION OF BRITISH COLUMBIA

Refer to the "***What Every Candidate Needs to Know***" brochure for information about the legislated rules for general local elections in British Columbia.

Refer to the "***General Local Elections 101***" brochure for detailed information about general local elections in British Columbia.

Disclaimer

In the event that there is inconsistency between this brochure and the *Local Government Act*, the *Local Elections Campaign Financing Act*, or any other Act, the legislation shall prevail.

Local Elections in British Columbia 2022:



What Every Candidate Needs to Know

BRITISH COLUMBIA



General local elections will be held on **Saturday, October 15, 2022**.

WHAT'S NEW FOR 2022

There have been some important changes since the 2018 general local elections.

- NEW Electors are no longer required to be resident of a municipality or electoral area for 30 days before the day of registration.
- Candidates and canvassers must have reasonable access to distribute candidate information at cooperative, strata and rental properties from 9:00 a.m. to 9:00 p.m. local time during the campaign period.
- NEW Mail ballot voting (if available) is open to **all** eligible electors.
- A pre-campaign period extends the time during which election advertising is regulated under the *Local Elections Campaign Financing Act*.
- NEW Elector organizations must first register with Elections BC before endorsing candidates, receiving campaign contributions or incurring elections expenses.
- Council must consider whether to establish a code of conduct or update an existing code of conduct at the first regular council meeting after general local elections.



- Monetary penalties have been established for failing to comply with the campaign financing and advertising rules under the *Local Elections Campaign Financing Act*.

What should the public expect from people who run for elected office?

People who demonstrate *integrity*, *accountability*, *respect*, *leadership* and *collaboration* with other locally elected officials and local government staff are essential to the effectiveness and success of a local government.

What is responsible conduct of locally elected officials?

Responsible conduct is how locally elected officials conduct themselves in their relationships with elected colleagues, local government staff and the public – and is directly connected to how a community is governed.

An elected official's relationships with their colleagues, local government staff and the public can play a significant role in helping councils and regional district boards carry out their collective responsibilities as decision-makers for their communities.

Refer to the ***Foundational Principles of Responsible Conduct*** brochure and the ***Forging the Path to Responsible Conduct*** guide for information about the key values that guide locally elected officials' conduct.

GENERAL LOCAL ELECTIONS

What are general local elections?

Through general local elections, residents and non-resident property electors determine the individuals who will collectively make decisions and govern on their behalf following general voting day. Electors do this by voting – casting their ballots in favour of a candidate(s).



How often are general local elections held?

General local elections for: mayors; councillors; electoral area directors; school trustees; specified parks board commissioners; local community commissioners; and, Islands Trust local trustees are held every four years on the third Saturday of October.

ELECTION ADMINISTRATION

Who oversees local elections?

Local governments (municipalities and regional districts) and Elections BC share responsibility for local elections. Local governments (municipalities and regional districts) administer elections and: set voting opportunity dates, times and places; accept nomination documents and nomination deposits; count ballots; announce election results; and, break tied elections. Each local government is responsible for running its own general local election.

The Chief Election Officer is an individual appointed by a municipal council or regional district board to conduct a general local election or by-election. The Chief Election Officer is responsible for overseeing all local election administration activities, including: receiving nomination documents; declaring candidates; administering voting opportunities; counting ballots; and, declaring election results.

Elections BC administers, investigates and enforces the campaign financing disclosure requirements including elector organization registration, expense limits, campaign contribution limits and the election advertising rules under the *Local Elections Campaign Financing Act*.

Elections BC is the non-partisan and independent Office of the Legislature responsible for the administration of the provincial electoral process in B.C. and the campaign financing and advertising rules for local elections and non-election assent voting events under the ***Local Elections Campaign Financing Act.***

HOW TO GET STARTED

Am I eligible to run for office?

To be eligible to run for office you must:

- be 18 years of age or older on general voting day;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months immediately before filing nomination documents; and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in an election in B.C. or from being nominated for, being elected to or holding the office, or be otherwise disqualified by law.

Refer to the ***Local Government Act, s.67*** for the rules for determining B.C. residency.

How do I get nominated?

You must be nominated by at least two eligible electors – some local governments may require each candidate to have as many as 10 or 25 nominators.

Nominators must be qualified under the *Local Government Act* or the *Vancouver Charter* to nominate a candidate for office.



You may also be required to pay a refundable nomination deposit (up to a $100 maximum) as part of the nomination process. You can confirm specific nomination requirements with your Chief Election Officer.

Where can I find nomination forms?

Candidate nomination documents are available from your local government. Local government mailing addresses, telephone numbers, email addresses and websites are available online from CivicInfoBC at: www.civicinfo.bc.ca/directories

What are some key nomination requirements?

Local governments generally use standard nomination forms and you are required to provide detailed contact information for you and those people who work for you during your election campaign (e.g., financial agent, official agent). Information provided on the nomination forms also includes the office you are running for, your nominators, and the statement of financial disclosure required under the *Financial Disclosure Act*.

You are also required to make a solemn declaration stating that you are aware of, understand, and will comply with the requirements of the *Local Elections Campaign Financing Act*.

Where do I file my nomination papers?

You must file your nomination documents with the Chief Election Officer where you intend to run for office. The nomination deadline is 4:00 p.m. local time on **Friday, September 9, 2022**.

Who can help me run my election campaign?

You may appoint a financial agent, an official agent, scrutineers and volunteers to help with your election campaign and to take on campaign activities. Some candidates may also be endorsed by an elector organization.

Financial Agents

A financial agent is a representative that a candidate is legally required to have during an election campaign. **You are your own financial agent unless you appoint another individual to the position**.

Financial agents are responsible for administering campaign finances in accordance with the *Local Elections Campaign Financing Act*. This includes opening and depositing contributions to, and paying election-related expenses from, a candidate's campaign account; maintaining records for campaign contributions, election expenses and all other campaign transactions; and filing the candidate's required disclosure statement with Elections BC within 90 days following general voting day.

Elections BC will send the financial agent the ***Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*** shortly after receiving the candidate declaration and appointment of financial agent forms from the Chief Election Officer.

The required disclosure statement forms will be sent after general voting day. This information will assist you or your financial agent when it is time to disclose your campaign finances.

You must appoint your financial agent in writing and have their written consent to be your financial agent. The written appointment must be submitted to the Chief Election Officer as part of your nomination documents and the Chief Election Officer will send your candidate declaration and appointment of financial agent forms to Elections BC.



Official Agents

Candidates may appoint an official agent to represent them during the election process. The official agent may act as your campaign manager or spokesperson or be the point of contact for the people helping on your election campaign. You must appoint your official agent in writing and deliver the appointment (including the name and address of the person) to the Chief Election Officer as soon as practicable after you have made the appointment.

Scrutineers

Candidates or their official agent may appoint scrutineers to observe voting procedures and the ballot-counting process. You or your official agent may appoint one scrutineer for each ballot box used at a voting place during general local elections. In some cases, the local government may allow you to have more than one scrutineer for each ballot box used at a voting place.

Further information about scrutineers is available in the ***Scrutineers Guide to General Local Elections***.

You must appoint your scrutineers in writing and deliver the appointment (including the name and address of the person) to the Chief Election Officer as soon as practicable after you have made the appointment.

Volunteers

Candidates may retain volunteers to take on election campaign-related activities (such as preparing and distributing flyers, canvassing, calling eligible voters and/or handling logistics). A volunteer who works on your election campaign must not receive any payment or remuneration for their services.

Elector Organizations

An elector organization is an organization that endorses or intends to endorse a candidate(s) in general local elections and that files endorsement documents with the Chief Election Officer and Elections BC. Elector organizations may also be known as "civic political parties."

Elector organizations may endorse you on the ballot by allowing its name, abbreviation or acronym to appear on the ballot beside your name.

Elector organizations and candidates may each direct their own separate election campaign or run complementary campaigns; however, you may decide to rely solely on the elector organization to run campaign activities on your behalf. An elector organization may also promote your viewpoint and/or the elector organization's viewpoint during an election campaign.

What is a third party sponsor?

Third party sponsors are individuals or organizations that sponsor election advertising independently from candidates and elector organizations.

Third party sponsors must register with Elections BC before conducting advertising during the pre-campaign and campaign periods.

Third party advertising includes advertising for or against a candidate and/or an elector organization. In the campaign period, it also includes advertising on an issue with which a candidate or elector organization is associated.

Third party sponsors must be independent from candidates and/or elector organizations and must not coordinate, or sponsor advertising together with, or on behalf of a candidate and/or elector organization.

ELECTION CAMPAIGN FINANCING

Are there new campaign financing rules?

Yes. The pre-campaign period set out in the *Local Elections Campaign Financing Act* has been established to lengthen the time election advertising is regulated from 29 to 89 days. This means that during the pre-campaign period beginning on **July 18, 2022** and ending **September 16, 2022** election advertising, such as billboards or commercials, must include sponsorship information.

Election advertising rules apply to advertising that promotes or opposes the election of a candidate or an elector organization that is endorsing a candidate (e.g., directed advertising) during the pre-campaign period.

Refer to Elections BC's ***Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*** for detailed information regarding the new campaign financing rules.

Elector organizations are required to register with Elections BC before accepting a campaign contribution, incurring an election expense or endorsing a candidate.

Elections BC has additional investigative and enforcement tools to ensure compliance with the campaign financing and advertising rules in the *Local Elections Campaign Financing Act*. Elections BC can issue monetary penalties for a wide-range of contraventions, including exceeding campaign contribution limits or expense limits for candidates.



ELECTION CAMPAIGNING

What can I do to get my message out to the voting public?

Election campaigns are generally a planned set of actions, events or initiatives (e.g., public speeches, canvassing, phoning voters, holding events and advertising) designed to raise awareness about you or your election platform with voters.

Key campaign activities you could undertake include: canvassing door-to-door to raise awareness about your campaign; identifying issues important to voters or determining your level of voter support; holding a luncheon or fundraising dinner where voters can listen to your election platform and ask questions; advertising in print, on radio, television or social media (e.g. Facebook, Twitter, YouTube); and/or, putting up signs as a way of "getting your name out there."

> It is an election offence to advertise in newspapers or magazines and on the radio or on television on general voting day.

You and your canvassers must have reasonable access to distribute candidate information at cooperative, strata and rental properties from 9:00 a.m. to 9:00 p.m. local time during the campaign period.

Government-issued photo ID and proof of candidacy, or written authorization to canvass on behalf of a candidate, must be made available upon request when you and/or your canvassers are canvassing in a cooperative, strata or rental property.

ELECTION ADVERTISING

What are some key election advertising rules for local elections?

Generally, all your election advertising (e.g., signs, posters, brochures, billboard and commercials) transmitted during the pre-campaign and campaign period must include information about who sponsored and authorized the ad. The sponsorship information must be provided in English. There are also limits to the value of sponsorship contributions that can be provided to third party sponsors.

The pre-campaign period begins on **Monday, July 18, 2022**, and ends at midnight on **Friday, September 16, 2022**.

The campaign period starts on **Saturday, September 17, 2022**, and ends when voting closes at 8:00 p.m. local time on **Saturday, October 15, 2022**.

Refer to Elections BC's *Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents* for detailed information regarding election advertising.

VOTING DAY

Will voters be able to cast their ballots before general voting day?

Yes. At least one advance voting opportunity must be held in every local government 10 days before general voting

Voting places are open from 8:00 a.m. to 8:00 p.m. local time **Saturday, October 15, 2022** for general voting.

day. The required advance voting opportunity for the 2022 general local elections is **Wednesday, October 5, 2022**.

Many local governments hold more than one advance voting opportunity and may also hold special voting opportunities at hospitals and/or long-term care facilities where people who have limited mobility can vote. Only designated electors are eligible to vote at special voting opportunities.

Can I campaign on general voting day?

Yes. You are allowed to campaign on general voting day by:

- advertising on the Internet, as long as the advertising was transmitted to the public before general voting day and was not changed before being transmitted on general voting day;
- advertising by means of signs, posters, or banners;
- canvassing and/or distributing pamphlets; and,
- advertising that exclusively encourages people to "get out and vote."

You are not allowed to advertise in newspapers, magazines, on the radio or on TV on general voting day. **It is an election offence to campaign within 100 metres of a voting place during voting proceedings**.

Can I watch the ballot counting process?

Yes. Candidates can be present during the ballot count. The Chief Election Officer can tell you the time and location for the final vote count and when the election results will be declared. Ballot counting starts after 8:00 p.m. local time at the close of voting. Your official agent or a scrutineer may also attend at each location where ballot counting takes place.

When will the election results be announced?

The official election results must be declared by 4:00 p.m. local time on **Wednesday, October 19, 2022**. Candidates with the most votes will be declared elected.

A tie between two or more candidates must be broken in accordance with the *Local Government Act* (or *Vancouver Charter* in the City of Vancouver) and the local government's election bylaw. The judicial recount must be completed by **October 28, 2022**.

AFTER THE ELECTION

What do I do if I'm elected?

You must take the oath of office within 45 days after the election results were declared. You must also file a campaign financing disclosure statement with Elections BC within 90 days of general voting day.

Refer to Elections BC's ***Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents*** or contact Elections BC directly for more detailed information about campaign financing disclosure requirements.

A candidate may take the oath of office or make a solemn affirmation as soon as you are declared elected by the Chief Election Officer; however, elected candidates do not take office immediately.

Municipal council members (e.g., mayor and councillors) formally take office at the first regularly scheduled council meeting following general local elections – this meeting must take place before **November 10, 2022**.

A council or regional district board must decide whether to establish a code of conduct or, if one already exists, whether to update it within six months of the first regular council or board meeting following general local elections.

The term of office for a municipal council member appointed to a regional district board begins when the person has made an oath of office or solemn affirmation as a regional district director.

Are there things I need to do even if I'm not elected?

Yes. You must file a campaign financing disclosure statement with Elections BC if you were not elected – even if you received no campaign contributions and incurred no election expenses.

ELECTION OFFENCES AND PENALITES

What happens if I don't comply with all of the election rules?

You could be disqualified from office if you do not file a campaign financing disclosure statement or fail to take the oath of office following local elections.

Offences for contravening campaign financing and advertising rules are set out in the *Local Elections Campaign Financing Act*.

You may also be disqualified from office if you are absent from council or regional district board meetings for a period of 60 days or four consecutive meetings, whichever is longer. You are not disqualified if the absences are with the permission of council or the regional district board or because you are on a mandatory leave of absence.

You may also be subject to penalties of up to $10,000 and/or two years imprisonment for buying votes, and/or intimidating a voter during general local elections. You will also be prohibited from running for local office for up to seven years if you are found guilty of these offences.

You may also be subject to penalties of up to $5,000 and/or imprisonment for up to one year for providing and/or distributing false information or campaigning near a voting place during voting proceedings. These penalties could apply whether or not you were elected.

Additional monetary penalties and disqualification penalties apply for failing to comply with the campaign financing and advertising rules under the *Local Elections Campaign Financing Act*.

FURTHER INFORMATION

Local government mailing addresses, telephone numbers, email addresses and websites are available online from CivicInfoBC at: www.civicinfo.bc.ca/directories

For answers to legislative **questions about municipal and regional district elections** please contact:

Ministry of Municipal Affairs
Governance and Structure Branch
Phone: 250 387-4020
Email: LGgovernance@gov.bc.ca
Website: www.gov.bc.ca/localelections

For answers to questions **about elector organization registration, election advertising, third party sponsors or campaign financing** please contact:

Elections BC
Phone: 250 387-5305
Toll-free: 1 800 661-8683 / TTY 1 888 456-5448
Fax: 250 387-3578
Toll-free Fax: 1 866 466-0665
Email: electoral.finance@elections.bc.ca
Website: https://elections.bc.ca

Full text of the *Local Government Act*, *Local Elections Campaign Financing Act*, *Community Charter*, *Vancouver Charter*, *School Act*, and *Offence Act* can be found online at: www.bclaws.ca

Refer to the ***Candidates Guide to Local Elections in B.C.*** for more detailed information about being a candidate for mayor, councillor, or electoral area director.

Disclaimer

In the event that there is inconsistency between this brochure and the *Local Government Act*, the *Local Elections Campaign Financing Act*, or any other Act, the legislation shall prevail.

Forging the Path to RESPONSIBLE CONDUCT In Your Local Government



WORKING GROUP ON RESPONSIBLE CONDUCT

APRIL 2021

UBCM Union of BC Municipalities

LGMA

BRITISH COLUMBIA

THANK YOU TO ALL PROJECT PARTICIPANTS

The Working Group on Responsible Conduct is a joint initiative of the B.C. Ministry of Municipal Affairs, the Local Government Management Association of British Columbia, and the Union of British Columbia Municipalities.

We sincerely appreciate the valuable contributions of all those who assisted the Working Group on Responsible Conduct in developing this guide, *Forging the Path to Responsible Conduct in Your Local Government*.

The project greatly benefited from the support and involvement of these participants, including B.C. local government elected and staff officials, and the legal experts who advise them. These individuals, through their willingness to share their experiences, were absolutely central in showing us how leading local governments can manage conduct issues within the current B.C context. They are truly forging the path to responsible conduct in their communities. It is our hope that in passing on the wisdom built through those experiences, the guide will provide others with practical ideas to allow them to to do the same.



INTRODUCTION

About this Guide

How local government elected officials conduct themselves matters. Conduct is central to governance and when conduct issues emerge, especially if allowed to fester, good governance can be impaired and public trust eroded. Yet dealing with conduct issues can sometimes be overwhelming and governing in the face of them enormously challenging.

The guide presents practical ways to help prevent conduct issues and to deal with them if they do arise. The guide does not represent legal advice, nor is it a substitute for that advice.

Guide Development

This guide was developed by the Working Group on Responsible Conduct (WGRC), a joint initiative by the Union of British Columbia Municipalities, the Local Government Management Association of British Columbia (LGMA), and the B.C. Ministry of Municipal Affairs. The staff-level Working Group undertakes collaborative research and policy work on the issue of responsible conduct of local government elected officials.

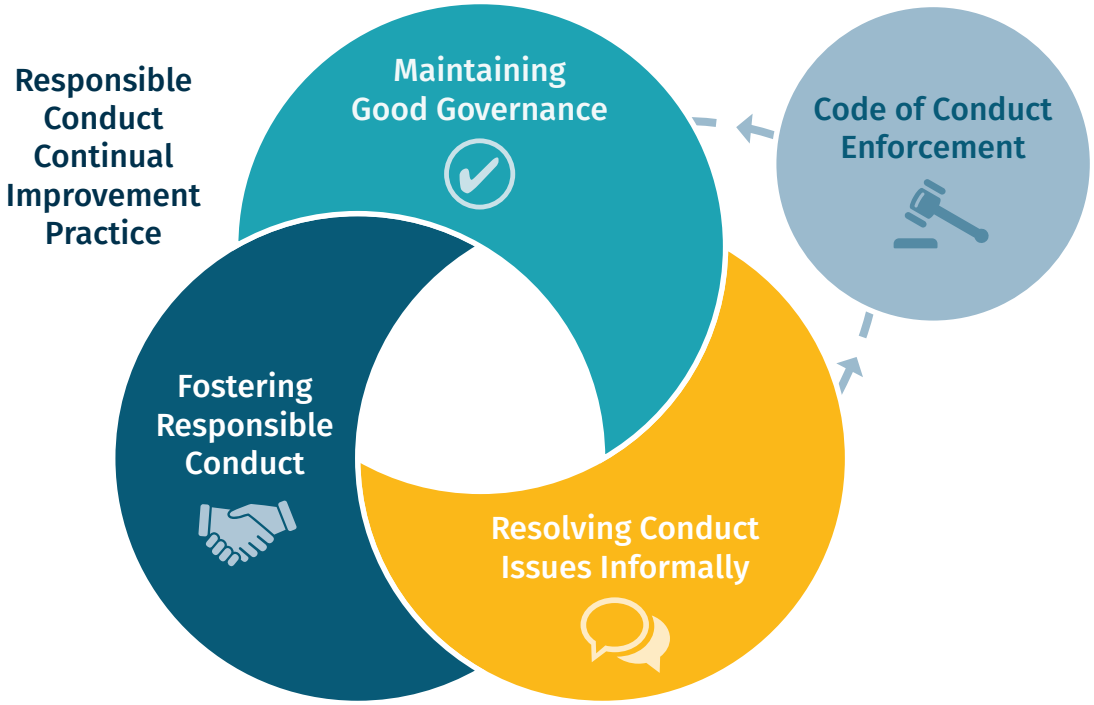
This guide builds on, and should be read in conjunction with, three previous WGRC publications: *Foundational Principles of Responsible Conduct for BC's Local Governments* along with *Getting Started on a Code of Conduct for Your Council/Board: Model Code of Conduct* and its *Companion Guide*.

The guide was informed by WGRC research, a review of a sample of B.C. local government codes of conduct that include enforcement provisions, and discussions with local government elected and staff officials and legal experts experienced in responsible conduct matters.

Our key take-away from those discussions was: **It's worth putting a lot of effort into prevention and informal resolution of conduct issues. There are enforcement processes if that doesn't work, but in practice, local governments are finding more success with informal methods.**

Watch for highlighted leading practice tips and quotes from trusted advisers that came to the WGRC during our research.

All resources noted in the chapters are linked in Chapter 6, Resources.



Guide Organization

The guide is organized around two central concepts:

- A continuous improvement practice to foster responsible conduct, maintain good governance, and resolve conduct issues informally; and
- Where it is needed, code of conduct enforcement.

The three continuous improvement topics do not represent a linear process, with a local government moving sequentially through each; instead, they are intertwined with activities in each undertaken iteratively, shaping an organizational culture of trust and respect, where participants work effectively together and councils and boards govern well.

There is a well-established body of practice in these areas, and the guide draws on this to provide examples, leading practice tips and links to further information and resources.

With these measures in place, conduct issues can be avoided, or managed early on, reducing the need for enforcement of a code of conduct. However, even within this context, there may occasionally be a need for a local government to enforce its code of conduct.

Articulating an enforcement process within a code of conduct is a relatively new practice in B.C. The guide draws on examples from leading local governments that have included enforcement in their codes to highlight both current practice and things a local government may wish to consider as it begins to design its own enforcement process.

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CHAPTER 1

Fostering Responsible Conduct

What Kind of Conduct is Problematic and Why?

Some expectations of good conduct will be clear to most, often because these are set out in law: things like a person not voting on something if they have a financial interest in it, keeping confidential information confidential, not discriminating against a person,[1] and not making slanderous statements.

Other behaviours – like respecting others at meetings or not criticizing colleagues, staff or members of the public on social media – may be less obvious to some; perhaps council or board members don't even agree on what conduct they expect of each other in these areas. For example, some may think that there is nothing wrong with dismissing or belittling another in a debate because they have different backgrounds, experiences, or cultural values than you, or because their politics or points of view on a matter are different than yours.

Some may think that shouting at the chair is an acceptable tactic to get their point across, or that intimidating staff when they won't give you what you want is a way to get things done. However, all of these kinds of conduct can be destructive.

Even subtle actions can become pervasive, escalate over time, erode relationships and impair the ability of the local government to fulfill its most basic responsibilities to make collective decisions in the interests of the community. Electors have entrusted elected officials, acting collectively as the local government's governing body, to govern in the public interest; any conduct that gets in the way of that is a problem.



1 The B.C. Human Rights Code prohibits certain activities and conduct that discriminate against a person or group or class of persons because of the race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or that group or class of persons. See Chapter 6, Resources for a link to the legislation.

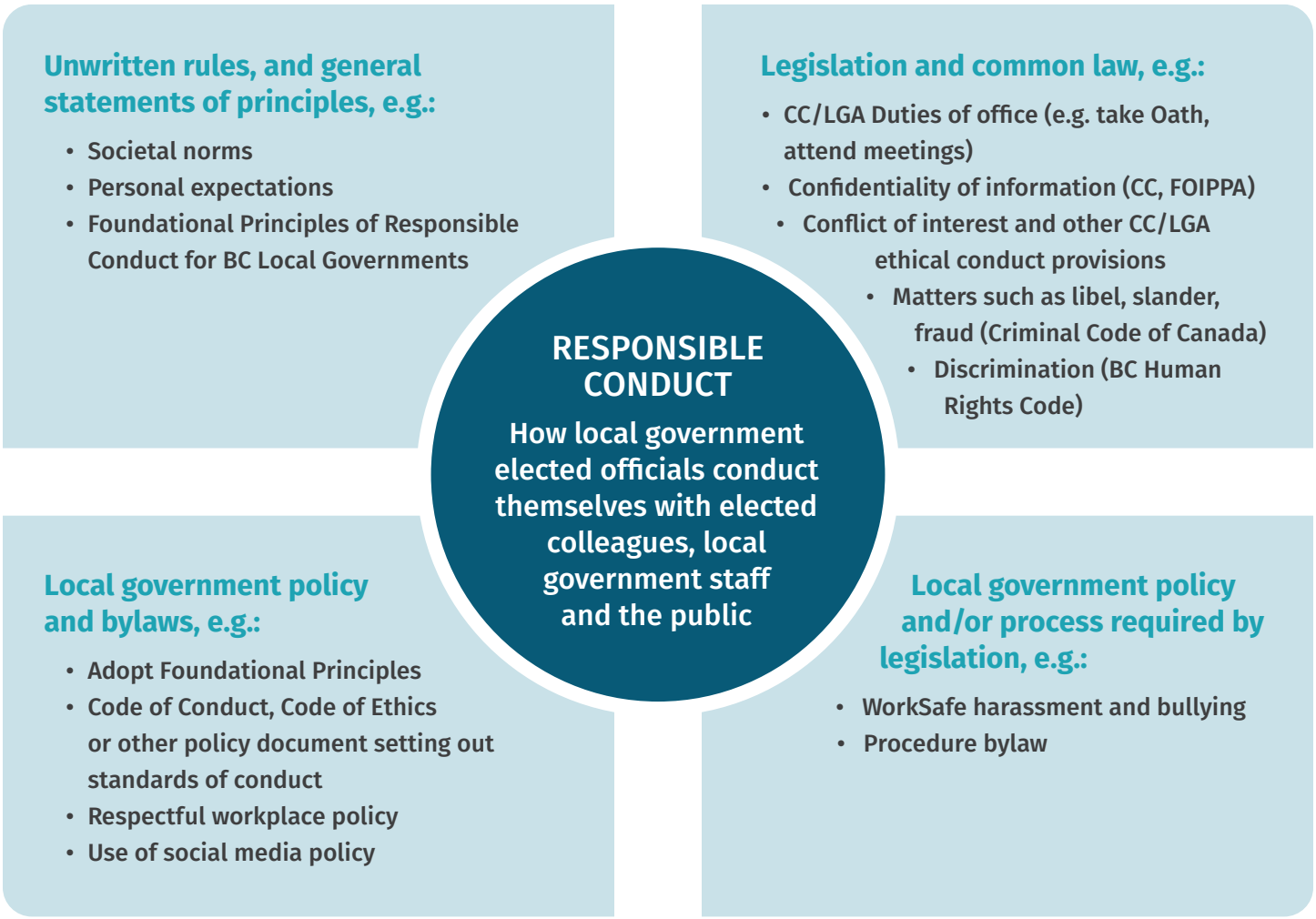
What is Responsible Conduct?

In the context of this guide, responsible conduct refers to how local government elected officials conduct themselves with their elected colleagues, with staff and with the public. It is grounded in conducting oneself according to principles such as integrity, accountability, respect, and leadership and collaboration, in a way that furthers a local government's ability to provide good governance to its community.

As illustrated in the graphic, conduct expectations can take the form of unwritten norms, written principles, or local, provincial or federal policy or law.

Much of this guide is focused on local government policy and bylaws, such as a local government code of conduct because:

- Preventing conduct issues is difficult when relying on unwritten rules or general statements of principle developed by others and not endorsed by the local government; and
- Considerable guidance is provided elsewhere for conduct that is governed by federal or provincial law; this guide touches on that aspect but directs the reader to external resources for more information.



How Can We Build Responsible Conduct in Our Local Government?

Adopt a Code of Conduct or Other Conduct Policy

Avoiding conduct issues when rules are unwritten is hard because people don't know what is acceptable. Building a shared understanding of expected conduct and setting that out in a code of conduct will make expectations clearer and is a good way to prevent issues.

Codes of conduct provide conduct standards that supplement conduct already required legislatively (e.g., conflict of interest rules, confidentiality requirements, prohibitions on discrimination) or through policy (e.g., council/board-staff relations) to ensure that the full range of expected conduct is clear. Existing legislation and/or local government policies will need to be considered as a local government develops its code to ensure the code is not inconsistent with existing conduct requirements.

Many codes also include details about how alleged contraventions will be dealt with. This can be a preventative measure because it adds clarity about how an individual elected official will be held accountable for their conduct.

Adoption of a code of conduct is strongly recommended – as is the inclusion of an enforcement process to address alleged contraventions, and a range of sanctions that may be imposed by the Council or Board if a contravention is determined. Ideally, initiate discussions towards adoption of the code before conduct issues emerge.

If you already have a code, use Chapter 4, Essentials of Code of Conduct Enforcement, to support development of an enforcement process. If you haven't yet adopted a code, start with two previous WGRC publications (*Model Code of Conduct* and its *Companion Guide*). Both are linked in Chapter 6, Resources.

Align Policies, Procedures and Practices

Procedure bylaws are an important tool in supporting conduct in meetings and Council and Board decision-making. *The Procedure Guide: For B.C.'s Local Governments* by the LGMA and B.C. Ministry of Municipal Affairs aims to help local governments proactively consider and change their procedure bylaw to help address challenging situations and to support responsible conduct.

Local governments have many other policy and procedural tools that can be used to support responsible conduct, including such things as (see links to samples in Chapter 6, Resources):

- Oath of office
- Social media policies
- Information-sharing practices
- Conduct expectations for members of the public
- Checklists and educational tools

LEADING PRACTICE TIPS

It's easiest to have discussions about creating a code of conduct before conduct issues emerge. If your Council or Board is struggling to have those discussions, try starting incrementally and adopting the WGRC's Foundational Principles of Responsible Conduct as a statement of the Council/Board's commitment to those principles.

LEADING PRACTICE TIPS

Try a visual or verbal reminder of expected conduct at meetings, like printing the WGRC's Foundational Principles of Responsible Conduct on a placemat for every Council or Board member's place at the table or stating the oath of office at the beginning of every meeting.

Elected Official Leadership, Knowledge-sharing, Skills Development and Support

Leadership development can play a significant role in maintaining responsible conduct and good governance.

For example, respectful dialogue at a Council or Board meeting is more likely when all members understand that decisions are made collectively and not by the mayor/chair, electoral area director, or any other individual elected official. Additionally, trust and respect can be improved through understanding one's role and how it fits with the roles of others, building cultural humility,[2] communicating in a way that respects people's inherent dignity, and developing an appreciation of the value of different perspectives.

Building a clear understanding about conduct rules and expectations early in a term – including those that are legislated (e.g., conflict of interest) and those that are established through codes of conduct – can be a key factor in elected officials meeting those expectations. In addition, compliance can be improved and conduct issues avoided if a local government provides its elected officials with trusted advice in response to their concerns about how they can comply with conduct rules.

Similarly, skill development in areas like effective communication, chairing a meeting, dispute resolution, and strategic thinking can support both good governance and responsible conduct. Leadership and skill development should be a priority for Councils and Boards as well as for both newly elected and veteran elected officials across B.C.

> For participants in the decision-making process, shared power and decision-making puts a premium on leadership skills that help one's fellow leaders find common ground.
>
> *(From the Institute for Local Government webpage article Decision Making in the Collective Interest)*

2 "Cultural humility is a process of self-reflection to understand personal and systemic biases and to develop and maintain respectful processes and relationships based on mutual trust. Cultural humility involves humbly acknowledging oneself as a learner when it comes to understanding another's experience." First Nations Health Authority. See Chapter 6, Resources for links and more information.

LEADING PRACTICE TIPS

Participate in the Local Government Leadership Academy's Annual Forum, which enables elected officials to learn formally from speakers, and informally through networking with colleagues from around the province. Relationships forged here can have ongoing benefit, as elected officials find they are not alone, and gain confidence to share ideas and seek advice from others who understand the challenges they may be facing.

Consider additional education, including:

- Scenario-based training where participants work through difficult situations or areas of conflict and practice skills to effectively deal with them;
- Training to increase understanding of the history and experiences of people who make up the community and avoid stereotypes and discrimination;
- Confidential coaching or mentoring for individual members of the Council or Board; or
- Pre-election candidate orientation, so individuals considering running for office know what they're getting into.

Consider developing a process to involve your Council or Board in determining their leadership and skills development priorities.

FOOD FOR THOUGHT

- How well are we prepared to deal with conduct issues if they begin to emerge?
- Do we have a code of conduct? If not, why not?
- Does our code include a process to address alleged contraventions? If not, why not?
- What issues are emerging that aren't dealt with under our code? Do we have policies to deal with them (e.g., social media policy)? Can we strengthen compliance by referring to these policies in our code?
- Have we allocated funding for elected officials' leadership development, skills building and support in our budget? Do elected officials know this is available? How do we know what support and skills building are important to members individually and collectively?
- Where can our elected officials go if they have questions about their conduct or to get advice about how they can comply with conduct rules? Does that advice include both legislated rules like conflict of interest and duty to respect confidentiality, as well as our code of conduct?

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 2

Maintaining Good Governance

Working Together Before, During, After – and Despite – Conduct issues

A Council or Board is entrusted by electors to govern in the best interests of the community and it can only do this as a collective. Individual members cannot independently govern or make decisions affecting their community, but they can participate and contribute towards collective decision-making, and collaborative good governance responsibilities.

Given this, Boards and Councils need to find ways to work together; to effectively cooperate, collaborate, and make decisions, regardless of things like conduct issues, strained relationships or conflicting views.

> "We need to stop pretending that good governance is an accident; if you're not doing this proactively, you'll be doing it reactively."
>
> *(A B.C. local government consultant, facilitator and lawyer)*

Whose Job is it Anyway?

Everyone has a role to play in responsible conduct and good governance.

- **Every elected official** is accountable for their own conduct and must make sure they are always acting ethically and responsibly.
- **The mayor or chair** provides leadership and can lead by example, maintain order at meetings and propose policy changes, but they cannot, on their own, ensure the Council or Board operates as it should.
- **All Council or Board members** influence how the collective works, and in the interest of serving their community, all can take steps to work effectively together, including speaking up when problems arise.
- **Staff** provide professional advice to the Council or Board and carry out its decisions in an effective, efficient and non-partisan manner. The relationship between elected and staff officials is intertwined, so it is vital for both to understand and respect one another's roles. Developing effective lines of communication, and trustful, respectful relationships between elected and staff officials supports good governance, even under challenging circumstances. The CAO is your one employee and your ally to help elected officials be successful.

"Local officials are grappling with difficult policy challenges... A goal is to create a culture of tolerance for differing points of view that credits everyone with having the best interests of the community in mind."

(From the Institute for Local Government document Tips for Promoting Civility in Public Meetings)

Enhance Collaboration: Embrace Diverse Ideas and Conflicting Views

Councils and Boards that welcome healthy debate, diverse ideas and conflicting views make better decisions. Different lived experiences and fresh perspectives can provide valuable insights, uncover opportunities and bring out solutions that hadn't previously been considered but are better for the community.

Productive conflict[3] – that is, conflict that leads to productive results, such as better decisions – can be a significant positive influence on good governance. Productive conflict is an open exchange of conflicting or differing ideas in which parties feel equally heard, respected and unafraid to voice dissenting opinions as they work toward a mutually comfortable solution.

On the other hand, unproductive conflict – characterized by frequent, unresolved arguments – can leave individuals feeling angry and frustrated, bringing about conduct issues and making good governance more difficult.

LEADING PRACTICE TIPS

Provide a way for elected officials to build informal relationships beyond the Council or Board table (it can be as easy as sharing a meal together).

The next time a contentious issue is under discussion, try a "no rebuttal round table session" where every member has an opportunity to state their position on the issue and explain its impact from their perspective, and no member can rebut someone else's statement (when it is their turn, they must speak only to their personal perspectives).

(Details of this process, including its successes, are provided in the Enhancing Collaboration in British Columbia's Regional Districts report, found in Chapter 6, Resources.)

3 From *Unproductive Conflict vs. Productive Conflict*. See Chapter 6, Resources for link and details.

Individual strategies for productive conflict include:

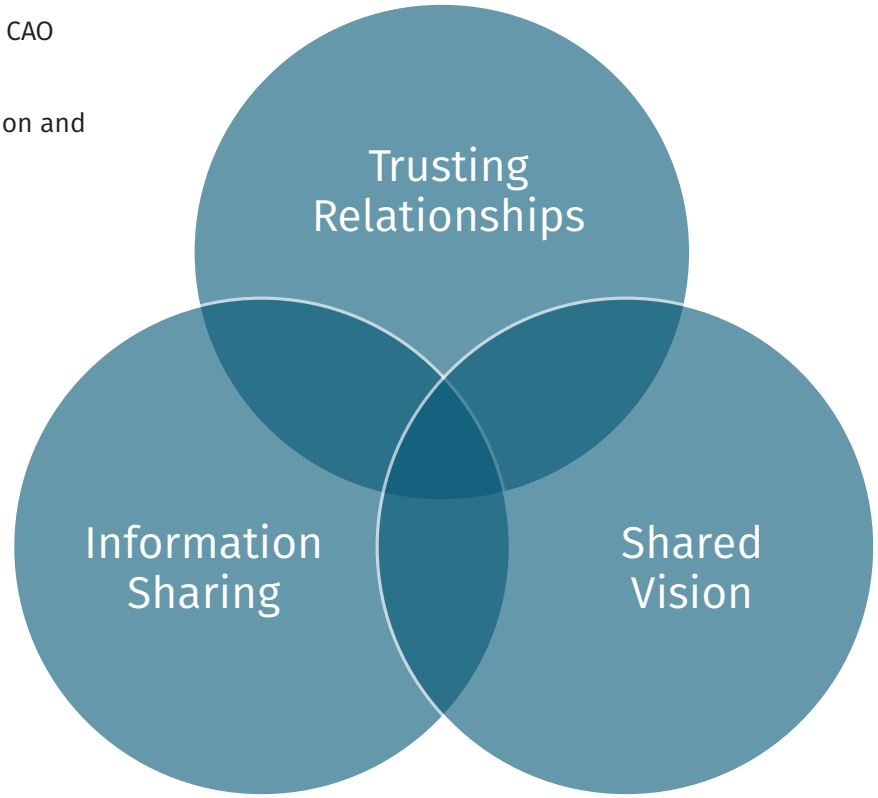
- Separating the person from the issue;
- Moving the discussion from positions to interests; and
- Seeking win-win scenarios, where solutions can meet key mutual interests.

Developing these skills can be a catalyst to move from unproductive conflict, with parties entrenched in their positions, to a place where conflicting views become a pathway to better solutions.

Focusing on trusting relationships, strong information sharing practices and a shared vision can equip a local government to ensure conflict remains productive and improve collaboration. For example:[4]

- Organizing information seminars on complex issues;
- Maintaining a strong chair/mayor and CAO leadership team; and
- Preventing the spread of misinformation and establishing a common set of facts.

> "Regional issues may be more obscure than in a municipality and it is important to give all directors, from municipalities and electoral areas, the support they need to appreciate their role in creating a regional vision."
>
> *(A B.C. regional district CAO)*



4 Examples from *Enhancing Collaboration in British Columbia's Regional Districts*. See Chapter 6, Resources for link and details.

Contain Conduct Issues: Use Policy/ Procedural Tools to Manage Meetings and Conduct, and Support Good Governance

Simply having policy and procedural tools in place are not enough; they will only be effective in managing conduct if they are used.

If the procedure bylaw supports responsible conduct or a code of conduct is in place, the mayor or chair can remind an elected official of their obligation to comply in real time when a conduct incident occurs at a meeting. Alternately, Councillors or Directors can raise a point of order in relation to the conduct.

If policy levers are not sufficient to support responsible conduct and good governance, any Council or Board member can propose an agenda item for a future meeting to discuss adoption or amendment of the needed policy.

Some examples that illustrate the range of policy levers that could be engaged are shown in the 'Align Policies, Procedures and Practices' section in the previous chapter.

> "You might not be able to change behaviour, but you can change the local government's practices and system framework around it."
>
> *(A B.C. local government legal advisor)*

LEADING PRACTICE TIPS

Using a procedure bylaw that specifically addresses conduct expectations, in combination with handbooks like *Robert's Rules of Order*, and *Local Government Act* and *Community Charter* provisions like the ability to expel someone acting improperly from a meeting, can be powerful tools to help contain conduct issues that arise during a meeting.

Developing a checklist for the Council or Board to evaluate its own effectiveness can be a good starting point for a check-in discussion. See Chapter 6, Resources for some sample checklists that can be customized.

Council/Board Check-ins: Find Ways to Work More Effectively Together

A Council or Board discussion – or check-in – about how to work together more effectively can provide a useful forum to identify and address areas of concern, including conduct, conflict, or collective 'blind-spots' that get in the way of effective discussion and decision-making. This can help to build trusting relationships as well as identify policy or procedural changes to overcome systemic barriers, and/or learning topics that could support both the collective and its individual participants to become more effective.

When negative conflict or conduct issues are present, these check-ins can help to clear the air, de-escalate unproductive conflict, improve communication, and help the Council or Board refocus on improving working relationships and removing barriers to its effectiveness.

These discussions can be challenging to start if a Council or Board is facing significant stress. Consider initiating them early in the term when tensions aren't high, and continue them on a regular basis after that.

Alternatively, some of the discussion can be woven into other processes, such as those in the graphic. Successes from these early discussions will reinforce the benefit of open dialogue aimed at improving relationships, and may help to create a willingness to participate in future dedicated check-ins.

Success of a dedicated check-in may depend on ensuring elected officials feel comfortable exploring their perspectives on barriers to their collective success without fear of reprisal, so that they can consider new approaches when current patterns of engaging with each other are not working.

In addition to considering external professional facilitation, Councils and Boards may wish to consider undertaking these sessions in the absence of the public, which can help to facilitate the open, honest discussion that will be needed to explore these issues.[5]



5 If you are discussing these matters in the absence of the public, make sure you don't also move towards making decisions, which you would need to do in an open meeting. See Chapter 6, Resources for useful resources from the Ministry of Municipal Affairs and the B.C. Ombudsperson.

LEADING PRACTICE TIPS

If you're getting stuck finding ways to work better together, especially if interpersonal dynamics are regularly getting in the way of making decisions, an external professional might be able to help. The combination of professional expertise and independence from the organization provides an opportunity for these professionals to bring new perspectives to the table and suggest approaches that may not have been considered before.

FOOD FOR THOUGHT

- Is our Council or Board governing well? If we were to get a grade on that, what would it be? What's getting in the way? Do we regularly have discussions about this? Have we made provision for regular check-ins and getting some outside help if we need it?
- What enhancements could be made to our policies or procedures to avoid conduct issues? Do we have specific issues that seem to be evolving that should be a priority (e.g., release of confidential information)? What can we put in place that would resolve these issues (e.g., does everyone understand their legal obligations, are there changes to our information-sharing practices that could help, and is this something the Council/Board should discuss in a check-in)?
- What kinds of things are causing tension at the Council/Board table (e.g., whether something discussed in a closed meeting should have been in an open meeting; whether or not a member is in a conflict of interest in a particular matter; lack of respect because of such things as different political views, backgrounds, experience, age, gender identity or sexual orientation)? Would training and leadership development help? Is additional information needed, either generally or on a case-by-case basis? Are there tips or tools that could be developed to support members? Is this something the Council/Board should discuss in a check-in?
- As an individual, self-awareness is key. Ask yourself: Am I part of the problem? Am I contributing to dysfunction or to good governance? Do I make assumptions about other Council or Board members without trying to understand their experiences or perspectives? What steps can I take to help the Board or Council work better together? What support do I need to do that? How can I help to ensure our conflict is productive?

> "If local governments did less in closed meetings, there would be fewer conduct issues."
>
> *(A B.C. local government legal advisor)*

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 3

Resolving Conduct Issues Informally

When and Why to Consider an Informal Approach

Conduct issues can often be managed through prevention and good governance measures. Unfortunately, there are times where the issues are particularly significant or entrenched, and instead escalate or become more pervasive. In these cases, local governments may wish to consider taking additional steps to address the conduct issue.

Two approaches are available, and they are not mutually exclusive. Informal approaches are aimed at resolving conduct issues, through productive discussion toward mutually satisfactory solutions. Enforcement processes are aimed at determining whether there was a conduct contravention, and deciding on sanctions if a contravention is found.

Informal resolution can lead to better outcomes than enforcement processes because informal resolution tends to be:

- More effective in finding solutions that are satisfactory to all parties;
- Quicker, leaving less time for the problematic conduct to remain unchecked and less time for relationships to erode further;
- Less divisive since parties are brought together to work towards solutions that work for all, helping to rebuild trust and repair relationships (whereas in enforcement processes, parties oppose each other to prove or disprove a contravention); and
- Less legalistic, cumbersome and complex, which can also mean they are considerably less costly.

> "I have yet to see an enforcement process where the elected official accepted the findings, so we need to make every effort to manage things before it gets to that."
>
> *(A B.C. CAO, mid-sized municipality)*

Given these advantages, many local governments are finding that in most circumstances it is well worth pursuing informal approaches to the fullest extent possible to see if they can resolve the conduct issues. In general, they are only considering enforcement processes if those informal resolution efforts are not successful.

However, despite its potential for positive outcomes, informal resolution is not appropriate for all circumstances.

Local governments will want to consider specific circumstances carefully before deciding on a course of action (and seek appropriate legal advice before proceeding). Consider the following examples.

When conduct issues impact employees:
Local governments are responsible for the safety of their employees at work. If a complaint relates to matters covered by legislated provisions to address workplace bullying and harassment, the complaint must be dealt with in accordance with the *Workers Compensation Act* and Occupational Health and Safety policies established by WorkSafeBC.

There may also be other laws, local government policies, or employment arrangements that will govern how to respond when an employee indicates they have been subjected to unsafe working conditions or inappropriate behaviour.

When conduct represents actual or threatened significant or imminent harm to persons, property or the local government:
In these situations, local governments will need to consider how best to preserve safety and security within their community. In addition to legal advice, local governments may need to consult with law enforcement.

"It's important to remember that trust is built around understanding and respect, not necessarily agreement."

(From the Institute for Local Government document Attributes of Exceptional Councils)

How to Pursue an Informal Approach

Informal resolution focuses on involved parties working out their differences to come to a mutually acceptable resolution that restores responsible conduct. Fairness is key, and local governments will want to consider fairness elements appropriate to the circumstances, which may be different than what is appropriate for enforcement (e.g., there may not be a need to provide parties an opportunity to be represented in informal discussions). Fairness supports informal discussions since people will be more willing to work towards solutions if they are being treated fairly. In addition, it is important to ensure that informal resolution does not jeopardize subsequent enforcement processes should they be needed. Providing an appropriate standard of fairness in informal discussions will help to meet that objective.

LEADING PRACTICE TIPS

Consider fairness training or coaching for all Council or Board members to raise awareness of the need for fair process in everything they do. This can lead to fewer conduct issues in the first place, and support informal resolution discussions if issues do arise, potentially avoiding the need for all parties to default to legal positions in the early stages of those discussions.

Who is involved in these conversations, and how the process unfolds, will depend on the situation and in part, who is willing and able to work through the issues.

The following are some common approaches; local governments should consider their own unique circumstances in deciding what methods to try.

When You Demonstrated Poor Conduct

All elected officials are accountable for their conduct and the vast majority are responsible, but lapses do occur: someone snipes in the heat of the moment that their colleague is too young, or too old, or too new to this country to have views on a topic; someone hits send on a social media post when they're still angry; someone picks on a staff member because they don't like a report's recommendations; someone takes a colleague's comment out of context in a way it was never intended. Sometimes, that someone is you.

Many elected officials find themselves in these situations; what distinguishes them is how they deal with them. Owning your part in a misunderstanding or admitting you've made a mistake or acted inappropriately is not a sign of weakness; it is a sign of strength and it is a quality common to exceptional leaders. It's also a way to build trust and respect and to repair relationships – valuable activities in one's quest to serve the community and get things done.

When faced with these situations, consider sitting down with the individual impacted by your conduct. It's a good opportunity to clear the air, to make an apology if that's in order, and to get to know each other's perspectives and experiences. It also allows you both to work through the issue and decide what else is needed to avoid further incidents and to move on.

Depending on how wide the impact, consider whether to have this conversation with the full Council or Board, and/or whether a public apology is appropriate.

> "In more than six years as the Ombudsman for British Columbia, I have witnessed, again and again, how one action can make a difference in a small but meaningful way. I have observed that a sincerely offered apology will often satisfy a person who has a complaint... An apology can restore self-respect and dignity. An apology acknowledges that a mistake has been made and that the offending party will not repeat the action in question. It can help re-establish trust and assurance that the offending action was not the person's fault."
>
> (*From the BC Ombudsperson special report The Power of an Apology: Removing the Legal Barriers*)

LEADING PRACTICE TIPS

If you're immersed in a conduct issue, try finding a personal sounding board – a confidante with whom you can test how your behaviour stacks up and who can give ideas about how you can resolve the issue. An elected official from another local government can be particularly helpful because they can understand what you're going through and may even have faced something similar, but can offer an impartial perspective because they are not directly involved in your situation.

When You Are on the Receiving End of Poor Conduct

An elected official impacted by the conduct of a colleague might consider meeting with them if they are willing. This can help to defuse the situation, understand other points of view, discover common ground and jointly problem solve ways to work better together. It is important to avoid accusations, so it may be prudent to prepare for the conversation by considering how best to share perspectives and find mutual interests, and by thinking about what might be needed to set things right.

Involvement of Another Person in Individual Discussions

Sometimes the two elected officials aren't able to resolve the issues themselves and having a facilitator can help. Choosing the right person depends on the situation. Typical choices include:

- The mayor or chair or their deputy;
- An official who provides advice or support in relation to conduct; or
- An independent third party with experience in dispute resolution.

The choice will depend on the nature and significance of the conduct issue, who has the needed skills, and whether all parties see the facilitator as neutral.

Many local governments avoid involving the CAO or other staff in a Council or Board conflict in this way so that staff are not seen as "taking sides," which may cause considerable damage to elected official and staff relations.

If initial facilitated discussions aren't successful, the local government may wish to consider additional efforts to reach resolution, including negotiation and/or mediation.

Where an Individual's Conduct Impacts All Members

Sometimes the conduct at issue is not directed towards an individual, but to all or part of the Council or Board. For this, the mayor or chair, or their deputy, could initiate a discussion with the elected official whose conduct is at issue. These discussions are similar to those noted above, and could be aimed at gaining a mutual understanding of the various perspectives, identifying solutions to avoid further incident, and perhaps exploring new ways to work more effectively together. Depending on the nature and significance of the conduct, consider a facilitator for these discussions (e.g., an independent third party).

TIPS FOR THESE DISCUSSIONS

Regardless of who initiates or is involved in the conversation, there are a number of elements that can help make the discussions successful, such as:

- Ensure all discussions treat people fairly; be respectful, honest and accountable; be clear about what brought you to the discussion and what you would like to achieve; and give people an opportunity to respond;
- Have the conversation in private, and keep the discussion confidential;
- Try to start from a place of neutrality, aiming to gain an understanding of individual perspectives, intentions and impacts, and reflect on and challenge your own inherent stereotypes, assumptions and perspectives;
- Try not to judge; separate the problem from the person, actively listen, ask questions, seek clarification, and build on your understanding;
- Remain open to views about what you or others could have done differently;
- Seek common ground/mutual interests and use these as a basis for joint problem-solving to find solutions that everyone can accept; and
- Recognize that resolution may take some time and potentially a series of discussions; don't try and do this all at once as people need time to think through issues and discover solutions, and they may need time to work through complex emotions that the discussions reveal.

"Individuals sometimes ignore rules, and toxic personalities sometimes create challenges... difficult personalities on the Council create a challenging and uncomfortable environment for the Council itself... In the end, the Council must manage its own behavior and seek compliance from its own members."

(From the Public Management article Preparing Councils for their Work by Julia Novak and John Nalbandian, August 2009, pg. 27)

Where the Conduct Issues are Systemic or Widespread

Some types of conduct lend themselves to discussions with the full Council or Board and informal resolution would begin there (e.g., certain elected officials are repeatedly interrupted, bullied or belittled by others; conduct is markedly different in closed meetings than in open ones; grandstanding becomes an issue when the public is particularly engaged and vocal at the Council or Board meeting).

In other cases, informal resolution that begins with individual discussions noted above reveals underlying causes that need to be discussed by the full Council or Board, and informal resolution would then move to these more broadly-based discussions.

This presents an opportunity for the Council or Board to engage in continuous improvement with broader discussions about how to work more effectively together.

This could involve processes discussed in Chapter 1, Fostering Responsible Conduct and Chapter 2, Maintaining Good Governance, and it is well-suited to discussion as part of a Council or Board's next check-in.

Full Council/Board discussion is appropriate whenever the conduct or its root causes indicate underlying systemic challenges, because those challenges need to be addressed in order to satisfactorily resolve the conduct issue and to avoid future incidents. Councils and Boards that find a way to identify systemic issues (e.g., preconceptions about things like gender identity, economic status, ability, race or age; lack of a common set of facts on matters discussed; gaps in a shared understanding of conduct expectations), speak about them openly and safely, and jointly develop solutions (e.g., leadership development, enhanced policy alignment) may find that conduct issues can be resolved, unproductive conflict and friction reduced, and more effective trusting working relationships established.

Professional Advice from Staff

While ultimately it is up to elected officials to restore responsible conduct of their members, senior staff can provide key support to that process. For example, they are well-positioned to:

- Provide advice about approaches to resolve conduct issues, including resolution at an individual level and potential structural, system or policy realignment;
- Provide process and technical support to individual elected officials on informal resolution and/or enforcement processes;
- Provide advice on how to ensure informal resolution processes are fair to all participants and where expert fairness advice may be needed; and
- Provide advice about when to involve a facilitator in discussions and the skills that will be important to the success of that role, and/or what other external support or advice could be considered (e.g., legal advice; involvement of law enforcement).

FOOD FOR THOUGHT

- Is there anything in this situation that should prevent it from being considered for an informal resolution process?
- Who is best positioned to initiate a conversation or to facilitate one if needed?
- What support could the local government offer to elected officials who have conduct questions or concerns, or who want to better understand the process to try and deal with issues informally?
- What is being done to support relationship-building? What can be done to ensure all voices are heard? If these were enhanced, might it be easier for elected officials to sort out conduct issues informally? Are there lessons to be learned from this process that could apply more generally to elected officials' relationships, and/or to changes needed in the local government's policies and procedures?
- At an individual level: What triggers a change in my conduct? How can I manage that? What subconscious assumptions might be influencing my conduct? What support do I need to make a change or to sort out a conduct issue with my colleagues?

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 4

Essentials of Code of Conduct Enforcement

When to Consider Enforcement

In most cases local governments find it is worth exerting considerable effort towards informal resolution, and considering enforcement only if those efforts prove unsuccessful. Conduct is often about relationships, and with the collective governance model of local governments, good working relations are critical to good governance. Informal resolution can help to maintain relationships. Enforcement processes – being lengthy, protracted affairs that sometimes pit colleagues against each other – can serve to erode relationships as well as public trust in the process and the local government.

For this reason, local governments generally find informal resolution more effective, and are more satisfied with its outcomes (see Chapter 3, 'Resolving Conduct Issues Informally' for details). If informal resolution is not attainable, local governments may wish to consider enforcement.

A local government can hold its elected officials accountable for their conduct through an enforcement process articulated within its code of conduct, so long as that process is fair. This chapter focuses on characteristics of these code of conduct enforcement processes, and what to consider in their development, but first, it points to enforcement approaches outside of a code of conduct that may be applicable.



Overview of Other Enforcement Approaches

Specific Statutory Processes

Various federal or provincial laws provide specific accountability or enforcement processes for certain conduct matters, for example:

- **Incidents and complaints regarding bullying and harassment of an employee and/or other conduct that affects employees:** Local governments are responsible for the safety of their employees at work. If a complaint relates to matters covered by legislated provisions to address workplace bullying and harassment, the complaint **must** be dealt with in accordance with the *Workers Compensation Act* and Occupational Health and Safety policies established by WorkSafeBC. There may also be other laws, local government policies or employment arrangements that will govern how to respond when an employee indicates they have been subjected to unsafe working conditions or inappropriate behaviour.
- **Application to court for a declaration of disqualification and forfeiture of financial gain for contraventions of conflict of interest and other ethical conduct requirements:** The *Community Charter, Local Government Act* and related legislation provide rules for conflicts of interest, inside influence, outside influence, gifts, contracts and insider information. Contraventions result in disqualifications and may result in forfeiture of any financial gain that resulted. Electors or the local government may apply to the Supreme Court for a declaration of disqualification and for an order to forfeit financial gain.
- **Prosecution of an offence:** Some contraventions of legal requirements are offences which may, at the discretion of the provincial Crown Counsel, be prosecuted in court, and convictions may result in fines and/or imprisonment (e.g., unauthorized disclosure of personal information under the *Freedom of Information and Protection of Privacy Act*, and unauthorized disclosure of certain confidential information under the *Community Charter, Local Government Act* and related statutes).

LEADING PRACTICE TIPS

This list is not exhaustive. There are numerous other federal or provincial laws that provide enforcement processes (e.g., Court-based prosecutions under the Criminal Code of Canada for contravention of laws related to libel or slander; Human Rights Tribunal determination of discrimination complaints under the BC Human Rights Code). Local governments will want to familiarize themselves with all applicable legislation before initiating a local government enforcement process.

Local Government Process to Decide on a Specific Alleged Conduct Contravention and Impose Related Sanctions

The courts have found that a local government has an ability to control conduct of its members in some circumstances, and local governments have relied on this to impose sanctions for contraventions on a case-by-case basis.

These case-by-case processes are similar to enforcement processes articulated within a code of conduct: both can result in sanctions; both must be undertaken using a high standard of fairness; and both are complex from a legal perspective.

However, an important distinction between them relates to whether the process is established in advance (as it is for processes articulated within a code of conduct), or whether it is developed each time it is needed (as it is for case-by-case processes).

LEADING PRACTICE TIPS

Before getting into a situation where misconduct of a Council or Board member becomes an issue, develop a code of conduct to set standards of conduct, and include within the code the process that will be used to deal with alleged contraventions.

An enforcement process articulated within a code of conduct has several advantages over a case-by-case enforcement process, as illustrated in the graphic, and is strongly recommended.

ADVANTAGES OF CODE OF CONDUCT ENFORCEMENT

ENHANCED CERTAINTY AND TRANSPARENCY IN THE PROCESS

- Everyone understands the process by which officials will be held accountable for their conduct
- Improved public confidence

IMPROVED COMPLIANCE

- Those who are subject to a code may be more likely to comply if there are known consequences for contraventions

ADMINISTRATIVE EFFICIENCIES

- Once the process is developed, using it for a subsequent contravention allegations will eliminate the need to “reinvent the wheel” each time an allegation is made

ENHANCED FAIRNESS

- Consistent use of the same process helps to ensure everyone is treated fairly
- Can help to overcome perceptions of bias in decisions about the process itself

Obtaining Legal, Law Enforcement and Other Advice About Enforcement Processes

Conduct enforcement is a complex and evolving area of law; while this guide is intended to help support local government decision-making in relation to conduct matters, it does not provide legal advice, and it is not a substitute for that advice.

Code of conduct enforcement does not replace other enforcement approaches that may be available or required, such as those described above. As a local government begins to explore what enforcement processes are available for a particular conduct contravention, it may want to consider discussing the matter with their legal advisors and, in some circumstances, with law enforcement or other agencies (e.g., WorkSafe BC for matters in which the conduct affects an employee; Office of the Human Rights Commissioner for matters that may be discriminatory).

Code of conduct enforcement is a complex process and its outcomes can be significant, so it is important for local governments to give considerable thought to how to ensure its process is sound. Articulating an enforcement process within a code of conduct is also a relatively new practice in B.C. and largely untested in the courts, which represents some legal uncertainties. These factors give rise to a critical need to seek legal advice on details of the process as it is being designed and when it is implemented.

This guide should not be used as a template for designing a code enforcement process, because some elements (e.g., what is an appropriate standard of fairness; what would comply with open and closed meeting rules; how to ensure that informal processes do not jeopardize a subsequent enforcement process; what complaints can be dismissed; what sanctions may be imposed) can vary considerably depending on specific circumstances. The considerations and current practice set out in the guide are intended to support a local government's initial thinking about these processes and as a starting point for it to have an informed discussion with its legal advisors about how to design an enforcement process that will meet its unique circumstances and needs.

Code of Conduct Enforcement: Overarching Considerations

Ensuring a Fair Process

Code of conduct enforcement processes have two stages: determining if there has been a contravention (e.g., taking complaints; conducting investigations; making determinations), and if so, making decisions on what, if any, sanctions to impose (e.g., recommendations from investigation and/or a Council/Board decision on sanctions). Fair process in both of these stages is critical.

A local government is obligated to ensure its decision processes are fair, particularly where the decision affects the interests of a specific individual.

Given the significance of these processes to elected officials, local governments need to consider how they can meet a high standard of fairness, including finding ways to ensure throughout the process that:

- The person affected by a decision is able to participate in the process before the decision is made (e.g., is notified of allegations, findings and recommendations and provided all documents and information that will be relied on by decision-makers, is provided with an opportunity to respond and sufficient time to prepare, and is given an opportunity to be represented by legal counsel at the appropriate stage);
- The decision-makers are open-minded (i.e., they have neither a conflict of interest nor a predetermined bias); and
- The decision is based on relevant evidence and, where applicable, the justification for the decision is given to the person(s) affected by it.

LEADING PRACTICE TIPS

Build timelines into the various steps of your enforcement process. This will enhance fairness, and can avoid eroding relationships further as the process drags on.

Build an informal resolution component into your code of conduct enforcement process.

Consider carefully managing the extent to which staff are involved in enforcement processes. Given the nature of these processes, critical staff-elected official working relationships can be significantly affected.

Consider specifically referring to legislated confidentiality requirements in your code of conduct, so members know how they will be held accountable for contraventions of those provisions.

Ensuring the Investigator has Sufficient Independence, Expertise and Authority

It can be extremely challenging to ensure the person conducting an investigation is free from bias or the perception of bias when investigating a colleague (i.e., where a Council/Board or one of its committees is investigating the conduct of a Council/Board member) or when there is an employer/employee relationship (e.g., where a CAO is investigating the conduct of a Council or Board member).

In order to remove this perception of bias, improve fairness, and enhance public trust in the process, investigations are most often assigned to an independent third party.

Balancing Transparency and Confidentiality

Local government legislation provides rules around what must be dealt with in open meetings, and what may or must be dealt with in closed meetings. The *Freedom of Information and Protection of Privacy Act* provide rights of access to certain records, as well as a requirement to protect personal information. A local government will need to ensure compliance with these laws as it develops and implements its enforcement processes.

Within these legislated parameters, there may be some discretion for local governments to make choices about whether to conduct some parts of the enforcement process in open or not. Where there is sufficient discretion, local governments may wish to consider where confidentiality is needed to support a fair process, where transparency is needed to enhance public confidence in the process, and how to balance these two objectives in each step of the process and overall.

For example, to protect the privacy of the individuals involved and ensure investigations are free from bias, most local governments maintain confidentiality throughout the complaint and investigation processes (e.g., notifying only those involved and requiring them to maintain confidentiality). Once the investigation is complete, and if it finds there was a contravention, the balance can sometimes shift towards transparency by providing for consideration of, and decisions on, investigators' reports and sanctions in an open Council or Board meeting. This is typically because the legislation requires this (i.e., the subject matter does not meet the criteria for discussion in a closed meeting) and/or the local government considers the public interest is best served by making these decisions transparently.

Matters of Cost, Capacity, Efficiency and Effectiveness

Decisions around process will have an impact on financial and human resource capacity. For example, decisions about who can make a complaint (e.g., elected officials, staff or the public) can significantly affect the volume of complaints and investigations. This will affect resources that will need to be dedicated to the enforcement process, since investigations can be time consuming and require people with highly specialized skills.

These considerations can help to sharpen the focus on various design elements and implementation strategies, not just for enforcement but for all elements of building and restoring responsible conduct. In addition, they may encourage reconsideration of alternative measures (e.g., prevention activities or informal resolution of conduct issues) that may have been previously discarded because of their associated costs (yet may be much less costly – both financially and in relationship impacts – than code of conduct enforcement).



Code of Conduct Enforcement: Process Steps, Current Practice and Considerations

The inclusion of details of how alleged contraventions will be addressed is a recent trend in B.C. local government codes of conduct. Where processes are articulated, they tend to consist of a number of distinct steps, within which there are both some common elements and some variation.

The following tables are snapshots of these provisions taken from a small sample of current B.C. codes. Readers are cautioned that this does not represent the full extent of existing practice, but rather an overview intended to be generally representative of the range of enforcement approaches articulated currently in B.C. codes of conduct.

As noted earlier, including enforcement provisions in codes of conduct is an emerging area still largely untested in the courts.

The examples provided here are not provided as templates but rather as a starting point; each local government needs to consider its own circumstances and seek its own legal advice as it develops its processes and sanctions.

It is critical that local governments exercise a high standard of fairness in these processes. Some jurisdictions choose to articulate this extensively in their code in order to provide clarity and certainty, while others do not articulate this in their code, but instead provide fair process as a matter of practice, allowing some flexibility to adapt to specific circumstances. Do not assume that codes that lack explicit fair process provisions mean that the jurisdiction is not practicing fair process. The choice is not whether or not to provide a fair process, but rather how and where to define it.

INITIATION: What triggers the process?

How is the enforcement process initiated and who can make a complaint?	The process is typically initiated by a complaint, and complaints are allowed from any member of the Council or Board. In some cases, committee members and/or staff may also make a complaint, and in a few cases, complaints are accepted from "any person," which would include all of the above as well as members of the public.
How is the complaint made, and what must it contain?	Typically, the complaint must be in writing, and most require these to be signed and dated by the complainant. There are varying degrees of specificity in the detail to be provided, with some codes saying nothing about this, and others requiring more specifics (e.g., detailed description of the conduct, witnesses and supporting documents).
To whom is the complaint made?	Most are delivered to the mayor/chair and/or a staff official (e.g. CAO), with provision that if the mayor/chair is involved, delivery is to the acting mayor/chair. In a few cases, delivery is to mayor and Council/chair and Board, and in some cases, complaints go to an investigator if one has been appointed.

Considerations:

- **Fair process/cost and capacity:** Fairness would dictate that at a minimum, anyone subject to a code of conduct should be allowed to make a complaint. From a public trust perspective, consideration could be given to allowing complaints from anyone impacted by the conduct (e.g., members of the public who are impacted by the erosion of good governance resulting from the conduct). The volume, and perhaps the complexity, of complaints tends to increase as the number of potential complainants increases, which will have cost and capacity impacts.
- **Fair process:** Consider timelines for making a complaint. Existing practice examples: some codes don't explicitly provide a deadline, while others tie a deadline to the breach (e.g., as soon as possible after, or within six months).
- **Fair process:** Consider how much detail to require in a complaint. Part of a fair process is enabling the respondent to respond, which would be difficult without sufficient detail as to the allegation. To be clear about process, consider explicitly stating that the respondent is to be provided notice of the allegations and an opportunity to respond before a decision to proceed to an investigation is made, perhaps with some deadlines. Existing practice examples: some codes do not provide this explicitly, while others do and provide deadlines (e.g. must respond within 14 days of notification).
- **Confidentiality/transparency:** Consider measures to ensure confidentiality until an investigation of the allegations is complete.

INFORMAL RESOLUTION: What informal resolution processes are available?

When does informal resolution occur and how is it triggered?	Most codes explicitly provide for informal resolution. Some create an informal complaint process, and encourage complainants and respondents to try informal resolution before a formal complaint is made. Some other codes encourage an attempt at informal resolution after a formal complaint has been submitted and before the complaint review process; in these cases, the CAO and/or mayor/chair become involved in that informal resolution step.
What is the informal resolution process?	Some codes that provide for informal resolution are silent as to the process. However, most others call for the complainant to address the issue directly with the respondent to encourage compliance, and/or to request the assistance of the mayor/chair to attempt to resolve the issue. In one case, a senior staff official could be called on to assist the complainant in that process, and third-party mediation is an option if these steps aren't successful in reaching resolution.
What are the timelines and fair process provisions?	There is no deadline for informal resolution where it occurs prior to receiving a formal complaint, because the de facto deadline is when a formal complaint is made. Most codes that encourage informal resolution after a formal complaint is made set a 30-day deadline to attempt informal resolution prior to an investigator being appointed. Most do not have specific fair process or transparency/confidentiality provisions for this informal stage. However, in some cases, there are specific provisions for confidentiality, and where mediation is part of the process, legal or other representation for the complainant and respondent are offered for that part of the process.

Considerations:

- **Cost/capacity/efficiency/effectiveness**: Local governments may want to consider encouraging informal resolution because that can be less costly and lead to better outcomes than investigation and sanction processes (see Chapter 3, Resolving Conduct Issues Informally).
- **Confidentiality/transparency:** Consider measures to keep informal resolution processes confidential.

APPOINTMENT OF INVESTIGATOR: Who is appointed to investigate and how are appointments made?

Who is the investigator, who makes the appointment, and on what basis?	In the majority of cases, the investigator is an independent third party, typically appointed by either the mayor/chair, the person acting in their place, or jointly by the mayor/chair and CAO. Exceptions include when the code assigns investigator duties to a position (e.g., senior staff official), or when the investigator is defined as the Council/Board or an individual or body appointed by the Council/Board. In cases where a senior staff official is assigned in the code as investigator, the code also provides for that individual to appoint an independent third party to investigate instead of the senior staff official.
What duties does the investigator perform?	Typically, investigators undertake the complaint review process, investigation and reporting of findings. In at least one case, a senior staff official is responsible for the complaint review process, and the investigator is appointed only after the complaint review process is complete, if needed. In one case, the investigator is assigned a broader range of responsibilities.[6]
What are the timelines and fair process provisions?	Several jurisdictions require the investigator be appointed within 30 days of receipt of a formal complaint (unless the matter is resolved informally within that time frame). See "Who is the Investigator" above for fair process provisions.

Considerations:

- **Fair process/investigator independence, expertise and authority:** Choosing an investigator who is free from bias is critical. This would indicate a need to appoint an independent third party, and/or ensure other mechanisms are in place to protect investigator independence. Assigning an investigation to a senior staff position, such as a CAO, is not recommended for most investigations as it would be very difficult to achieve the needed level of independence, and because the investigation could harm the staff-Council/Board relationship, compromising both the ability of the Council/Board to provide good governance and the CAO's ability to effectively perform their duties. Providing for input from the complainant and respondent on the choice of investigator can help ensure all parties agree the investigator is unbiased and qualified; this effect can be enhanced by provisions that refer to the need for investigators to have professional skills/expertise.
- **Confidentiality/transparency:** The choice of who appoints the investigator (e.g., Council/Board, mayor/chair and/or CAO) may impact when complaint information becomes public, since Council/Board decisions may need to be made in an open meeting.

6 City of Surrey Bylaw 20018 creates an Ethics Commissioner position and assigns a number of roles to the position, including providing advice and delivering training. See link in Chapter 6, Resources.

COMPLAINT-REVIEW PROCESS: How are complaints initially dealt with and by whom?

What is the complaint review process and who carries it out?	If informal resolution is not reached, complaints undergo an initial assessment and are either dismissed or proceed to investigation. Almost always, the investigator is responsible for the initial assessment, although in at least one code of conduct, this role is assigned to a senior staff official.
On what basis can a complaint be dismissed?	Reasons that a complaint may be dismissed are usually provided, but there is some variation on the grounds for dismissal. Many refer to complaints that are frivolous, vexatious and/or not made in good faith. Several also mention complaints that are unfounded, based on insufficient grounds, unlikely to succeed and/or beyond the jurisdiction of the code or other conduct policy.
What is the process if a complaint is dismissed?	Many do not provide a specific process. Where one is provided, there is a requirement to inform the complainant and, in at least one code of conduct, the Council or Board.
What are the timelines and fair process provisions?	Codes don't typically set timelines for this step. Some codes provide that the respondent must be notified and given an opportunity to provide an initial response prior to the complaint review process; of these, a few provide deadlines for the initial response (e.g., within 14 days of notification).

Considerations:

- **Cost, capacity, efficiency, effectiveness:** Local governments will want to consider some form of complaint-review process, to ensure that investigations aren't required when not warranted by the nature of the complaint.
- **Fair process:** Both fair process and public trust can be enhanced by being clear about the types of complaints that can be dismissed, while providing some discretion for investigators to make decisions based on their professional judgement and specific circumstance. Local governments may also want to consider whether to provide some deterrents for vexatious complaints (see Other Enforcement-Related Provisions table).
- **Confidentiality/transparency:** For complaints that are dismissed, local governments will want to consider how to treat the involved parties fairly when making decisions about whether or not to provide notification about the complaint and the reasons it has been dismissed, and the extent of that notification. For complaints that proceed to investigation, fair process would require notification to both the complainant and respondent, and opportunities for the respondent to respond during the investigation (see the Investigation table below).

INVESTIGATION: How are complaints investigated?

What is the purpose of the investigation and how is it conducted?	Investigations tend to be described quite generally (e.g., independent, impartial investigation of complaint; determine the facts, review relevant documents, conduct interviews), which provides considerable room for investigators to use their professional judgement to adapt the investigative process to meet the circumstances. Specific provisions relate to fair process, described below.
What are the timelines?	Some codes do not provide timelines. Where they are provided, timelines can refer to when the investigation begins (e.g., within 10 days, or as quickly as possible), when updates are provided (e.g., updates within 90 days after investigator's appointment) and/or when the investigation finishes (e.g., within 30 days, with extensions possible).
What are the fair process provisions?	Codes typically provide for confidential investigations and require participants to respect that confidentiality. All codes have investigation fair process provisions, that are either general (e.g., investigate in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice), or more specific (e.g., complainant and respondent are provided notice, and relevant documents, respondents must be given opportunity to respond, and participants may be represented (including legal counsel).

Considerations:

- **Fair process:** Whether or not specific provisions are included in the code, participants must be afforded fair process. Local governments will need to consider how they will provide key fairness elements, like:
  - How respondents will be able to effectively participate, including how and when they will be provided with relevant documents, how and when they can respond (ensuring they are given sufficient time to prepare that response); and when are respondents and potentially others given an opportunity to be represented and by whom; and
  - How to ensure the decision is based on relevant information (e.g., considerations around things like documentation of evidence, findings and decisions).

  In addition, local governments will want to consider how much of this to detail within their code. More detail helps to ensure processes are consistently applied and things don't get missed, but may make the process less flexible and more difficult to adapt to emerging circumstances.

- **Confidentiality/transparency:** Considerations typically relate to how to ensure allegations and evidence remain confidential during the investigation process.

REPORTING FINDINGS: How are investigation findings and recommendations reported and to whom?

What must be in the investigator's report?	Reports must provide investigation findings. In some cases, there is a specific requirement to include findings as to whether there has been a contravention, and/or recommendations on resolution of the complaint.
Can sanctions be recommended if there has been a contravention?	There are two approaches: specific authority for the recommendations of sanctions from among a list of potential sanctions in the code; OR no specific mention of the ability to recommend sanctions, even though the code lists potential sanctions.
Can additional recommendations be made in the report?	A number of codes specifically allow any recommendation an investigator deems appropriate and also specifically provide for a recommendation that the complaint be dismissed.
To whom is the report delivered?	There are two general approaches, with some slight variation: to the Council/Board, with some also provided to a staff official; OR to the mayor/chair (with provision for the acting mayor/chair if that person is involved) with most also being provided to a staff official.
What are the timelines and fair process provisions?	There are few timelines for reporting (see Investigation table above for details). In many cases, there are explicit provisions for reports to be provided to both the complainants and respondents. A few state that the report to the mayor/chair is confidential, and in one case, there is explicit provision that if there is insufficient evidence in an investigation, the investigator reports that finding but there is to be no permanent record of the complaint.

Considerations:

- **Fair process:** Consider how and when the complainant and respondent are informed of the findings of the investigation. Consider whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.
- **Confidentiality/transparency:** Consider whether the investigator's report is provided confidentially or not. The choice of who receives the investigator's report may impact the extent to which the report is confidential, since if the report is delivered to the Council/Board, this may be in an open meeting. Where reports are not confidential, consider whether some information must be severed to comply with legislated privacy rules. Consider whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.

FINAL RESOLUTION: What actions can be taken once findings have been reported and by whom?

If the investigator's report goes to mayor/chair, does it also go to Council or Board?	Some codes require the mayor/chair to provide the report, or a summary of it, to the Council/Board, others allow that person to decide whether it should go to the Council/Board, and the remainder do not give direction to the mayor/chair as to whether or not the report should be provided to the Council/Board.
What happens if the investigation finds a contravention?	Some codes state that the decision about whether there was a contravention rests with the Council/Board. Others are less explicit, stating only that the investigator's report must state whether there has been a contravention.
If there was a contravention, who imposes sanctions and what are the parameters around that?	**In no case can an investigator impose sanctions. That decision rests with the Council/Board.** Codes describe what sanctions may be imposed, and in many cases, a Council/Board can choose from among those provided. In some cases, the only sanctions that can be imposed are some or all of those recommended by the investigator. In at least one case, the Council/Board is directed to consider specified factors (e.g., nature or impact of the conduct).
What are the timelines and fair process provisions?	Some codes do not articulate fair process. Others do, including: notification to the respondent prior to Council/Board consideration, stating that the respondent is entitled to respond and given time to prepare response (e.g., two weeks), stating that the respondent is entitled to be represented, including by legal counsel (some have indemnification; see 'Other Enforcement-related Provisions' table below). Some codes provide for Council/Board consideration in open meetings, while others provide for closed meetings for this.

Considerations:

- **Fair process:** Whether or not specific provisions are included in the code, participants must be afforded fair process. Local governments will need to consider how they will provide key fairness elements and how much to detail this within their code. **Refer to the fair process discussion in the 'Investigation' table above, which is relevant for this step also.** In addition, consider how to ensure an unbiased decision on sanctions. Some local governments find that limiting Council/Board discretion (e.g. may only impose sanctions recommended by investigator, or must consider specific factors) can help to reduce the potential for bias and/or ensure the decision is based on relevant information.
- **Confidentiality/transparency:** Consider relevant meeting rules and the nature of the matter. If these matters are dealt with in open meetings, consider whether some personal information should be severed; if dealt with in closed meetings, consider when and how the respondent is informed of decisions, and when and to what extent information is made available to the public (as a void of information can ultimately be filled by misinformation). Consider also whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.

OTHER ENFORCEMENT-RELATED PROVISIONS: A sample of other key enforcement provisions that may be included in a code.

What enforcement provisions are there for different groups that are subject to a code?	Many codes apply only to members of the Council/Board; some also include committee members and/or staff. Where these other groups are included, codes tend to modify enforcement provisions (e.g., who deals with complaints and how this is done; what sanctions may be imposed) for each group.
Do codes provide for reimbursement of legal costs for a person involved in an enforcement process?	Some codes make provisions for reimbursement of a respondent's legal costs under certain circumstances, and with certain limits (e.g., if the person did not act in a dishonest, grossly negligent or malicious way; for the first occurrence, but not subsequently unless agreed in advance; upon request; only reasonable costs are reimbursed, sometimes with specified dollar limits).
What are the responsibilities of persons subject to the code?	Most codes require that members refrain from discussing allegations at open meetings until after investigations and Council/Board decisions on them. Some codes require that members endeavour to resolve disputes in good faith, cooperate with informal resolution and/or not obstruct the Council/Board in investigations. Some also require that members not act or threaten reprisal/retaliation against involved persons (i.e., complainant, respondent, witness, staff). In at least one case, for complaints that are vexatious, malicious or in bad faith, complainants are subject to disciplinary action, including sanctions in the code.

Considerations:

- **When code applies to committee members and/or staff:** All processes must be fair, and all will need to consider the confidentiality/transparency balance, but how these are applied is often different for each group. There may also be different legal or contractual requirements that would guide enforcement processes that must be considered (particularly with respect to staff).
- **Reimbursement:** Fairness can be enhanced by providing clear policy in the code, rather than dealing with reimbursement of legal costs on a case-by-case basis. In considering the potential to offer reimbursement of legal costs and limitations around that, local governments may wish to consider whether their indemnification policy could inadvertently act as a deterrent to trying to work things out informally.
- **Responsibilities:** Local governments may wish to consider whether the fairness and/or effectiveness of their enforcement processes could be enhanced by provisions such as these.

Sanctions

As described in the 'Final Resolution' table above, if the findings of an investigation indicate that there has been a conduct contravention, a Council or Board may consider what, if any, sanctions to impose.

As with other elements of a code of conduct enforcement process, legal advice is recommended as sanctions are being designed and when they are imposed.

Current Practice for Sanctions

Codes of conduct that provide details of an enforcement process also typically set out a range of sanctions that the Council or Board could impose for contraventions.

Sanctions are stated specifically, generally, or as a combination of these. For example, some codes say that the Council/Board "may impose sanctions" and follow this with a few examples, while others provide a specific list of sanctions, sometimes followed with a general provision for "any other sanction considered appropriate" by the investigator in some cases and the Council/Board in others.

Some codes also provide overarching statements that sanctions may only be imposed if they do not prevent the member from fulfilling their legislated duties of elected office.

Specific sanctions included in a sampling of B.C. codes of conduct are:

- Request letter of apology
- Mandatory education, training, coaching or counselling
- Suspension/removal from some or all committees or other bodies
- Public censure
- Letter of reprimand or formal warning
- Publication of reprimand or request for apology and member's response
- Suspension or removal as deputy/acting mayor/chair
- Restrictions on representing the local government or attending events or conferences
- Limits on travel/expenses beyond those in corporate policies
- Limiting access to certain local government facilities
- Requirement to return local government property provided for convenience
- Restrictions on how documents are provided to the member
- Reduction in compensation (in accordance with remuneration bylaw)[7]
- Written pledge promising to comply

Readers are cautioned that this listing merely presents a compilation of sanctions currently included within B.C. local government codes of conduct. They should be considered in the context of evolving law and the legal uncertainty that is discussed above. Given this, legal advice is advised on sanctions as well as other elements of a code of conduct enforcement process.

7 This sanction is provided for in the District of North Cowichan's code of conduct, and it is specifically linked to its Council remuneraton bylaw. See Chapter 6, Resources for link.

Considerations When Imposing Sanctions

- **Fair process:** Fairness can be enhanced and the potential for bias reduced by providing direction to the Council or Board about what it must consider in making sanction decisions, or limiting Council/Board discretion to only imposing some or all of the sanctions recommended by the third-party investigator.
- **Effectiveness:** While sanctions can be imposed as a way of distancing the Council or Board from the member's conduct (e.g., public rebuke) or to penalize the member for the contravention (e.g., reduction in remuneration, imposing limits on travel or suspension of committee appointments), local governments may also wish to consider how sanctions may be used to support a return to responsible conduct and to prevent conduct issues in the future. For example, providing coaching, skills building or training can help to avoid conduct issues that stem from a misunderstanding about roles and responsibilities, from cultural assumptions or from frustration with not being able to get one's point across at a meeting. Additionally, restricting how documents are provided to the member can help to prevent a recurrence of a contravention of a duty of confidentiality.
- **Legal risk:** Sanctions are not specifically mentioned in B.C. local government legislation but local governments have been found by the courts to have the ability to manage conduct; this may include the ability to sanction in cases of the misconduct of a Council or Board member. The edges of that authority – in terms of what specific sanctions may be imposed – aren't yet clear, but some key questions to think about in imposing sanctions are set out in this graphic. Ensuring that each question can be answered with a "yes" may mean that the legal risk related to the proposed sanction is lower.

Could the sanction fall within the local government's legislated powers?

(e.g. CC/LGA fundamental and included powers; power to rescind appointments.)

If the sanction were imposed, would the elected official still be capable of fulfilling their duties of office?

(e.g., a suspension or disqualification from office would mean the elected official could not fulfill their duties of office; removal from rotation as acting mayor/chair or from a committee would not have that effect.)

Is the sanction consistent with other policies and procedures of the local government?

(e.g., do policies related to compensation allow for reduced remuneration if an elected official is found to have contravened the code of conduct?)

Were processes to determine the contravention and impose sanctions procedurally fair, with due regard to natural justice?

(e.g. notice, opportunity to be heard, open-minded decision-making, and consideration of relevant facts?)

How to Improve the Post-sanction Environment

Disqualification is not a sanction that can be imposed by a local government. Consequently, an elected official found to be in contravention of a code of conduct will continue to be a Council or Board member. By the time formal complaints are made, relationships among Council or Board members may be very strained, and the investigation and sanction process will likely further damage these relationships.

Finding effective ways to work together will become even more important, and local governments may wish to consider what specific support could be provided to the elected official found to be in contravention, and to the collective to facilitate them working effectively together again. In addition, consideration may be given to whether policy or procedure changes could support a return to responsible conduct. Local governments may also wish to consider whether to give the investigator an ability to make these types of restorative and support recommendations, which could help to move away from a singular focus on sanctions.



FOOD FOR THOUGHT

- Is informal resolution something that would be suitable for the conduct issue at hand? If so, have we attempted that? If not, why not?
- What enforcement processes and sanctions does our code of conduct include? Are they sufficient?
- Do we have a process in place to review our code of conduct and what it covers? What can we learn from what we have just gone through for any future situations?
- Does our code refer to legislated conduct rules? If so, is it clear about which enforcement processes refer to what code provisions? (e.g., court-based processes for conflict of interest, WorkSafe BC processes for bullying and harassment involving an employee, code of conduct enforcement for all others).
- Have we done everything we can to make sure investigations and decisions are free from bias and administratively fair, and that the entire enforcement process reduces the potential for the process to be used for purely political purposes?
- Are we providing the same standard of fairness to everyone?

"Justice Crawford sounded one important note of caution on the right of an elected council to take action regarding a council member's misconduct. The power to decide whether a council member's conduct falls below the expected standard of conduct must be exercised with great care and discretion:

> 'Far too easily, this could turn into an abuse of process for cheap political gain, and any council that sets out in this direction must be careful in what it is doing.'"

(From the Young Anderson paper Controlling Councillor Conduct)

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 5

Conclusion

Forging the Path to Responsible Conduct

Local governments are finding that putting sustained effort towards fostering responsible conduct and resolving conduct issues informally is an effective way to avoid lengthy, divisive enforcement processes, and is also necessary to sustain and maintain good governance.

Key success factors include:

- Initiating discussions towards adoption of a code of conduct before conduct issues emerge;
- Adopting a code of conduct, including details of the enforcement process to be used to address alleged contraventions of the code and the range of sanctions that may be imposed by the Council or Board if a contravention is determined;
- Building supporting structures, including policy alignment, and supporting elected official leadership and skills development;
- Finding ways to work effectively together and to build trustful, respectful working relationships, through such means as regular Council or Board check-ins; and
- Not allowing conduct issues to fester, but rather taking steps to resolve them informally early on and identify and address their underlying causes (e.g., preconceptions, mistrust, misinformation) in order to avoid future conduct issues.

> "The time to adopt a code of conduct is not when you're in the middle of a crisis – it's when things are going well, and when it can be aspirational."
>
> (A B.C. regional district CAO)

When enforcement processes are needed, local governments are well served by having articulated their process within their code of conduct in advance. Key factors to consider include ensuring a high standard of fairness throughout the process (e.g., the person affected by the decision is able to participate in the process before the decision is made, the decision-maker is open-minded, and the decision is based on relevant information).

Subsequent to enforcement processes, local government have found a need to take a renewed interest in improving working relationships among the Council or Board that tend to have further eroded during the enforcement process. Efforts towards continuous improvement in fostering responsible conduct and maintaining good governance are helpful – in particular, rebuilding respectful and trustful relationships.

CHAPTER 6

Resources

Click the name of the resource in dark blue to link to the website.

Please note: the following links were up-to-date at time of publication. If the links do not work, most of these resources can be found by conducting a web search using the name and organization listed below.

Chapter 1: Fostering Responsible Conduct

Featured Resources

- Working Group on Responsible Conduct materials:
  - ***Foundational Principles of Responsible Conduct for BC Local Governments*** describes key principles to guide elected officials' conduct.
  - ***Getting Started on a Model Code of Conduct for Your Council/Board: Model Code of Conduct*** and its ***Companion Guide*** provide a model code that local governments can modify to meet their needs, and describes things to think about when developing a code; the Companion Guide provides links to numerous resources, including several B.C. local government codes of conduct.
  - The Ministry of Municipal Affairs and Local Government Management Association publication ***Procedure Bylaw Guide: For B.C.'s Local Governments*** explains legislative requirements, provides best practices, and sets out questions to consider in developing procedure bylaw amendments.
- Other local government resources:
  - Oath of office: **City of Kelowna**
  - Social media policies: **District of Saanich Code of Conduct, s.6**
  - Information-sharing practices: District of North Vancouver policy **Staff Handling of Individual Council Member Requests for Information** (see Corporate Administration tab)
  - Conduct expectations for the public: **District of North Cowichan Public Input and Meeting Conduct Policy** and **Respectful Places Bylaw**
  - Checklists and educational tools: **District of Sparwood Code of Conduct Quick Reference Guide to Accepting and Disclosing Gifts**

Click the name of the resource in dark blue to link to the website.

Other Resources

- **B.C. Human Rights Code**
- **Local Government Leadership Academy website**
- **Local Government Management Association resources webpage**
- Institute for Local Government (California) publications:
  - **Developing a Local Agency Ethics Code: A Process-oriented Guide**
  - **Ethics Code Menu/Worksheet**
- Province of B.C. video **Roles and Responsibilities of a Locally Elected Official**
- Province of B.C. video **Characteristics of Effective Locally Elected Officials**

Chapter 2: Maintaining Good Governance

Featured Resources

- ***Enhancing Collaboration in British Columbia's Regional Districts*** (2014, by Jennie Aitken of the University of Victoria in collaboration with the Ministry of Community, Sport & Cultural Development, Union of B.C. Municipalities and LGMA) is a research study with findings that show what can support collaboration, and it provides a number of recommendations in relation to this; a **checklist** summarizes these recommendations.
- **Local Government External Resource Database** provides areas of speciality and contact information for professionals who work with local governments on governance and other critical issues.
- The Province of B.C.'s short videos **What Contributes to Effective Local Government Decision-making** and **Roles and Responsibilities of a Locally Elected Official** focus on key elements related to effective governance.
- **Sample customizable self-evaluation checklists for Councils and Boards**.
- **B.C. Ombudsperson Complaint Handling Guide** and **First Nations Health Authority** provide information on treating people with dignity and respect and building cultural humility.

Other Resources

- Ministry of Municipal Affairs webpage **Local Government Open Meeting Rules**
- B.C. Ombudsperson special report ***Open Meetings: Best Practices Guide for Local Governments***
- Candice Martin presentation on Prezi.com **Unproductive Conflict vs. Productive Conflict**
- Institute for Local Government (California) publications:
  - **Leadership & Governance: Tips for Success**
  - **Tips for Promoting Civility in Public Meetings**
  - **Understanding the Role of the Chair**
  - **Working Together to Achieve Ones' Goals**
  - **Dealing with Bumps in the Road**

Click the name of the resource in dark blue to link to the website.

Chapter 3: Resolving Conduct Issues Informally

Featured Resources

- B.C. Ombudsperson report ***The Power of an Apology: Removing the Legal Barriers*** and **Quick Tips on Apologies**
- *Public Management* article **Preparing Councils for their Work**, Julia Novak and John Nalbandian (August 2009, pg. 27)
- **Local Government External Resource Database** provides areas of speciality and contact information for professionals who work with local governments on governance and other critical issues.
- Institute for Local Government (California) publication ***Dealing with Bumps in the Road*** provides strategies for dealing with elected official and staff relationship challenges, which may also be useful when taking informal steps to resolve conduct issues among elected officials informally.

Resources

- ***Getting to Yes: Negotiating an Agreement Without Giving In***; Roger Fisher and William Ury, with Bruce Patton, Editor
- Institute for Local Government (California) publication: ***Attributes of Exceptional Councils***

Chapter 4: Essentials of Code of Conduct Enforcement

Featured Resources

- ***Getting Started on a Model Code of Conduct for Your Council/Board: Model Code of Conduct*** and its ***Companion Guide*** – of particular interest to enforcement are links to several B.C. local government codes of conduct, many of which articulate enforcement provisions, located within the *Companion Guide*.
- **City of Surrey Bylaw 20018** creates an Ethics Commissioner position and assigns a number of roles to the position, including providing advice and delivering training.
- District of North Cowichan's code of conduct provides for a sanction to reduce remuneration, noted in its **Council remuneration bylaw**.

Other Resources

- B.C. Ombudsperson resources ***Fairness in Practice Guide***, along with ***Fairness by Design*** and **Quick Tips: Essentials of Procedural Fairness**
- Young Anderson report ***Controlling Councillor Conduct*** by Barry Williamson, 2013.
- B.C. Ministry of Municipal Affairs webpage **Ethical Standards for Locally Elected Officials**
- Union of British Columbia Municipalities fact sheet **Conflict of Interest**
- WorkSafe BC's **bullying and harassment resource toolkit** along with ***A Handbook on Addressing Workplace Bullying and Harassment***
- **B.C.'s Office of the Human Rights Commissioner** and **B.C. Human Rights Tribunal** websites provide links to information and resources about the Human Rights Code, prohibited discrimination and how to file a complaint with the Human Rights Tribunal.

WORKING GROUP ON RESPONSIBLE CONDUCT

The Working Group on Responsible Conduct is a joint initiative between the Union of BC Municipalities, the Local Government Management Association of British Columbia, and the B.C. Ministry of Municipal Affairs. The group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.

UBCM Union of BC Municipalities

LGMA

BRITISH COLUMBIA

Foundational Principles of Responsible Conduct

For BC's Local Governments

Key Foundational Principles:

- **Integrity**
- **Respect**
- **Accountability**
- **Leadership & Collaboration**

What are foundational principles?

The foundational principles provide a basis for how local government elected officials fulfill their roles and responsibilities, including in their relationships with each other, with local government staff and with the public.

These principles are intended to guide both the conduct of individual elected officials and the collective behaviour of the local government council or board. The principles are also meant to guide local governments in fulfilling their corporate functions and responsibilities to their communities.

Responsible conduct at all of these levels is key to furthering a local government's ability to provide good governance to its community.

How do the principles "fit" with legal obligations?

It is the duty of elected officials to understand and abide by all legal requirements that apply to elected officials and local governments[1], and nothing in this document should be interpreted as taking precedence over such legal obligations.

Local government elected officials should interpret the principles described below in accordance with the responsibilities and obligations set out in B.C.'s local government legislation, other applicable legislation, the common law and the policies and bylaws of the local government.

How are the principles incorporated into the existing local government framework?

Elected officials are encouraged to incorporate the foundational principles whenever they are carrying out their official duties; but there are some circumstances where they are required to consider these principles.

Elected officials must recite an oath or affirmation where they make a commitment to uphold these principles before they can hold office.

Elected officials must also contemplate these principles when considering adopting a code of conduct at the beginning of a new term.

These principles will continue to be incorporated into B.C.'s local government framework to help bolster responsible conduct practices.

[1] Many legal obligations apply to elected officials and local governments, including but not limited to rules about: ethical standards such as conflict of interest; open meetings; protecting confidential information; workplace safety such as harassment; and expenditure of local government funds.

Foundational Principles of Responsible Conduct

INTEGRITY:
Conducting oneself honestly and ethically

- Be open and truthful in all local government dealings, while protecting confidentiality where necessary
- Behave in a manner that promotes public confidence, including actively avoiding any perceptions of conflicts of interest, improper use of office, or unethical conduct
- Act in the best interest of the public and community
- Ensure actions are consistent with the shared principles, values, policies, and bylaws collectively agreed to by the council or board
- Demonstrate the same ethical principles during both meetings that are open and closed to the public
- Express sincerity when correcting or apologizing for any errors or mistakes made while carrying out official duties

RESPECT:
Valuing the perspectives, wishes, and rights of others

- Treat elected officials, staff, and the public with dignity, understanding and respect
- Acknowledge how people's beliefs, values, ideas, and contributions add diverse perspectives
- Create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory
- Refrain from any form of discriminatory conduct[2] against another elected official, staff, or the public
- Honour the offices of local government and fulfill the obligations of Mayor/Chair and Councillor/Director dutifully
- Recognize and value the distinct roles and responsibilities of local government staff
- Call for and expect respect from the community towards elected officials and staff
- Ensure that public statements and social media posts that concern other elected officials, staff, and the public are respectful

[2] Discriminatory conduct includes any verbal or physical actions taken against someone because of their Indigenous identity, race, colour, ancestry, place of origin, religion, martial status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age pursuant to the BC Human Rights Code.

ACCOUNTABILITY:
An obligation and willingness to accept responsibility or to account for one's actions

- Be transparent about how elected officials carry out their duties and how council conducts business
- Ensure information and decision-making processes are accessible to the public while protecting confidentiality where necessary
- Correct any mistakes or errors in a timely and transparent manner
- Accept and uphold that the council/board is collectively accountable for local government decisions, and that individual elected officials are responsible and accountable for their behaviour and individual decisions
- Listen to and consider the opinions and needs of the community in all decision-making, and allow for public discourse and feedback
- Act in accordance with the law, which includes, but is not limited to, the statutes, bylaws, and policies that govern the local government

LEADERSHIP AND COLLABORATION:
An ability to lead, listen to, and positively influence others; coming together to create or meet a common goal through collective efforts honestly and ethically

- Demonstrate behavour that builds public confidence and trust in local government
- Provide considered direction on municipal policies and support colleagues and staff to do the same
- Educate colleagues and staff on the harmful impacts of discriminatory conduct, and take action to prevent this type of conduct from reoccurring if necessary
- Create space for open expression by others, take responsibility for one's own actions and reactions, and accept the decisions of the majority
- Advocate for shared decision-making and actively work with other elected officials, staff, the public, and other stakeholders to achieve common goals
- Foster positive working relationships between elected officials, staff, and the public
- Commit to building mutually beneficial working relationships with neighbouring First Nations to further advance reconciliation efforts
- Positively influence others to adhere to the foundational principles of responsible conduct in all local government dealings

The Working Group on Responsible Conduct is a joint initiative between the UBCM, LGMA and the Ministry of Municipal Affairs. The Group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.

LGMA Local Government Management Association of British Columbia
UBCM
British Columbia
Ministry of Municipal Affairs

Who Does What?

Municipal Government

MACKENZIE
BRITISH COLUMBIA

- Road maintenance
- Snow removal
- Water supply
- Sewer/storm water management
- Solid waste collection
- Parks, trails and playgrounds
- Cemetery
- Recreation Facilities
- Bylaws
- Fire Rescue
- Business licenses
- Community planning and development
- Municipal Hall
- Municipal Property Tax
- Emergency Management

Regional District

REGIONAL DISTRICT
of Fraser-Fort George

- Solid waste management (landfill, recycling depot and transfer stations
- Residential services outside Municipal boundaries
- Regional parks and recreation
- Rural area planning and development
- 911 operation
- Fire dispatch
- Heritage conservation

Provincial Government

BRITISH COLUMBIA

- Housing
- Schooling
- Provincial parks
- Crown land resource extraction
- Health care
- Social Services
- WorkSafe
- ICBC
- Justice
- Post-secondary education
- Highway maintenance (including highways within municipals boundaries)
- Provincial income tax
- Provincial property tax
- Sales tax

Federal Government

Canada

- Income tax
- Employment insurance
- Child tax benefits
- Student loans
- Military
- National parks
- International travel
- Banking
- Criminal law
- Foreign affairs
- RCMP

MACKENZIE
BRITISH COLUMBIA

DISTRICT OF MACKENZIE
COUNCIL STRATEGIC PRIORITIES

2021-2025

December, 2021

STRATEGIC PLANNING SESSION

Over two-half days in mid-September 2021, the District of Mackenzie Municipal Council and senior staff participated in a facilitated strategic planning session to review and update Council's 2017-2020 Strategic Priorities. The session began with a series of discussions on the community and local government. Strengths on which to build were highlighted; challenges for Council to address were put forward. Future trends, forces, realities, and opportunities were identified and examined.

Following these stage-setting discussions, participants reviewed in detail Council's existing strategic priorities that were unveiled in 2017 and reviewed and revised annually. This review, which was informed by the group's understanding of Mackenzie's challenges and opportunities, and by Council members' ideas and proposals, resulted in a refined set of priorities to guide the municipality's efforts and use of resources going forward.

This document presents Council's 2021-2025 strategic priorities that emerged from the strategic planning session.

Time Period

The October 2022, local government election will effectively mark the end of the current Council term. The updated strategic priorities developed at the planning session will be used to guide the organization through to the end of this term. The priorities will also, however, provide direction beyond the 2022 election into the following Council term, until such time as they are replaced by a new set of priorities.

Terminology

Each of Council's updated strategic priorities is presented in this document using a specific terminology. Three terms, arranged in a hierarchy, are particularly important to understand:

> *Strategic Priority* — A strategic priority is a high-level theme, or area of activity, in which Council chooses to invest energy, staff time, money and other resources.

> *Goal* — A goal sets out desired result — that is, something that Council wishes to achieve. Goals are listed under each strategic priority as desired "ends".

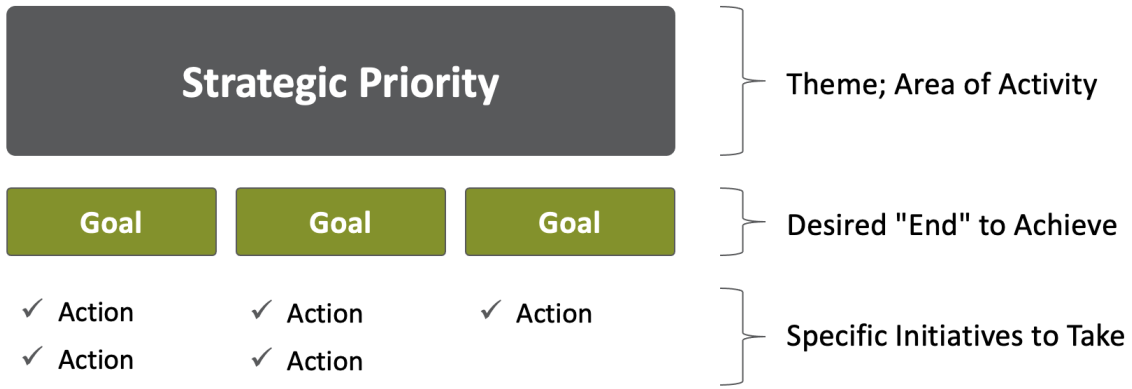
> *Actions* — Actions are tangible initiatives or projects that are undertaken to achieve the goals.

Council's Strategic Priorities (2021-2025)

This document presents Council's updated strategic priorities, developed by Council and senior staff at a September 2021, planning session.

Figure 1 presents these terms as a hierarchy.

Figure 1
Strategic Priorities Terminology



Terminology

Each of Council's updated strategic priorities is presented using a specific terminology:

- *Strategic Priority*
- *Goal*
- *Action*

COMMUNITY VISION

From its roots as a new town for forestry workers, Mackenzie has grown into a strong and supportive community that residents are proud to call home. Supported by a healthy environment, Mackenzie's economic base is diverse and robust, providing consistent employment for residents. Recreation is key to our high quality of life and healthy lifestyle, with exceptional natural features drawing residents outdoors. Great community services and facilities complement the outdoors with opportunities to meet and engage with neighbours. The town takes great pride in how attractive it is both for residents and visitors.

KEY TERMS

Roots in Forestry
The community celebrates its roots in forestry.

Pride in Community
Mackenzie's residents have tremendous pride in their community.

Healthy Environment
The community is surrounded and strengthened by nature.

Diverse & Robust Economy
Forestry remains important; but Mackenzie's economy is more than just forestry.

Recreation
Indoor and outdoor recreation are valued by all as part of a healthy lifestyle.

Great Services & Facilities
The community invests in services and facilities that connect residents to one another.

Attractive
Mackenzie is a beautiful place to live and visit.

DISTRICT MISSION

It is the mission of the District of Mackenzie to improve the lifestyle of, services to, and opportunities for our residents and visitors by:

> Providing quality executive and administrative leadership from an open and responsible Council and administration

> Providing quality services, recreational facilities and programs that promote and enhance livability and a healthy lifestyle

> Maintaining a healthy environment and economic conditions that allow for business and individuals to flourish and realize their full potential

KEY TERMS

Lifestyle
The District exists to improve individuals' lifestyles.

Leadership
Council and administration are leaders in the community.

Responsible Government
The District is open and responsible.

Quality
The District focuses on quality — quality services, facilities and programs.

Providing Conditions to Succeed
The District creates the conditions for all to reach their full potential.

STRATEGIC PRIORITIES

In 2017, the District of Mackenzie Municipal Council set out six strategic priorities to help guide the use of District resources and these have been reviewed and revised annually. In this 2021 update, Council has combined and revised the set of original priorities to create a more focused list of four strategic priorities. New goals have been added, as well, as have specific actions for the municipality to undertake.



Community & Social Development

Our investment in the municipality's services and infrastructure, our commitment to principles of social equity and well-being, and our belief in the value of resident engagement, creates a healthy community in which everyone feels valued and enjoys a high quality of life.



Economic Vitality

The District is a leader on efforts aimed at diversifying the community's economy, supporting local businesses, and attracting new investment to the community. Diversification, a strong business sector and new investment are key to our economic vitality.



Environmental Sustainability

The way we operate has an impact on the environment. We are committed to integrating sustainability and Environmental, Social and Governance factors (ESG) into our decision-making



Strong Governance and Finances

As the municipality's elected governing body, we serve all residents and businesses in the community. We engage residents and stakeholders on important issues and make our decisions through open and transparent processes. We are careful in our use of resources, mindful of the need to maintain programs and services, while also meeting the community's infrastructure needs.



COMMUNITY & SOCIAL DEVELOPMENT

Our investment in the municipality's services and infrastructure, our commitment to principles of social equity and well-being, and our belief in the value of resident engagement, creates a healthy community in which everyone feels valued and enjoys a high quality of life.

Goals

- Health services are available to meet the needs of the community.
- Barriers to access and inclusion are removed.
- The District's commitment to Truth and Reconciliation paves the way for stronger community ties to our neighbouring First Nations.
- Long-term planning is aligned with the Official Community Plan.
- Mackenzie is recognized for its attractiveness, streetscape and overall appeal to residents and visitors.
- Infrastructure and services are maintained to high standards.

Actions

- In collaboration with industry, local and regional organizations, approach the Minister of Health and the Northern Health Authority to advocate for community health services and health professionals.
- Develop an inventory of exclusions — that is, of barriers to access and inclusion — and a plan to remove or minimize them.
- Assist community groups in their efforts to obtain grants.
- Adopt and make progress on the specific Truth and Reconciliation Calls for Action identified for local government.
- Pursuant to the *District of Mackenzie Community Wildfire Protection Plan* and other emergency preparedness plans and policies, continue to take action to protect the community from the impacts of natural and other disasters.



ENVIRONMENTAL SUSTAINABILITY

The way we operate has an impact on the environment. We are committed to integrating sustainability and Environmental, Social and Governance factors (ESG) into our decision making and business practices.

Goals

- Local government decisions are made through a lens that considers and balances environmental, social and economic values.
- Through its actions — including implementation of the *District of Mackenzie Corporate Energy and Emissions Plan* — the District is recognized as a leader in environmental responsibility and sustainability.
- District facilities and operations are energy efficient and low emitters of greenhouse gases, relative to facilities and operations in benchmark communities.
- Residents and businesses are increasingly efficient in their use of water.
- Waste diversion efforts are succeeding in reducing landfill materials (i.e., residuals) produced by households, ICI sectors, and construction and demolition activities.[1]

Actions

- Develop a set of sustainability indicators to track progress achieved by the District and — where possible —the broader community on emissions, energy use, waste reduction and other measures.
- Develop an online Environmental Sustainability Dashboard to report progress on sustainability indicators every quarter.
- Produce an annual District of Mackenzie Sustainability Report to inform the community and others on sustainability efforts, programs, successes and challenges, pursuant to implementation of the *District of Mackenzie Corporate Energy and Emissions Plan*.

[1] ICI refers to the Industrial, Commercial and Institutional sectors.



ECONOMIC VITALITY

The District is a leader on efforts aimed at diversifying the community's economy, supporting local businesses, and attracting new investment to the community. Diversification, a strong business sector and new investment are key to our economic vitality.

Goals

- Mackenzie's commercial sector is growing and diversifying.
- Interest and investment in agriculture are on the rise, driven by changes to growing seasons, available arable lands, and awareness of the importance of food security.
- Mackenzie's reputation as a centre for manufacturing is growing.
- The McLeod Lake Indian Band and District of Mackenzie are strategic economic partners.

Actions

- Work to bring high-speed internet service to community.
- Review the District's policies and initiatives to ensure that they support the efforts of businesses and professionals to invest, operate and prosper in Mackenzie; make improvements where necessary.
- In collaboration with the Regional District of Fraser-Fort George and others, develop opportunities to promote the development of agriculture in the Mackenzie sub-region.
- Convene discussions with the McLeod Lake Indian Band aimed at identifying potential joint venture opportunities that build on the experience of, but go beyond, the McLeod Lake Mackenzie Community Forest.
- Proceed with implementation of the *District of Mackenzie Community Economic Development Plan (2021-2026) and the District of Mackenzie Five-Year Tourism Plan (2021-2026)* and the related development of Mackenzie's destination brand.



STRONG GOVERNANCE AND FINANCES

As the municipality's elected governing body, we serve all residents and businesses in the community. We engage residents and stakeholders on important issues and make our decisions through open and transparent processes. We are careful in our use of resources, mindful of the need to maintain programs and services, while also meeting the community's infrastructure needs.

Goals

- The residents of Mackenzie feel engaged and informed on major decisions, policies and initiatives taken by the District.
- Succession plans and workforce development programs are in place to ensure that municipal services are delivered to the community at a consistently high level, without interruption.
- The District's annual ten-year financial plan is grounded in fiscal realities, including an understanding of the municipality's evolving assessment base and inflationary pressures on major cost inputs.
- Mackenzie's recreation facilities, civic buildings, roadways, utilities, equipment items and other pieces of infrastructure are carefully monitored through an ongoing asset management program.
- The District's assessment base and set of revenue sources are increasingly diverse.
- Financial reserves at the District are strong.

Actions

- Assess and, where necessary, revise the District's communications strategy to better share information with and engage residents and stakeholders on important matters.
- Complete the development and/or updating of the municipality's asset management program.
- Review succession and workforce training programs to identify and address gaps.
- Review and, where necessary, revise the District's financial reserve management policies.
- Undertake a five-year forecast of assessment base changes; develop tax allocation adjustment policies in anticipation of assessment shifts.

MACKENZIE
BRITISH COLUMBIA

District of Mackenzie
2024 Schedule of Meeting Dates

Annual Conferences:

BC Natural Resources Forum
January 16 – 18, 2024, Prince George, BC

Association of Minerals Exploration
January 22 – 25, 2024, Vancouver, BC

Local Government Leadership Academy
January 31 – February 2, 2024 Vancouver, BC

BC Council of Forest Industries
April 10 – 12, 2024, Vancouver, BC

Minerals North
May 8 – 10, 2024, Kitimat, BC

North Central Local Government Association
May 13 – 16, 2024, Smithers, BC

Federation of Canadian Municipalities
June 6 - 9, 2024, Calgary, AB

British Columbia Community Forest Association
June 11 – 13, 2024, Mackenzie, BC

Union of BC Municipalities
September 16 – 20, 2024, Vancouver, BC

JANUARY 2024

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DECEMBER 2024

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Meeting Location:
Council Chambers, 1 Mackenzie Boulevard
Mackenzie, BC, V0J 2C0

Start Time:
Regular Meetings: 7:15 pm
Committee of the Whole: 7:00 pm

Regular Council Meeting

Committee of the Whole & Regular Council Meeting

Statutory Holiday

Conferences

MACKENZIE
BRITISH COLUMBIA

2024 Remuneration & Reimbursement of Expenses

The remuneration of Mayor and Councillors is governed by the District of Mackenzie's Remuneration Bylaw No. 1338, 2015, as amended. The bylaw provides for the following remuneration amounts in 2024:

Mayor	$30,588.43
Deputy Mayor	$15,062.90
Councillor	$12,964.97

In addition, the reimbursement of expenses incurred in the performance of duties is detailed in the District's Policy 1.1 Expense Account Regulations.

The following expenses are reimbursed, provided appropriate approval has been obtained:

Transportation	at cost (receipt required)
Mileage Rates	current rate ($0.70 per km)
Accommodation	at cost (receipt required
Other Business Expenses	at cost (receipt required)
Registration Fees	at cost (receipt required)



MACKENZIE
BRITISH COLUMBIA

DISTRICT OF MACKENZIE
2023 ANNUAL REPORT

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Community Vision

From its roots as a new town for forestry workers, Mackenzie has grown into a strong and supportive community that residents are proud to call home. Supported by a healthy environment, Mackenzie's economic base is now diverse and robust, providing consistent employment for residents. Recreation is key to our high quality of life and healthy lifestyle, with exceptional natural features drawing residents outdoors. Great community services and facilities complement the outdoors with opportunities to meet and engage with neighbors, and the town takes great pride in how attractive it is for both residents and visitors.



Photo Credit: Marcus Paladino

District Mission

It is the mission of the District of Mackenzie to improve the lifestyle, services and opportunities to our residents and visitors by:

1. Providing quality executive and administrative leadership from an open and responsible Council and administration.
2. Providing quality services, recreational facilities and programs that promote and enhance livability and a healthy lifestyle.
3. Maintaining a healthy environment and economic conditions that allow for business and individuals to flourish and realize their full potential

Mayor's Message

In May 2023, the World Health Organization announced the end of the Covid 19 Pandemic that was welcome news for all of us. And although mankind has been plagued with pandemics for centuries, Covid 19 had the biggest global social and economic impacts in recent history. The aftermath of social isolation is still being felt by many and we are now facing unprecedented negative impacts on mental health. This makes it all the more important that each of us seeks out those individuals who are still dealing with anxiety and depression.

Mackenzie continues to face many challenges as a result of the state of the forest industry in the province. The most significant being the reduction of the industrial tax base as a result of the closure of two large manufacturing facilities in our community. The unfortunate reality of this loss of heavy industrial tax is that a larger portion of our tax base has become the burden of residential homeowners. Staff and Council are working hard to secure grants and funding from other sources to alleviate the pressure on our homeowners while maintaining the services we have all grown to rely on and appreciate.



Despite our challenges, we did celebrate accomplishments in 2023 which included:

- The establishment of a shuttle service to Prince George provided by the Kimta Transportation Society with support from the District of Mackenzie
- Mackenzie hosted our 3rd Annual Mountain Magic WinterQuest
- Awarding of our Active Transportation Master Plan, that will guide our community in moving toward more "active" transportation
- Successful Launch of the "Food Cycler Pilot Program" which will result in a reduction of food waste going to the Transfer Station
- Full allocation of the "Business Façade Program" program which supports businesses in refurbishing the curb appeal of their operations
- Continued wildfire resiliency prescriptions along Hwy 39 to ensure residents will have a safe egress route out of the community if we need to evacuate
- Award of Planning & Design of new Arena Slab and Energy Upgrades at the Recreation Centre
- Celebrated the Construction of the Ridgeline Mountain Bike Trail with the "Rockin' the Ridgeline" event at our new Jump Pump Track

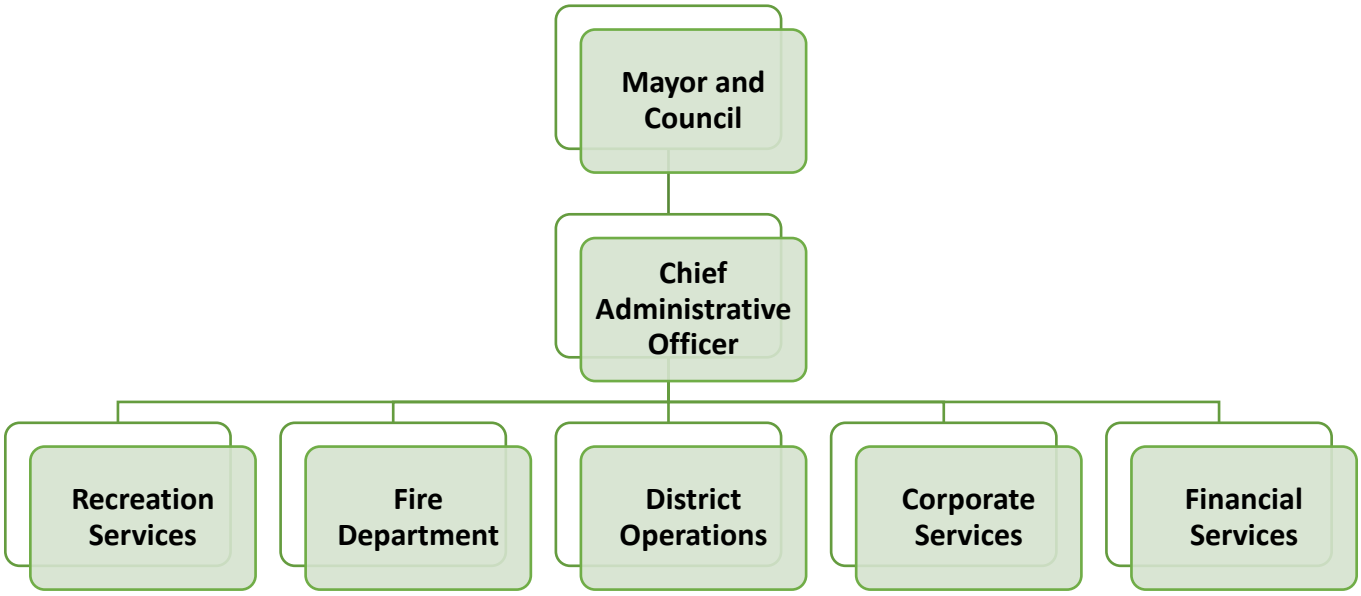
As always Council encourages residents to reach out to us if they have questions, concerns or ideas they wish to share. The success of our community is the responsibility of all of us!

Sincerely,

Joan Atkinson

Mayor Joan Atkinson

ORGANIZATIONAL CHART





Morfee Lake Second Beach

Photo Credit: Christine Dunn

2022-2026 MAYOR AND COUNCIL

The District of Mackenzie Council is comprised of a Mayor and six Councillors, elected for four-year terms. Municipal Councils are elected by the people and make decisions on behalf of the residents of our municipality.

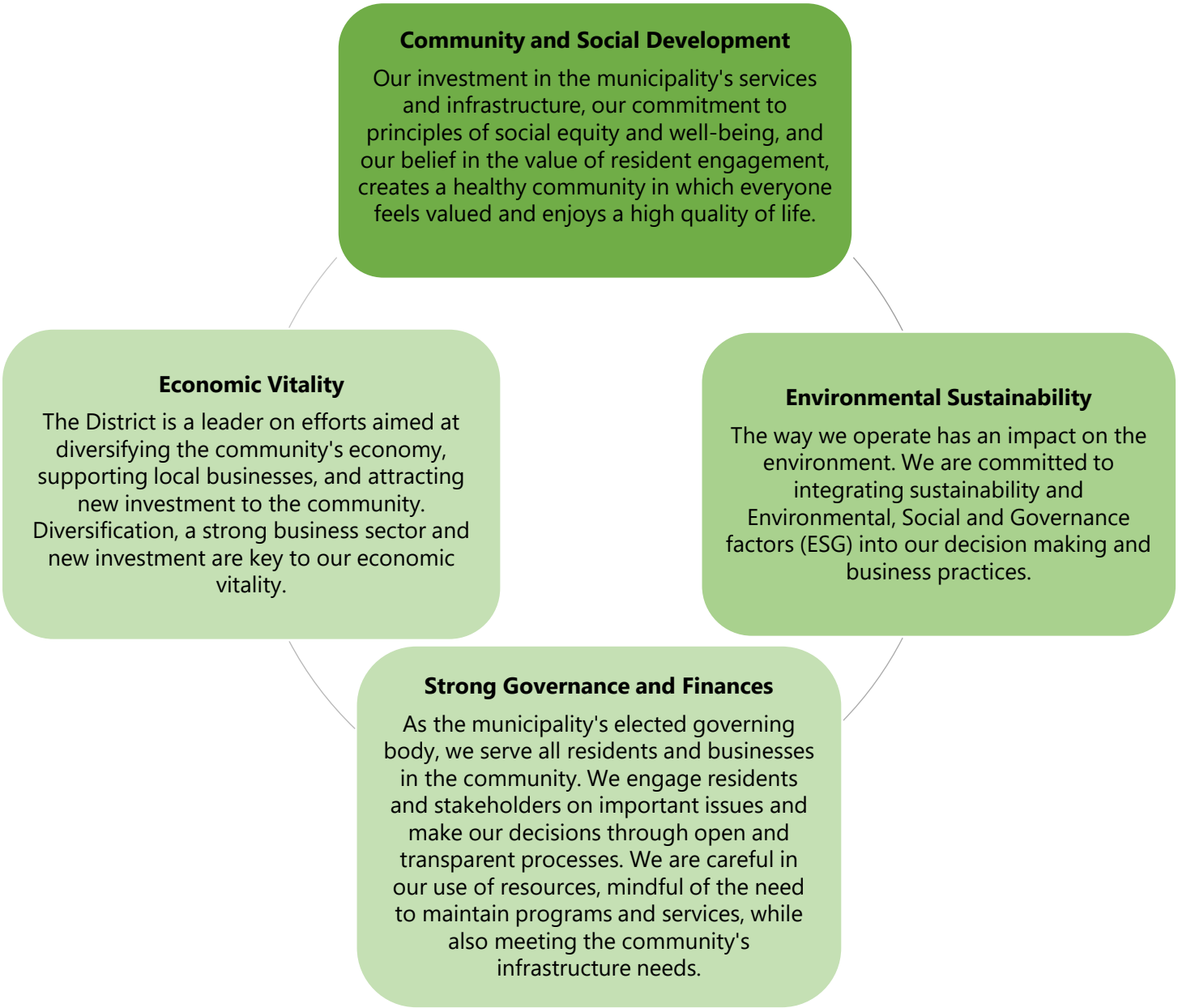


From left to right: Councillor Andy Barnes, Councillor Viktor Brumovsky, Councillor Amber Hipkiss, Councillor Jesse Wright, Councillor Raye McMeeken, and Councillor Kyle Tapper.
Centre: Mayor Joan Atkinson

COUNCIL PRIORITIES

The Council Priorities are designed to advance Council's vision, mission, and operational plans for the District of Mackenzie.

Council's Priorities for the 2021-2025 period reflect today's emerging issues and developing opportunities. Council reviews the plan annually to respond to new ideas and changes in circumstances that arise as we work through the 2021 - 2025 period. Community consultation is an important part of setting priorities, achieving our goals (operational plans) and in updating Council's Priorities.



COUNCIL LIAISON APPOINTMENTS

Committee/Position	Elected Official
Deputy Mayors	Councillors Barnes, Hipkiss, and McMeeken
Access and Inclusion Committee	Liaison: Councillor McMeeken Alternate: Councillor Wright
Agricultural Opportunities and Food Security	Liaison: Councillor Tapper Alternate: Councillor Brumovsky
Asset Management Committee	Liaison: Mayor Atkinson
BC Hydro Peace River/Williston Advisory Committee	Liaison: Mayor Atkinson
Chamber of Commerce	Liaison: Councillor Brumovsky Alternate: Councillor McMeeken
Climate Liaison	Liaison: Councillor Hipkiss Alternate: Councillor Tapper
CNC Advisory Group	Liaison: Councillor Barnes Alternate: Councillor Tapper
Emergency Executive Committee	Liaison: Mayor Atkinson Alternate: Councillor McMeeken
Education Liaison	Liaison: Councillor Wright Alternate: Councillor Brumovsky
Forestry Liaisons	Liaison: Mayor Atkinson Alternate: Deputy Mayor
Grant Adjudication Committee	Liaison: Councillor Brumovsky Liaison: Councillor McMeeken
Indigenous Relations and Reconciliation	Liaison: Councillor Barnes Alternate: Councillor Wright
Mackenzie Wildfire Advisory Committee	Liaison: Councillor Barnes Alternate: Mayor Atkinson
McLeod Lake Mackenzie Community Forest (MLMCF)	Liaison: Councillor Hipkiss
Mining Liaisons	Liaisons: Councillor Barnes Alternate: Councillor Wright
Municipal Library	Liaisons: Councillor Tapper Alternate: Councillor Brumovsky
New Horizons - Senior Inclusion Solutions Advisory Group	Liaison: Councillor Wright
Northern Development Initiative Trust – Prince George Regional Advisory Committee	Liaison: Mayor Atkinson Alternate: Councillor Wright
Prince George Treaty Advisory Committee	Liaison: Councillor Wright
Regional District of Fraser-Fort George	Director: Mayor Atkinson Alternate: Councillor Wright

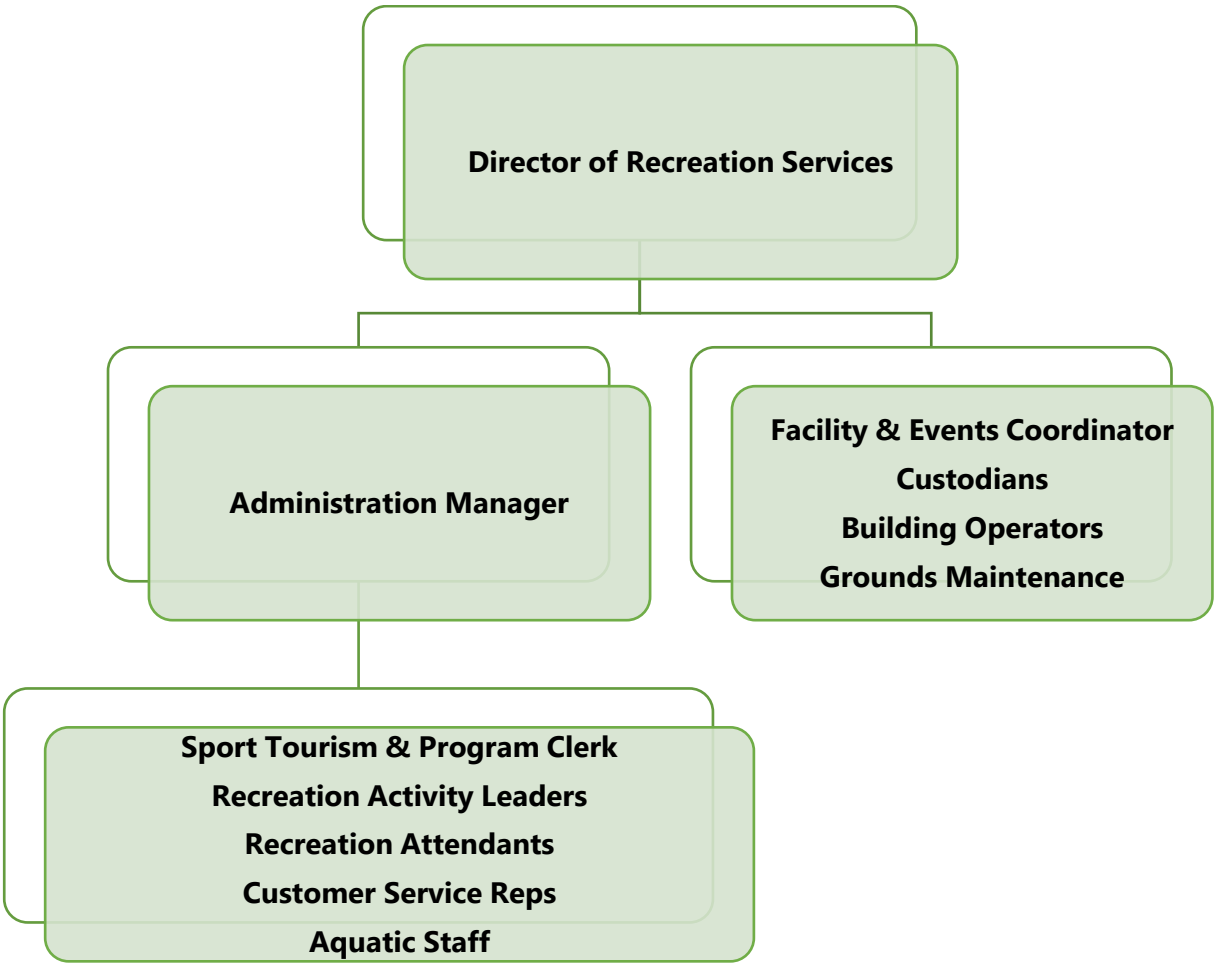
COUNCIL REMUNERATION

Mayor Atkinson	**$29,697**
Councillor Barnes	$13,266
Councillor Brumovsky	$12,587
Councillor Hipkiss	$13,266
Councillor McMeeken	$13,266
Councillor Tapper	$12,587
Councillor Wright	$12,587



RECREATION SERVICES

The Recreation Services Department oversees the operation and maintenance of the Recreation Centre, Ernie Bodin Community Centre, Little Mac Ski Hill, John Dahl Trail, tennis/pickleball court, outdoor rink, and playground inspections in Mackenzie. Recreation staff work to enhance the lifestyle and health of people in the community through a variety of quality programs and services based on public consultation. Their dedicated team is committed to providing recreation services for people of all ages, stages, and abilities.




WHEN USING
FORKLIFT
FEATHERLITE







2023 Recreation Centre Utilization	
Recreation Centre Activities	**Number of Bookings**
Fitness Centre	15,329
Skating	1,343
Aquafit	562
Swimming	9,760
Curling	108
Climbing	531
Pickleball	166
Ski Hill	671
Arena Floor – Drop in	157
Sport Court	1,060
School Use	1,327
Junior Pathways	200
Total Number of Bookings	**31,214**

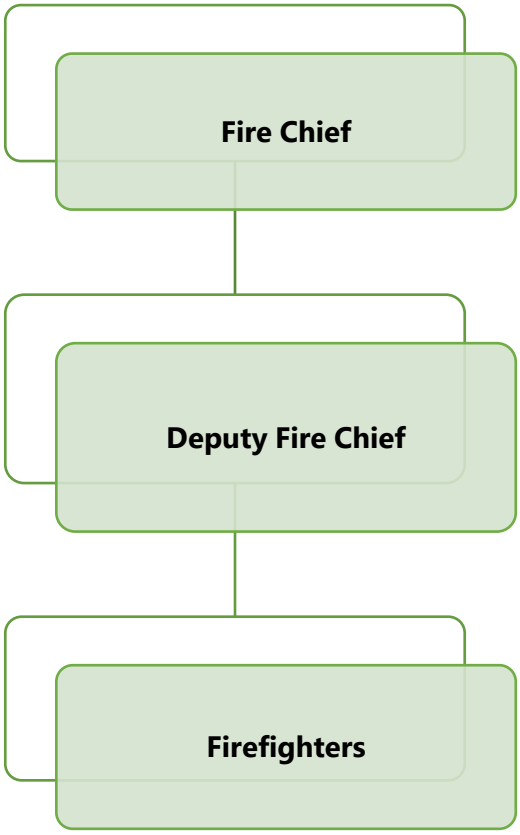


Recreation Services Action Planning

Actions completed in 2023	Action Plan for 2024
3rd Annual WinterQuest, ice carvers and trail light-up festival, this year including partnering with Northern Lights Winery.	4th Annual WinterQuest 2024, ice carvers and trail light-up festival, continuing to build off our success from previous years.
Held Canada Day event at Rec Centre.	Host Canada Day event.
Continue developing relations with McLeod Lake Indian Band	Host National Indigenous People Day event.
Hosted Recreation Fair for community groups.	Host Recreation Fair for community groups and explore options for an art (Mural/Music/Food) festival in the community.
Held 3rd Annual Holiday Parade.	Host 4th Annual Holiday Parade.
Signature Trail, Park, and Little Mac Master Plan completed and 90% built.	Finish Park landscape, ski hill water fountain and gazebo part of the Signature Trail, Park, and Little Mac project.
Received Active Transportation Grant and completed 80% of master planning process including public consultation and concept park drawings.	Finalize Active Transportation Master Plan and determine next steps for implementation.
Received arena slab replacement and green energy project grant funds. Issued request for proposal for architect and awarded contract for project.	Complete the arena slab replacement and green energy project.
Assist Ernie Bodin Community Centre tenants with transition.	Tenants vacate Ernie Bodin Community Centre to finalize demolition.
Hosted our 1st Annual Rockin' the Ridgeline bike and art festival, along with completing a mural project in the Community Bike Park.	Host our 2nd Annual Rockin' the Ridgeline festival, with goals to include a softball tournament.
Revamped program lineup, including summer camps and senior programming. Added gymnastics and track meet.	Continue developing programs with greater focus on specialized programming like soccer, volleyball, baseball, etc.
Upgraded maintenance work order and inspection system.	Upgrade front desk check-in and install access gates for patrons.
Completed 75% of Mac 1 playground upgrade including new border, surface and play structure move.	Completed 100% of Mac 1 playground upgrade, which includes swing set and topping up surface.

FIRE DEPARTMENT

The Fire Department strives to deliver quality services in a fiscally responsible manner to the citizens of the District of Mackenzie. The District of Mackenzie supports this service delivery through a well-established safety and training program. The Fire Department is responsible for fire suppression, vehicle extrication, hazardous material response, environmental protection, fire inspections of multi-residential, public assembly, industrial, and commercial properties, promotion of compliance to the provincial Fire and Building Codes and local municipal bylaws, and public education and awareness.



Fire Department Action Planning

2023 FIRE CALLS	
Nature of Call	**# of Calls**
Assist other Agency	39
Burn Complaint	24
Carbon Monoxide alarm	2
Chimney Fire	1
Electrical Hazard	2
False Alarm	27
Gas Spill/Leak	3
Motor Vehicle Incident	32
Public Service	2
Structure Fire	7
Vehicle Fire	1
Wildland Fire	3
Investigation no Fire	1
TOTAL	**144**

2023 FIRE FIGHTERS	
Position	**Number**
Fire Chief	1
Deputy Fire Chief	1
Assistant Chiefs	1
Training Officers	2
Captains	2
Lieutenants	3
Engineers	1
Fire Fighters	11
Fire Fighters (Probationary)	9
Junior Fire Fighters	3
TOTAL	**21**

Actions Completed in 2023	Action Plan for 2024
Installed the new Mackenzie Specific Alert System	New Fire Hall is expected to be completed in Fall 2024
Successfully hosted the FireSmart program for residents in Gantahaz and the Mackenzie townsite.	Training Firefighters is ongoing
Organized and held curbside pick-up days in the Spring and Summer.	Purchase new Turnout gear
Provided assistance to BC Wildfire Services, Completed 8 deployments throughout BC.	Purchase new Pagers
New Fire Truck delivered on June 9, 2023	Purchase new Wildland truck
From the Community Resiliency Investment Grant $82,800 will be used for the John Dahl Regional Park Fuel Treatment Project and $67,200 set aside for community FireSmart initiatives and a revision to our Community Wildfire Resiliency Plan.	Hire a Fire Smart/ Assistant Emergency Program Coordinator. Funding is through Community Resiliency Investment and allows DOM to submit grants to continue funding Fire Smart initiatives for future Grants.
Developed an info session sheet on the new Firehall	Submit application for UBCM EOC grant and ESS grants. These grants will be use to purchase equipment and training.


EMILY KAEHN
DIRECTOR OF CORPORATE SERVICES

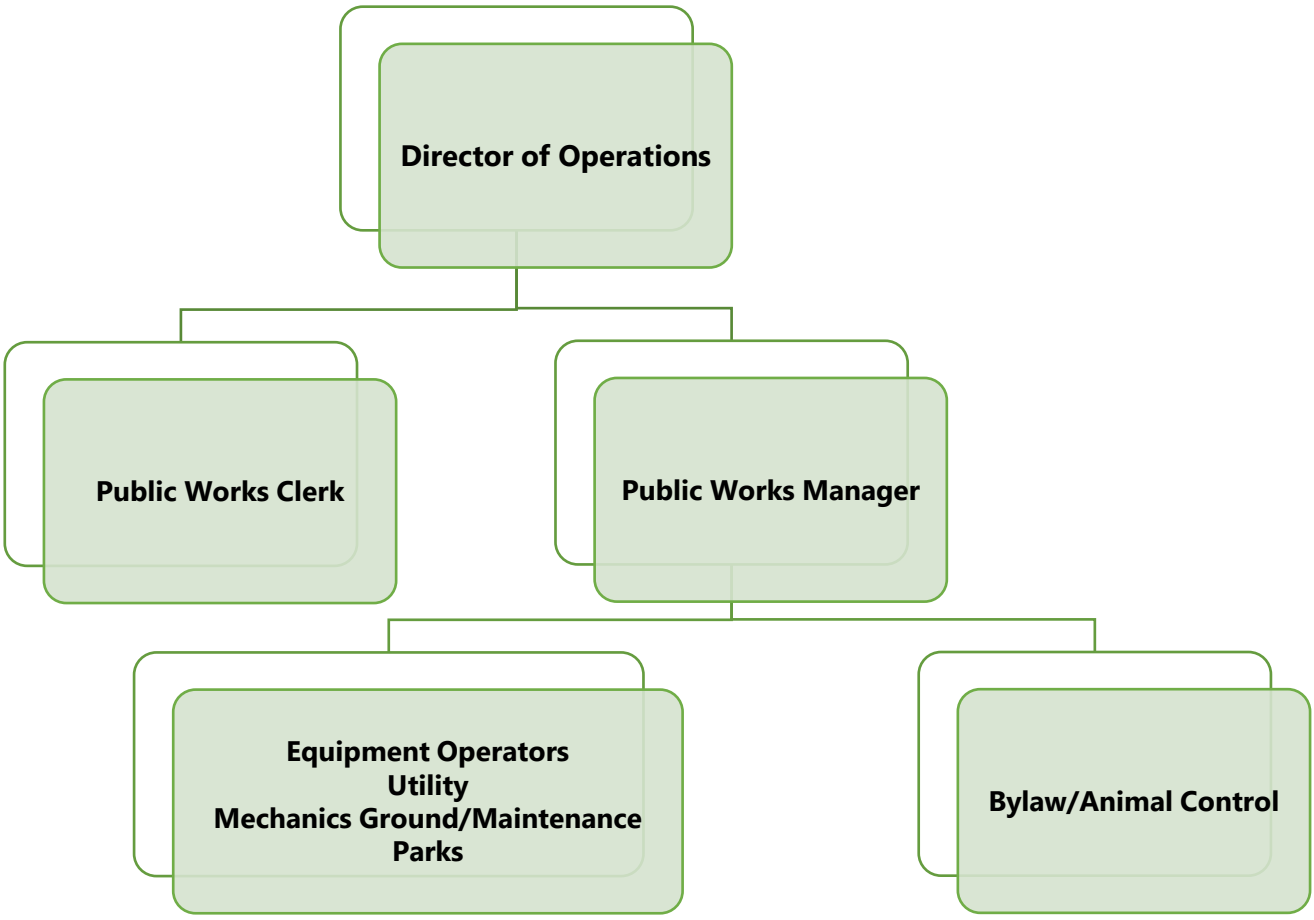





MACKENZIE FIRE/RESCUE

DISTRICT OPERATIONS

The Public Works Department is responsible for maintaining roads, sidewalks and walkways, boulevards, fire hydrants, public parks and beaches, ball diamonds and the Municipal Campground. It's also responsible for snow removal, residential and business garbage collection, building inspection services, bylaw services and animal control, sewage, and water systems, as well as maintaining the Municipal Airport.



Operations Action Planning

2023 By the Numbers	
Water pumped from the Town pump house (Imperial Gallons)	169,199,714
Water pumped from the Gantahaz pump house (Imperial Gallons)	Not Available*
Commercial Garbage Collected (kg)	673660
Residential Garbage Collected (kg)	596730
Total number of Fixed Wing Landings	211
Total number of Helicopter Landings	303
Fuel Purchases	11
Visits to town	121

*No Data was collected for Gantahaz in 2023 due to a flow meter malfunction. The faulty flow meter has been replaced as a Capital Project and numbers should start being reported soon.

Bylaw & Animal Control	
Animals Impounded	6
Animals Adopted	1
Number of Tickets Issued	0
Dog Licenses Purchased	508

Permits & Licenses	
Business Licenses Awarded	254
Plumbing Permits Awarded	3
Building Permits Awarded	29

Actions Completed in 2023	Action Plan for 2024
Installed a PRV station on Crysdale**.**	Lower Crysdale Pressure Reducing Valve stations and install two further stations.
Water & Sewer Technicians and PW superintendent attended Confined Space Training	Confined Space Program to be audited in May/ June of 2024.
Continue operational and safety training for Employees and Management Team.	Continue operational and safety training for Employees and Management Team.
Replaced faulty Flow meters at Gantahaz Pump Station	Gantahaz pump station flow meter is now working properly.
Completed the Paving Plan preliminary assessment.	Initiate the roads and pathways replacement plans for the District.
Continue Asset Management Activities and Training	Continue Asset Management Activities and Training
Continue to seek grants to treat Gantahaz Subdivision water for manganese removal.	Gantahaz water treatment facility upgrade to begin in 2024.
Review all options available for commercial garbage collection	New Truck and Bins have been purchased and are currently being distributed throughout town


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MACKENZIE

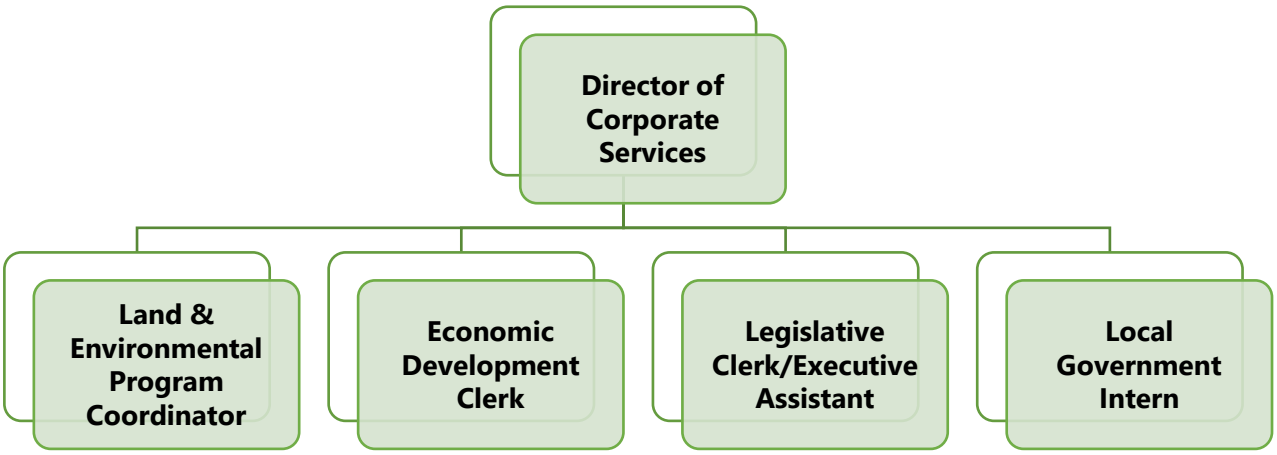

MACKENZIE



CORPORATE SERVICES

Corporate Services supports Council and ensures the District performs all its legislative duties, including preparing for Council Meeting and administering local elections. In addition, the department is also responsible for, and assists other departments with, reviewing and creating policies, procedures, bylaws, legal matters, records management and Freedom of Information requests, land use agreements, development applications, environmental programs and reporting, communications, accessibility and inclusion initiatives, as well as economic development and tourism.

The department also works with Council, staff, and the community on long-term strategic planning, including the development of Mackenzie's Official Community Plan, Zoning Bylaw, Council's Strategic Priorities, Housing Needs Assessments, Economic Development and Tourism Plans, Age-Friendly Accessibility and Inclusion Action Plan, and Corporate Environmental Plans.



Corporate Services Action Planning

Actions Completed in 2023	Action Plan for 2024
Finalize Audio/Visual project in Council Chambers and the Recreation Centre to allow live stream and recording of Council meetings.	Finalize Audio/Visual project in Council Chambers and the Recreation Centre to allow live stream and recording of Council meetings.
Drafted an Age-Friendly Accessibility and Inclusion Action Plan for the District.	Complete and begin implementation of the Age-Friendly Accessibility and Inclusion Action Plan.
$159,823 was distributed through the 2023 Community Grants Program.	$200,000 was included in the budget for the Community Grants program for 2024.
Created a new online Climate Action Dashboard to showcase District initiatives and plans.	Promote the Food Cycler Program Phase 2.
Install final set of street banners and new billboards on either side of the Hwy 39/97 Junction.	Continue the implementation of the Municipal Signage Strategy. Install the new signage at the corner of Mill Road/Hwy 39.
Continue to participate on regional Ec Dev. And Tourism committees and marketing campaigns.	Explore new marketing campaigns to participate in addition to current.
Offer Grant Writing Support Services and host two free community grant writing workshops.	Continue offering this service and host a free community grant writing workshop.
Finalized and launched a new Economic Development Website with land marketing and sector promotional information.	Exploring further investment and District land marketing opportunities.
$20,000 in grant funding was distributed during the 2023 Business Façade Improvement Program this year.	Northern Development Initiative Trust has awarded the District $20,000 to offer the Business Façade Improvement Program this year.
Develop new Relocation Website and Welcome Guide to showcase Mackenzie 2.0 Marketing Materials.	Complete a resident and workforce relocation marketing campaign.
Finalize the Downtown Vision and Action Plan and Development Permit Areas project.	Complete the Development Permit Areas Project.
Continue to promote and support shop local initiatives.	Develop a new Shop Local program to replace the Love Northern BC funding program (discontinued).
Develop Communications and Public Engagement Policies for the District.	Carry-over project. Develop Communications and Public Engagement Policies for the District.









Climate Action

A key part of a local government's role in dealing with climate action is to reduce emissions caused by its own assets. The District of Mackenzie has signed the *Climate Action Charter*, committing the District to work towards being carbon-neutral in its own operations. In 2021, the District developed a Corporate Energy and Emissions Plan to help prioritize actions to meet this goal. Included in the plan were a number of recommended action items. The following table outlines our progress as we move work through the plan:

	ACTION	Complete	2024 - 2025	Ongoing	Research Required
1.1	Build energy efficient buildings[1]	X		X	
1.2	Build energy efficient infrastructure			X	
1.3	Optimize siting and orientation of new buildings			X	
2.1	Conduct building energy audits	X		X	
2.2	Implement energy retrofits recommended by building energy audits **	X		X	
2.3	Conduct energy-focused operational review of infrastructure				X
2.4	Implement measures from operational review of infrastructure				X
2.5	Incorporate energy management into annual building maintenance procedures	X		X	
3.1	Install solar PV on corporate buildings[2]		X		
3.2	Low-carbon heating systems for buildings				X
3.3	Conduct corporate renewable energy study				X
4.1	Right-size vehicles for assigned tasks	X		X	
4.2	Develop a vehicle purchasing policy	X			
4.3	Invest in EVs and EV Charging Stations[3]	X		X	
4.4	Assess renewable fuels for corporate fleet		X		X
4.5	Fuel efficient driver training & anti-idling policy			X	
4.6	Energy-focused fleet maintenance				X
4.7	Encourage employee carpooling where possible			X	
4.8	Provide end of trip facilities		X	X	
5.1	Have dedicated staff person or department for plan implementation	X			
5.2	Allocate funds for plan implementation	X		X	
5.3	Develop KPIs, monitor and track for progress	X	X		
5.4	Demonstrate leadership on corporate waste and water			X	
5.5	Join PCP	X			

[1] 1.1 New Fire Hall is being built to new BC Step Code standards for energy efficiency. Any future buildings will be built to the same or higher standards.

[2] 2.2 Energy upgrades are being completed as budget allows. Some upgrades are being combined with larger retrofit projects and will be held off until all can be completed at once.

[3] 4.3 The District entered into a memorandum of understanding with BC Hydro in 2022 to participate in their EV Charging Station network expansion. A new charging station will be installed in the community in 2024. The District is in the preliminary stages of working with the Charge North initiative to install a level 2 charging station to the Recreation Centre.

Climate Action in Mackenzie

Food Cycler Pilot Project

Council approved the Food Cycler Pilot Program. This represented a meaningful step forward in the District's commitment to sustainable waste management practices. The deployment of 100 units saves 32.2 MT of CO2 every year and eliminates approximately 36.8 bags of garage from participating households annually.

Funding Secured in 2023 for 2024 Projects

- $7,500 for trees from BC Hydro Regreening Program
- $10,000 for trees from TreeCanada
- $10,000 for building assessments for asset management/sustainable replacement
- $12,500 For the Community Wood Smoke Reduction Program

Webpage Development

The District of Mackenzie introduced three new webpages dedicated to climate action:

- Climate and Sustainability for insights on local and provincial efforts
- Climate Action in Mackenzie for updates on community-driven efforts and ways to get involved
- Resources for Residents offering practical tools and tips for sustainable living

Green Fleet Policy

Council adopted a Green Fleet Policy to bring long-term advantages to the District of Mackenzie. The District is committed to ensuring a seamless transition while keeping in mind operational efficiency and financial viability.

Active Transportation Plan

Staff along with VDZ+A started developing an Active Transportation Plan. The objective of this plan is to promote the use of active transportation and create a safe and reliable way for residents and tourists to commute to and from destinations around Mackenzie.

NorthCan

The District of Mackenzie is a member of the Northern BC Climate Action Network (NorthCAN).

Members of NorthCan connect with other local governments, indigenous communities, institutions, businesses, and NGOs to support Climate Action. All members share knowledge, experience, and expertise to find, collaborate, and support climate action.

Council Declared a Climate Emergency (Resolution #33188)

Therefore, be it resolved, that the District of Mackenzie officially declares a climate emergency for the purposes of identifying and deepening our commitment to protecting our economy, our ecosystems, and our community from global warming.

Water Restrictions & Appliances

The District of Mackenzie kept its water restrictions and were in effect from May 15th to September 15th.

The District also offered home appliance rebates and sold rain barrels as well as outdoor composters.

Electric Vehicle Chargers

- Staff along with BC Hydro worked on establishing two Level 3 EV chargers in the 616 parking lot. Due to delays this installation of the chargers was postponed to summer 2024.
- Staff approached the ChargeNorth initiative to look at a partnership to fund a dual port Level 2 EV charger on District land and are currently developing a proposal for Council.
- Staff worked with the Community Energy Association through their Electric Mobility Accelerator Program to provide deliverables to better prepare Mackenzie for electric vehicles. Final deliverables will be presented in summer 2024.

Community Economic Development

In 2021, the District completed the *Mackenzie 2.0 Community Economic Development Plan* a community-based, roadmap for creating a strong, vibrant, and diverse local economy. The objectives below are at the core of our strategy, identifying what *Mackenzie 2.0* will help to achieve.

- **Support a resilient economy**
- **Promote good local jobs**
- **Support and grow local business**
- **Attract new, compatible economic activity**
- **Nurture strategic partnerships**
- **Enhance the District's fiscal health**
- **Protect our environment**

The table below summarizes the recommended actions from *Mackenzie 2.0* and progress to date:

	ACTION	Complete	In Progress	Ongoing	Research Required
Foundational - *ongoing and will support all other actions.*					
F1	Target and incentivize (tax, permit, land, buildings) industrial development in emerging sectors and secondary industries, promoting Mackenzie's energy and land availability.	X		X	
F2	Support opportunities for natural resource development.			X	
F3	Continue to pursue shared economic development opportunities and partnerships with neighbouring First Nations.			X	
F4	Actively seek opportunities for partnerships with other levels of government, agencies and not-for-profits to promote economic development in Mackenzie.			X	
Underway - *already underway or included in a work plan to be completed in the near future.*					
U1	Continue seeking high speed internet for the whole community.		X	X	
U2	Provide development incentive to projects to meet strategic community needs (e.g. public parks, rec facilities).			X	
U3	Continue developing and expanding local recreation trail amenities.		X	X	
U4	Continue to improve District-wide wayfinding and signage.		X	X	
U5	Continue to offer and facilitate access to programs that support local businesses, both new and existing.			X	
U6	Continue to foster collaboration between industry, major employers, and schools to match skills/training with emerging industry needs.			X	
U7	Continue strategic land sales.		X	X	
U8	Update and maintain inventory of businesses operating in Mackenzie.	X		X	
Quick Wins - *require minimal funding and minimal stakeholder involvement*					
QW1	Support more events and festivals that link with local businesses.		X	X	
QW2	Expand upon recreation rentals; could be promoted as a business opportunity and offered additional marketing.		X	X	
QW3	Support improving and promoting local recreation and trail amenities with simple interventions such as string lights along trails.		X	X	
QW4	"Working with the District 101" – Promote District procurement process.			X	X

	ACTION	Complete	In Progress	Ongoing	Research Required
QW5	Distribute promotional materials to attract and welcome new residents, remote workers, and home-based businesses.		X	X	
QW6	Maintain and publicize a land inventory focusing on industrial land and including vacant downtown lots and buildings.		X		
QW7	How a Community-to-Community forum with local First Nation and District of Mackenzie.		X		
Simple - *requires some funding and some stakeholder involvement (1-3 years)*					
S1	Promote creative use of gathering spaces and underutilizes/empty buildings and lots.			X	
S2	Encourage small scale agriculture and agrotourism (including food production and sales_ on larger, semi-rural residential lots.	X	X	X	
S3	Support business-to-business opportunities and networking.	X		X	
S4	Host regional technology and innovation meet-ups.				X
S5	Encourage local procurement by large and small purchasers and organizations.			X	
S6	Explore interest in establishing a Business Improvement Area.				X
S7	Encourage a local commissary kitchen by collaborating with local commercially-certified kitchens.				X
S8	Conduct a feasibility study on the demand for additional and modern/office and/or co-working space within Mackenzie.				X
Complex - *require significant funding, extensive stakeholder engagement, and a multi-year effort*					
C1	Develop an improved cohesive downtown Mackenize look and feel through incentivizing public art, storefront, beautification, hardscaping, and landscaping.		X	X	
C2	Work with Province to promote and facilitate forestry innovation and emerging technology (e.g. value-added forestry products).			X	X
C3	Support diversifying our housing stock (age-friendly homes, larger rural lots, recreational properties, etc.).			X	
C4	Work with employers and organizations to create shared childcare solutions.		X	X	
C5	Explore shared agriculture amenities.				X
C6	Seek opportunities for attracting public services (e.g., government offices, health and education facilities).		X		X
C7	Continue to support airport development.			X	
C8	Encourage multi-modal transportation to and within the Downtown Core and provide supporting infrastructure.		X	X	X
Tourism Related Community Economic Development Actions					
T1	Create an exciting new Tourism District in downtown Mackenzie.		X	X	X
T2	Create an 'Iconic Gateway' at Highway 39/97 Intersection.		X		
T3	Define a visitor experience that is compelling and easy to access.		X		X
T4	Develop Traditional Tourism Industry Product Opportunities.		X	X	X
T5	Engage the Region.		X	X	

Notes:

- If an action item has multiple status boxes checked off, this means that there may be more than one project associated with this action and that some work has been completed already, but there may be ongoing activities or new projects in the works also that support these actions.

2023 ECONOMIC DEVELOPMENT Update

Foreign Direct Investment

This year we successfully completed a Foreign Direct Investment project that entailed updating our website, creating industry quicksheets, and developing marketing packages for industrial lots. These initiatives aimed to enhance the region's appeal to potential investors by providing comprehensive and accessible information about local opportunities and resources.



Business Facade Improvement Program

This year the Business Facade Improvement Program fully allocated $20,000 in 2023, with over 3/4 of the funds going towards accessibility improvements to front entrances.









Grant Writing Supports

In 2023, the District of Mackenzie held two free grant writing workshops for the community, providing invaluable skills and resources to local organizations. The District also supported over $200,000 in grant funding being awarded to local organizations. In 2023 we were also awarded grants for initiatives like the Tourism Guide & Map Brochure, New Shop Local Program and a Relocation Project.

Photo Contests

In 2023, we enjoyed another successful year of seasonal photo contest submissions, significantly expanding our image bank since 2022.

Business Walks

In 2023, Mackenzie celebrated the return of the annual business walk, inviting business owners to participate in person on October 18, 2023, with additional options to engage by phone or through an online survey. One significant takeaway was that over 77% of the surveyed businesses expressed interest in being part of the implementation of solution-based initiatives, highlighting a strong community commitment to collaborative progress.

ACCESS AND INCLUSION

In 2023, the District was awarded grant funding towards the creation of an Age-Friendly Accessibility and Inclusion Action Plan. This short-term action plan (3-5 years) will kick-start the District's long-term goals of ensuring everyone can live safely, maintain good health, and stay engaged in the community. The plan creation was started in Spring 2023 and intended to be fully adopted and begin implementation in 2024. More information: https://www.letschatmackenzie.ca/access-and-inclusion



Access and Inclusion Advisory Committee

Council established an "Access and Inclusion Advisory Committee" to provide advice and recommendations to Council on matters relating to citizens with disabilities, seniors and other citizens with access issues that may impede participation in everyday aspects of community living. The committee is comprised of five diverse individuals who are committed to creating an inclusive and accessible community for all its members. Council is greatly appreciative for the dedication and incredible amount of work the committee has completed to increase awareness and advocate for all community members. For details of their activities to date, current initiatives, and resources, please visit the Accessibility and Inclusion webpage here:
https://districtofmackenzie.ca/government-town-hall/accessibility-and-inclusion/



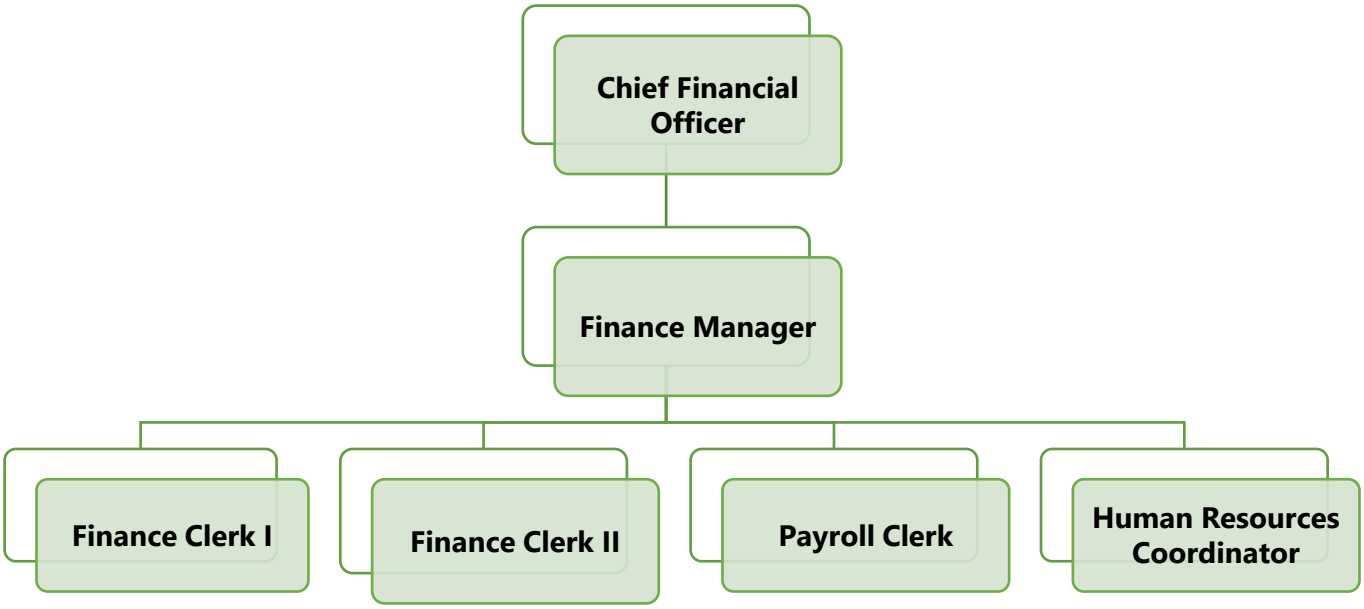
2023 Committee Membership

Chair: Elizabeth Blackburn
Members:
Cassandra Carter
Kimberly Grywinski
Alice Pritchett
Dave Schindler
Liaison: Councillor McMeeken

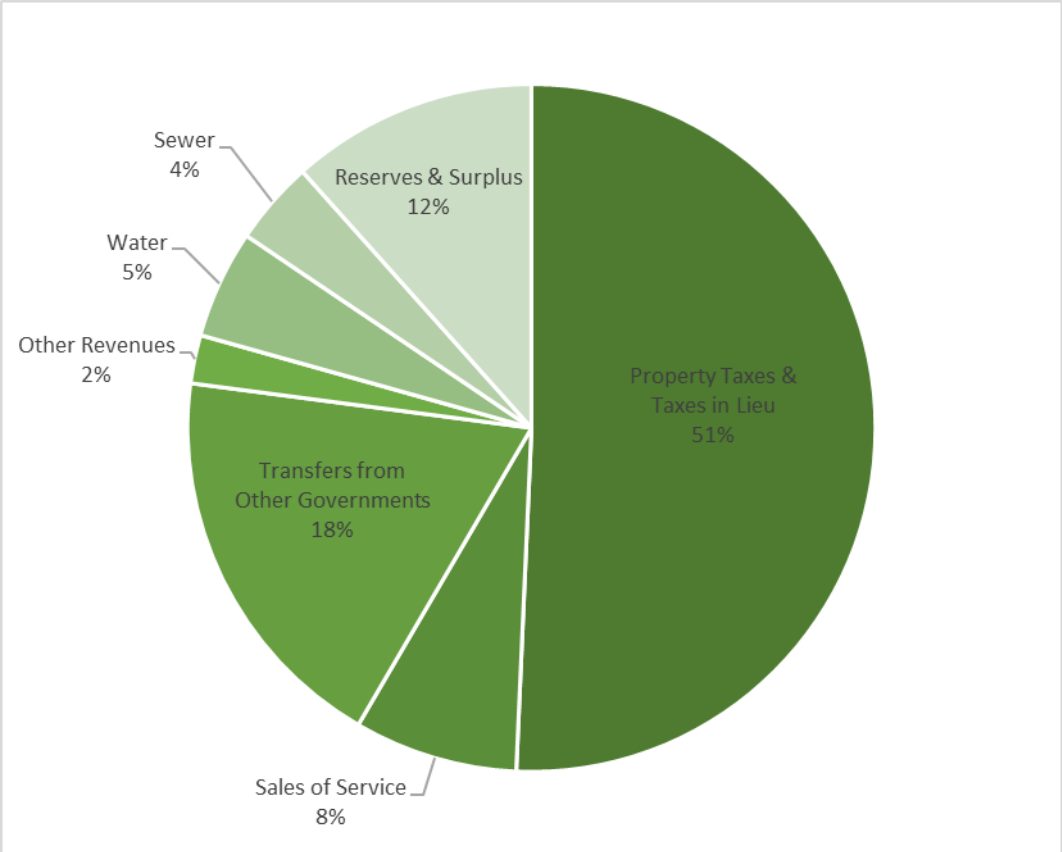
Left to right: Kimberly Grywinski, Elizabeth Blackburn, Cassandra Carter, Alice Pritchett, and Dave Schindler

FINANCIAL SERVICES

The Financial Services department is responsible for following legislative procedures related to local government finances including: financial planning, reporting, revenues (taxes and fees), liabilities, capital financing, and development financing.

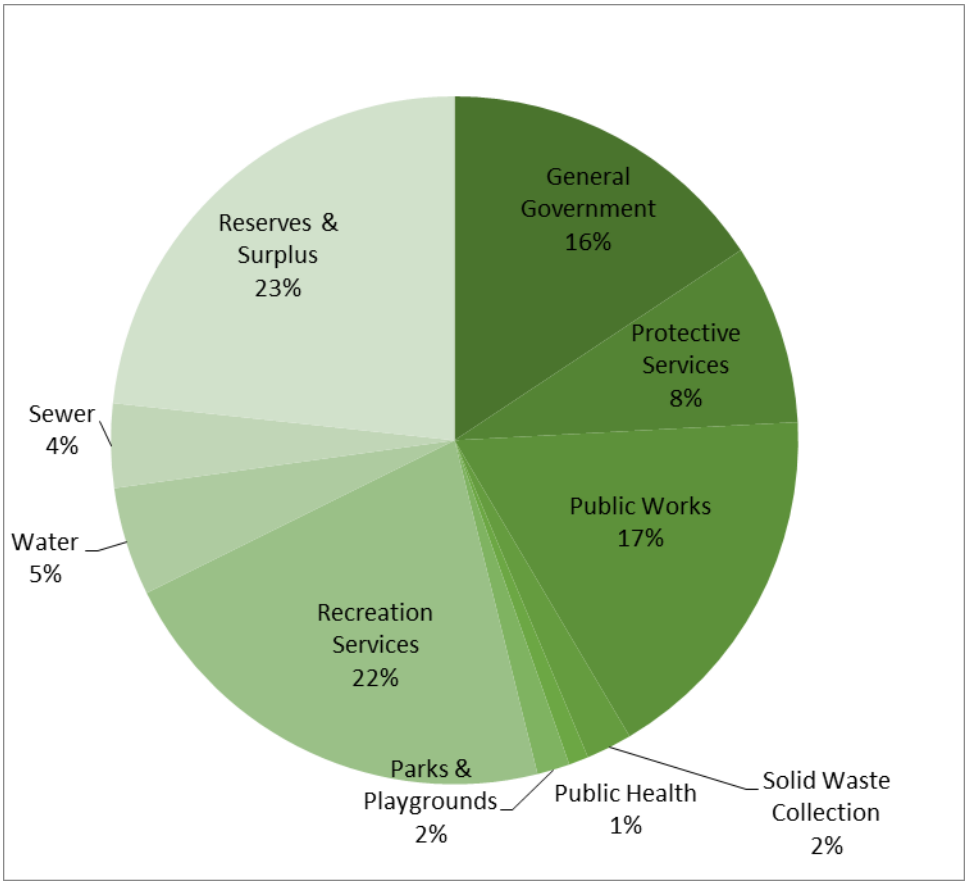


2023 Final Budget Revenue Sources



Revenue Source	Amount
Property Taxes & Taxes in Lieu	$8,194,654
Sales of Service/User Fees	$1,243,983
Transfers from Other Governments	$3,017,674
Other Revenue	$367,624
Water	$823,236
Sewer	$638,664
Reserves & Surplus	$1,874,715
Total Budgeted Revenue	***$16,160,550***

2023 Final Budget Expenditures



Expenditures by Department

Department	Amount
General Government	$2,532,816
Protective Services	$1,371,317
Public Works	$2,801,163
Solid Waste Collection	$349,111
Public Health	$150,099
Parks & Playgrounds	$248,532
Recreation Services	$3,484,552
Water Operations	$823,236

Sewer Operations	$638,664
Reserves and Surplus	$3,761,060
Total Budgeted Expenditure	***$16,160,550***

Finance Action Planning

Actions Completed in 2023	Action Plan for 2024
Hosted public engagement sessions and survey regarding the 2023 budget.	Review and update Human Resources procedures and processes.
Further developed the 10-year capital plan to ensure projects and asset replacements are identified.	Create policy and procedures for asset retirement obligations.
Updated authorized spending limits in the Purchasing/Procurement Policy.	Review and update finance and personnel policies to reflect current day practices.



2023 GRANT FUNDING

The District applies for numerous grants each year. The grants allow the District to access additional funding and reduce the burden on the taxpayer. Below is the list of grants the District applied for and the status of the applications for 2023.

Project Name	Funder	Approval/Status	Grant Amount
Walk to Mexico Celebration	The College of New Caledonia	Approved	$2,560
Economic Development Capacity 2023	NDIT	Approved	$50,000
2023 BC Hydro Regreening Program	BC Hydro	Approved	$7,500
Ski/Bike Runs & Little Mac Upgrades	The College of New Caledonia	Pending	
Fitness Centre Senior Training	The College of New Caledonia	Approved	$3,300
Relocation Materials Project	NDIT	Approved	$9,360
Relocation Materials Project	South Peace Mackenzie Trust	Approved	$14,440
FireSmart and Fuel Mitigation	UBCM	Approved	$200,000
Asset Management – Building Assessments	Province of BC	Approved	$10,000
Wood Smoke Reduction Program	Province of BC	Approved	$13,400
Arena Slab and Energy Upgrades Project	South Peace Mackenzie Trust	Pending	
Arena Slab and Energy Upgrades Project	NDIT	Pending	
2024 Business Façade Improvement Program	NDIT	Approved	$20,000
Accessible Park Assets Pilot Program	Northern Health	Approved	$10,000
New Shop Local Program	NDIT	Pending	
DOM Airport Master Plan	Province of BC	Pending	

Total Funding Applied For	$1,313,598.31
Total Funding Approved	$340,560
Total Funding Pending	$973,938.31
Total Funding Denied	$0

2023 GOVERNMENT TRANSFERS

The District receives provincial and federal grant transfers every year. These transfers help to offset the cost of services and aid in funding capital projects.

Grant Source	Amount	Total
Provincial Grants Total		$3,808,078
Conditional	$3,584,001	
Unconditional	$224,077	
Federal Grants Total		$283,429
Unconditional	$283,429	
TOTAL GOVERNMENT TRANSFERS		**$4,091,507**



Mugaha Marsh

Photo Credit: Natalie Scrochenski

GRANTS TO ORGANIZATIONS

Council has adopted a Community Grants Policy to provide financial and in-kind support to community associations and other community organizations. This support is in recognition of these groups as a valuable resource in assisting the municipality to provide a strong community focus.

Cash and In-Kind Grants

Organization	Project	Grant ($)
Curl Mackenzie	Set-up and take down of curling ice prep, hacks, and rocks.	$4,141
Mackenzie Alpine Riders	Snow removal and sanding of roads	$2,300
Mackenzie Fish and Game Association	Snow removal and garbage collection	$2,632
Mackenzie Counselling Services	Funding towards office renovations	$2,000
Mackenzie Nordiques Cross-Country Ski Club	Operational grant, outhouse pumping 4x per year, waive lagoon dumping fees.	$2,650
Mackenzie Figure Skating Club	Waiver of ice rental fees for Ice Show.	$1,500
BC Summer Swimming Association	Waive Pool Rental Fees for Swim Meet	$2,625
Mackenzie Secondary School	Student Bursary	$500
Mackenzie Secondary School Dry Grad	Rec. Centre Fees Waiver	$1,500
Mackenzie Chamber of Commerce	Youth Rec. Passes for Spring Expo	$630
Mackenzie Community Arts Centre	Hire artists for pop-up art exhibit in July	$1,450
Mackenzie Nature Observatory	Use of showers (campground/Rec. Centre), garbage bin, grading of road 2x to Mugaha Marsh, and installing barricades at road.	$3,295
St. Peter's Pantry	Purchase of food and supplies.	$5,000
The 92	Snow removal in parking lot.	$1,000
	TOTAL:	**$31,223**

Fee for Service Agreements

The District provides fee-for-service agreements to organizations for on-going operational support. This agreement may be considered when the recipient is a not-for-profit organization delivering a service or program that extends the reach of the District programs and services.

Organization	Funding Use	Amount
Mackenzie Autumn Lodge Society	Staffing and Operations	$25,000
Mackenzie & District Museum	Staffing and Operations	$12,000

Organization	Funding Use	Amount
Mackenzie Chamber of Commerce	Staffing and Operations	$43,600
Mackenzie Community Arts Centre	Staffing and Operations	$28,000
Mackenzie Golf and Country Club	General Operations	$15,000
Mackenzie Outdoor Routes and Trails Association	Trails Maintenance	$5,000
	TOTAL:	**$128,600**

Rental Space in District Facilities

The District provides accommodation or equipment storage space free of charge to non-profit or sports organizations that are presently allocated space in the Recreation Services Complex, the Ernie Bodin Community Centre, and Fire Hall #1 and 2 subject to availability. Following is a list of organizations that received this benefit in 2023, throughout the year or temporarily:

CHMM Radio Station	Mackenzie Community Arts Council	Old Timers Hockey
CUPE Local 3706	Mackenzie Figure Skating Club	Rainbow Swim Club
Curl Mackenzie	Mackenzie Nordiques	Rocky Mountain Riders
Figure Skating Club	Mackenzie Outdoor Routes and Trails Association	Speed Skating Club
Girl Guides of Canada	Mackenzie Search & Rescue	
Hospital Auxiliary Thrift Store	Mackenzie Autumn Lodge Society	
Mackenzie & District Museum	Minor Lacrosse	
Minor Hockey Association	Notable Expressions	

PERMISSIVE TAX EXEMPTIONS

In accordance with Section 98(2) (b) of the *Community Charter*, the following properties in the District of Mackenzie were provided permissive property tax exemptions for 2023 by Council:

Organization	2023 Value of Exemption
Canadian Baptists of Western Canada	$1,840.32
Living Joy Christian Centre	$1,181.15
Mackenzie Alpine Riders Horse Club (300 Mill Road)	$4,466.28
Mackenzie Alpine Riders Horse Club (651 Mill Road)	$1,499.93
Mackenzie Community Arts Council	$1,674.11
Mackenzie Elks Lodge #547	$2,434.67
Organization	**2023 Value of Exemption**

Organization	2023 Value of Exemption
Mackenzie Fish and Game Association	$1,317.02
Mackenzie Golf & Country Club	$4,855.11
Mackenzie Nordiques Cross-Country Ski Club	$596.23
Roman Catholic Episcopal Church	$3,040.83
Royal Canadian Legion	$1,183.94
Trustees Congregation of Jehovah's Witnesses	$569.23
Youth for Christ Prince George	$1,717.71

DECLARATION OF DISQUALIFICATIONS

There were no declarations of disqualifications made in 2023.

AUDITED FINANCIAL STATEMENTS

The 2023 District of Mackenzie Consolidated Financial Statements are attached to the end of this report.

DISTRICT OF MACKENZIE

1.23 Council Code of Conduct

Established by Council on August 8, 2022 – Resolution No. 32581

The District of Mackenzie recognizes that it has a responsibility to assure public confidence in the integrity of the organization and its effective and fair operations. This policy is meant to clarify the District's mission, values and principles by linking them with standards of professional conduct and spelling out acceptable and responsible behaviour in a way that it is clear to all members of Council, staff, and residents of the District.

This Code of Conduct policy is a guide to assist Council in decisions faced in the course of carrying out Council duties and to support them in being proactive toward ethical dilemmas that may arise in the course of Council activities. This policy does not cover every possible situation Council may face so it is important that actions are in harmony with the spirit and intent of this Code of Conduct.

PURPOSE:

This policy establishes shared standards and expectations to promote ethical decision making and behaviour among members of Council and to maintain respectful interactions among them to contribute to the achievement of the District's client service delivery and community goals.

SCOPE:

This policy applies to all members of the District of Mackenzie Council.

STATUTORY PROVISIONS:

The Code of Conduct policy is a supplement to the existing statutes, laws and policies governing the conduct of Council including but not limited to:

- *The British Columbia Human Rights Code;*
- *The British Columbia Community Charter;*
- *The British Columbia Local Government Act (LGA);*
- *The British Columbia Local Elections Campaign Finance Act;*
- *The Worker's Compensation Act of British Columbia;*
- *The Freedom of Information and Protection of Privacy Act (FIPPA);*
- *The District's Discrimination and Harassment Policy; and*
- *The Criminal Code of Canada.*

Council must familiarize themselves with, and recognize that their behaviour is governed by, these statutes, laws, and policies. Provincial legislation and other statutory obligations supersede this Council policy.

DEFINITIONS:

Confidential Information	Information or records that could reasonably harm the interests of individuals or organizations, including the District, if disclosed to persons who are not authorized to access the information, as further defined in the *Community Charter*. For clarity, this includes all information and records from closed meetings of Council until publicly released.
Conflict of Interest	A conflict of interest exists when an individual is, or could be, influenced, by a personal interest, financial or otherwise, when carrying out their public duty. Personal interest can include direct or indirect financial interest, bias, pre-judgment, or undue influence.
Council	Mayor and Council of the District of Mackenzie.
Gifts and Personal Benefits	Gifts and personal benefits are items or services of value that are received by Council for personal use. These would include, but are not limited to, cash, gift cards, tickets to events, items of clothing, jewelry, pens, food or beverages, discounts, or rebates on purchases, free or subsidized drinks or meals, entertainment, and admission fees to social functions.
Immediate Relative	A spouse (including common-law spouse), parent, parent-in-law, child, brother, sister, brother-in-law or sister-in-law, grandparent, grandparent-in-law, or grandchild.
Municipal Officer	A member of Staff designated as an officer under Section 146 of the *Community Charter*.
Personal Information	As defined in the *FIPPA*.
Staff	An employee or contractor of the District. For the purposes of this policy, volunteers are also defined as Staff. Council are not Staff of the District.

INTERPRETATION:

In this policy, a reference to a person who holds office includes a reference to the persons appointed as deputy or appointed to act for that person from time to time.

The captions or headings appearing in this policy are inserted for convenience of reference only and shall not affect the interpretation of it.

COMMITMENT TO RESPONSIBLE CONDUCT:

1. Council Members recognize that responsible conduct is essential to providing good governance.

2. Council Members acknowledge that responsible conduct is based upon the following four foundational principles to which the District and Council members individually and collectively subscribe:



a. **Integrity** - conduct and behaviour that respects and upholds the public interest and promotes public confidence in local government. Integrity is based on honesty and the active demonstration of the highest ethical standards and professionalism in all dealings.

b. **Respect** - to behave and conduct oneself with politeness, honour, and care shown towards someone or something by demonstrating due regard, deference and consideration for the perspectives, wishes, beliefs, traditions, values and rights of others.

c. **Accountability** - conduct and behaviour that exhibits the willingness to account for and accept responsibility for one's conduct, behaviours, words, actions and decisions.

d. **Leadership and Collaboration** - conduct and behaviour that demonstrates the ability to lead, guide, actively listen, mobilize and positively influence others, while encouraging people to come together to meet and work around a common goal or objective, or to resolve conflict through collective means and efforts.

3. These foundational principles provide a basis for how Council fulfills their roles and responsibilities, including in their relationships with each other, Staff and with the public. Council must adhere to the foundational principles and the provisions of this Code of Conduct policy.

4. Council is expected to act with **INTEGRITY** by:

    a. Behaving in a manner that promotes public confidence in the District, including actively avoiding any perceptions of Conflicts of interest, improper use of office or unethical conduct.
    b. Being truthful, honest and open in all dealings.
    c. Upholding the public interest and making decisions in the best interests of the community.
    d. Following through on commitments, engaging in positive communication with the community and correcting errors in a timely and transparent manner.
    e. Acting lawfully and within the authority of the *Community Charter, LGA, Workers Compensation Act of B.C. and B.C. Human Rights Code.*

5. Council is expected to act with **RESPECT** by:

    a. Treating every person, including other Council members, Staff, and the public with dignity.
    b. Showing consideration for colleagues and Staff.
    c. Creating an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as derogatory.
    d. Valuing the role of diverse perspectives and debate in decision making.

e. Acting in a way that is respectful of the roles and responsibilities of the office of Mayor and Council.
f. Valuing the distinct roles and responsibilities of local government Staff and the community in local government considerations and operations, and committing to fostering a positive working relationship between Staff, the public and elected officials

6. Council is expected to act with **ACCOUNTABILITY** by:

    a. Being transparent in how they individually and collectively conduct business and carry out their duties.
    b. Ensuring information is accessible, and that citizens can view the process and rationale behind each decision and action, while protecting confidentiality where appropriate or necessary.
    c. Accepting and upholding that they are collectively accountable for local government decisions, and that individually elected officials are responsible and accountable for the decisions they make in fulfilling their roles.
    d. Listening to and considering the opinions and needs of the community in all decision making and allowing for respectful discourse and feedback.

7. Council is expected to demonstrate **LEADERSHIP AND COLLABORATION** by:

    a. Demonstrating behaviour that builds and inspires public trust and confidence in local government.
    b. Calmly facing challenges and providing considered direction of the issues of the day and enabling colleagues and Staff to do the same.
    c. Creating space for open expression by others, taking responsibility for one's own actions and reactions and accepting the decisions of the majority.
    d. Accepting that it is the equal responsibility of the Council individually and collectively to work together to achieve common goals.
    e. Being an active participant in ensuring the foundational principles and the Code of Conduct are followed.

GENERAL CONDUCT

8. Council has an obligation to consider issues and exercise powers, duties and functions in an impartial manner that avoids arbitrary and unreasonable decisions.

9. Council must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council must avoid conduct that contravenes this policy, contravenes the law including District bylaws, or is an abuse of power or otherwise amounts to improper discrimination, intimidation, harassment, or verbal abuse of others.

Roles and Responsibilities

10. Council is the governing body of the District. It has the responsibility to govern the District in accordance with the *Community Charter* and other applicable legislation.

11. The Mayor has a statutory responsibility to provide leadership to the Council and to provide general direction to Municipal Officers respecting District policies, programs and other directions of the Council as set out in the *Community Charter*.

12. Council shall respect and adhere to the Council-Chief Administrative Officer structure of municipal government as practised in the District. In this structure, the Council determines the policies of the District with the advice, information and analysis provided by Staff and Council committees. Council members therefore shall not interfere with the administrative functions of the District or with the professional duties of Staff, nor shall they impair the ability of Staff to implement Council policy decisions.

Decisions Based on Merit

13. Members shall base their decisions on the relevant merits and substance of the matter at hand, including input received from Staff and the public.

Advocacy

14. Council members shall represent the official policies or positions of the District Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council or the District, nor shall they allow the inference that they do.

Conduct of Meetings

15. Council shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand.

16. Council shall not interrupt other speakers, make personal comments not relevant to the business of the body, or otherwise interfere with the orderly conduct of a meeting.

Interactions with the Public and Media

17. In an effort to promote respect and integrity for Council decision-making, Council will communicate accurately the decisions of the Council, even if they disagree with the majority decision of the Council.

18. When discussing publicly whether a member of Council did not support a decision, or voted against the decision, or that another Council member did not support a decision

or voted against a decision, a Council member will refrain from making disparaging comments about other Council members.

Interactions with Staff

19. Council is to direct inquiries regarding departmental issues or questions to the District's Chief Administrative Officer and refrain from contacting Staff directly.

20. Advice to Council from Staff will be vetted and approved by the Chief Administrative Officer.

21. Council is not to issue instructions to any of the District's contractors, tenderers, consultants, or other service providers unless expressly authorized to do so.

22. Council must not publish or report information or make statements attacking or reflecting negatively on Staff or Council. Any complaint should be brought to the attention of the Chief Administrative Officer for follow up.

23. Information obtained by any member of Council, which is likely to be used in a Council or political debate, should be provided to all other Council members, and to the Chief Administrative Officer as soon as possible.

24. Council must treat members of the public, Council, and Staff with respect and without bullying, abuse, or intimidation.

25. Council shall treat other members of Council, the public, and Staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come in contact with during the course of their professional duties. Comments about District staff performance shall only be made to the Chief Administrative Officer through private correspondence or conversation.

Reporting, Recording, and Retaining Information

26. Council must:
    a. Collect, use, and disclose personal information in accordance with the *Freedom of Information and Protection of Privacy Act* and the policies and guidelines as established by the District;
    b. Protect and not disclose publicly Confidential Information;
    c. Refrain from discussing or disclosing Confidential Information with Staff, or with persons outside the organization except as authorized;
    d. Council members shall respect the confidentiality of information concerning the property, personnel, legal affairs, or other information of the District distributed for the purposes of, or considered in, a closed Council meeting;

e. Take reasonable care to prevent the examination of Confidential Information by unauthorized individuals;
f. Not use Confidential Information to cause harm to Council, the District, or any other person;
g. Only access information held by the District needed for District business;
h. Not disclose decisions, resolutions or reports forming part of the Council agenda for or from a closed meeting of Council until a corporate decision has been made for the information to become public;
i. Not disclose details on Council's closed meeting deliberations or specific detail on whether individual members of Council voted for or against an issue;
j. Not use Confidential Information to advance their own or anyone's personal, financial or other private interests;
k. Not alter District records unless expressly authorized to do so; and,
l. Adhere to the requirements outlined in this Section when they are no longer a member of Council.

27. If a Council member believes that someone may have misunderstood them, they must promptly correct the misunderstanding. Reporting inaccurate or incomplete information or reporting information in a way that is intended to mislead or misinform those who receive it, is strictly prohibited, and could lead to serious consequences including disciplinary action.

    Examples of dishonest reporting include, but are not limited to the following:

    - submitting an expense account for reimbursement of business expenses not actually incurred, or misrepresenting the nature or amount of expenses claimed;
    - providing inaccurate or incomplete information to Staff during an internal investigation, audit, or other review, or to organizations and people outside the District, such as external auditors;
    - making false or misleading statements in any reports or other documents submitted to or maintained for government agencies;
    - failing to provide and/or destroying relevant records when requested to provide such records in order for the District to respond to a request for records made under the *Freedom of Information and Protection of Privacy Act*; and
    - providing or communicating false or misleading information.

28. All Council Members will work in accordance with both the District controls established to prevent fraudulent misconduct and all applicable laws, regulations, and government guidelines.

29. All incidents of fraud or theft committed against the District will be taken seriously and may be viewed as acts of criminal activity and treated accordingly.

Conflict of Interest

30. Conflict of interest is dealt with under Part 4 Division 6 of the *Community Charter*. Ultimately, the interpretation of these sections is a matter for the courts. This Code of Conduct policy is intended to provide additional guidance to Council members.

31. Council is expected to make decisions that benefit the community. They are to be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests.

32. Council must attempt to resolve any conflict or incompatibility between their personal interests and the impartial performance of their duties. Council must ensure they are observing the statutory requirements of the *Community Charter*.

33. Council is expected to be aware of appearances and strive to conduct themselves in a manner that upholds or increases the public trust by taking steps to reduce or eliminate the possible appearance of a conflict of interest.

34. Council should not seek or accept the Chair of a Committee or sub-committee whose business is related to an interest of the Council member or with an Immediate Relative.

Use of Public Resources

35. Council members shall not use District public resources such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

    For example, Council members shall not undertake municipal election campaign related activities at the District Office or on other premises owned by the District during regular working hours, unless such activities are organized by the District. Members shall not use District-owned equipment, technology or other property for municipal election campaign work (e.g., photocopiers, computers, etc.).

Use of Social Media

36. Council members must not appear to claim to speak on behalf of the District or Council unless expressly authorized to do so.

37. Council members will use caution in reporting Council decision-making by way of their social media profiles and websites before the District has released any formal communication.

38. When speaking for themselves as individual Councillors on social media or to the press, a Councillor will include "in my opinion" or use a similar disclaimer to ensure it is

expressly clear they are speaking for themselves and not the District or Council as a whole.

39. Council members will refrain from using or permitting the use of their social media accounts for purposes that include:

    a. defamatory remarks, obscenities, profane language, or sexual content;
    b. negative statements disparaging other Council members or Staff or calling into question their professional capabilities;
    c. content that endorses, promotes, or perpetuates discrimination or mistreatment on the basis of race, religion or belief, age, gender, marital status, national origin, physical or mental disability or sexual orientation;
    d. statements that indicate a closed mind in relation to a matter that is to be the subject of a statutory or other public hearing; or,
    e. promotion of illegal activity.

40. Council members must regularly monitor their social media accounts and immediately take measures to deal with the publication of messages or postings by others that violate the terms of this Code of Conduct.

Gifts and Personal Benefits

41. For Council, the receipt and reporting of gifts and personal benefits is dealt with under Part 4 Division 6 of the *Community Charter*. Ultimately, the interpretation of those sections is a matter for the courts. This Code of Conduct policy is intended to provide additional guidance to Council.

42. Council must not accept a gift or personal benefit that could reasonably be expected to result in a real or perceived conflict of interest.

43. For clarity, the following are not considered gifts or personal benefits:
    a. Compensation authorized under section 105(2)(b) of the *Community Charter*;
    b. Reimbursement for out-of-pocket costs incurred for authorized travel, living and accommodation expenses associated with attendance at an event or in connection with authorized travel;
    c. A gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office;
    d. A lawful contribution made to a member of Council who is a candidate for election conducted under the *Local Government Act*; and
    e. A random draw prize at an event attended by a Council member.

44. Council must disclose to the Corporate Officer gifts or personal benefits accepted. If the total value of a gift, or multiple gifts from the same source, exceeds $250 over any 12-

month period, a disclosure statement must be filed with the Corporate Officer as soon as reasonably practicable in a format prescribed by the *Community Charter*.

45. For the purposes of this Code of Conduct, the value of each gift or personal benefit shall be determined by its replacement cost, i.e., how much would it cost to replace the item.

46. Where a gift or personal benefit is relinquished to the District, the Corporate Officer will record the receipt of the item, nature of the gift or personal benefit, source (including the addresses of at least two individuals who are directors, in the case of a corporation), when the gift was received, and the circumstances under which it was given and accepted.

Implementation

47. As an expression of the Code of Conduct for members expected by the District, this Code is intended to be self-enforcing. This Code therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this Code shall be provided as information to candidates for Council.

48. Members elected to Council shall be requested to sign a member statement affirming they have read and understand this Code, and that they agree to conduct themselves in accordance with it.

Compliance and Enforcement

49. Council members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the District.

50. Council may impose sanctions on members whose conduct does not comply with this policy, including but not limited to a motion of censure.

51. The District will not retaliate against members of Council or Staff who, in good faith, report a known or suspected violation of this Code.

52. No reprisals or threat of reprisals shall be made against such a complainant, or against anyone for providing relevant information in connection with a suspected violation of this policy. Council members shall respect the integrity of this policy and the enforcement of it.

Complaints General

53. Incidents or complaints must be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

54. All complaints must be made in writing and must be dated and signed by the member of Council or Staff making the complaint.

55. The complaint must set out a detailed description of the facts as they are known giving rise to the allegation that the respondent member of Council has contravened this policy. The description may include the names of people involved, witnesses, where and when the incidents occurred and what behaviour led to the complaint.

56. Supporting documents such as, but not limited to, emails, handwritten notes, or photographs must be attached. If possible, include the impact of the behaviour complained of on the complainant and/or others, as well as any steps that may already have been taken under the informal complaint procedure and the outcome of those steps.

Informal Complaints Procedure

57. Any member of Council who has identified or witnessed conduct by another member of Council that they reasonably believe, in good faith, is in contravention of this policy, may address the prohibited conduct by:

    a. advising the member of Council, the conduct violates this policy and encouraging the member of Council to stop; or

    b. requesting the Mayor to assist in informal discussion of the alleged complaint with the member of Council in an attempt to resolve the issue.

        i. In the event the Mayor is the subject of, or is implicated in a complaint, the member of Council may request the assistance of the Deputy Mayor.

        ii. In the event the Mayor and Deputy Mayor are the subject of, or are implicated in a complaint, the member of Council may request the assistance of the Chief Administrative Officer.

58. Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this policy; however, a member of Council is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

Formal Complaints Procedure

59. Complaints of alleged breaches of this Code of Conduct by members of Council shall be submitted, in writing, addressed to the Mayor and/or the Chief Administrative Officer within six (6) months of the last alleged breach.

    a. If the Mayor is the subject of, or is implicated in a complaint, the complaint shall be addressed to the Deputy Mayor.

    b. If the Mayor and the Deputy Mayor are the subject of, or are implicated in a complaint, the complaint shall be addressed to the Chief Administrative Officer.

60. Upon receipt of a written complaint, the Mayor or Deputy Mayor shall, within thirty (30) days, appoint an independent third party identified and agreed between the complainant(s) and respondent(s) as having the necessary professional skills, knowledge, and experience to investigate the complaint (the "Third-Party Investigator").

Investigations into Allegations/Complaints

61. The Third-Party Investigator may conduct a preliminary assessment of the complaint, at the conclusion of which the Third-Party Investigator may determine to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond jurisdiction or unlikely to succeed.

62. If the Third-Party Investigator determines to continue with the complaint, the Third-Party Investigator shall:

    a. Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;

    b. Provide an investigation update within ninety (90) days of their appointment to the Mayor, Deputy Mayor, or Chief Administrative Officer, as applicable, and to the complainant and the respondent;

    c. Provide a written, confidential report(s) of the findings of the investigation, including findings as to whether there has been a breach of this Code, to the Mayor, Deputy Mayor, or Chief Administrative Officer, as applicable, and to the complainant and the respondent; and

    d. Provide recommendations in the confidential report as to the appropriate resolution of the complaint, which recommendations may include:

        i. Dismissal of the complaint; or

ii. Public censure of the member(s) of Council for misbehaviour or a breach of this Code;
iii. A requirement that the member(s) of Council apologize to any person adversely affected by a breach of this Code of Conduct;
iv. Counseling of the member(s) of Council, and/or
v. Such other recommendations as are deemed appropriate in the professional judgment of the Third-Party Investigator.

63. The District's Corporate Officer will receive and retain all confidential reports prepared under Sections 65 (c).

64. Where a member of Council alleges a breach of this Code of Conduct by a fellow member of Council, all members of Council shall refrain from commenting on such allegations at meetings of Council.

DISTRICT OF MACKENZIE BYLAW

NO. 1470

COUNCIL PROCEDURE BYLAW

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DISTRICT OF MACKENZIE

BYLAW NO. 1470

COUNCIL PROCEDURE BYLAW

The Municipal Council of the District of Mackenzie enacts as follows:

PART 1 - INTRODUCTION

Title

1. This Bylaw may be cited as "Council Procedure Bylaw No. 1470, 2022".

2. Bylaw No. 1379, 2018, cited as "Council Procedure Bylaw No. 1379, 2018" and amendments thereto as it applies to the District of Mackenzie is hereby repealed.

Definitions

3. In this Bylaw,

"Committee"	means a standing, select, or other committee of Council, but does not include COTW;
"Corporate Officer"	means the Director of Corporate Services for the District;
"COTW"	means the Committee of the Whole;
"Council"	means the Council of the District of Mackenzie; "District" means the District of Mackenzie;
"District Website"	means the information resource found at an Internet address provided by the District;
"Electronic Meetings"	are meetings that allow participants to hear, or watch and hear each other without being in the physical room in which the meeting is taking place.
"Electronic Participation in a meeting"	means participation by use of telephone, electronic audio or other communications facilities that enable the meeting's participants to hear and speak with each other, and enable the public to hear the participation of Council members during that part of the meeting that is open to the public.

"Mayor''	means the Mayor of the District;
"Municipal Office"	means the Municipal Office located at 1 Mackenzie Boulevard, Mackenzie, British Columbia;
"Municipal Officer"	means a municipal employee appointed by Council to an officer position in accordance with section 146 of the *Community Charter*. This includes, but may not be limited to, the Chief Administrative Officer, Chief Financial Officer, Corporate Officer, and the Approving Officer.
"Public Notice Posting Places"	means the notice board at the Municipal Office and the District Website;
"Select Committee"	means a committee that is constituted to deal with matters referred to it by the Council, and composed of members appointed by Council, including at least one member of Council, in accordance with the provisions of section 142 of the *Community Charter*;
"Special Council Meeting"	means a meeting of Council authorized by section 126 of the *Community Charter*, and includes both an open meeting and a meeting that is closed to the public;
"Standing Committee"	means a committee that is established by the Mayor to deal with matters the Mayor considers would be better dealt with by committee, and composed of members appointed by the Mayor or the Council with at least half of the Standing Committee members being members of Council, in accordance with the provisions of section 141 of the *Community Charter*.

Application of Rules of Procedure

4. (1) The provisions of this bylaw govern the proceedings of Council, COTW, and all committees, as applicable.

(2) In cases not provided for under this bylaw, *Robert's Rules of Order* apply to the proceedings of Council, COTW, and Council committees to the extent the rules are:

(a) applicable in the circumstances; and

(b) not inconsistent with provisions of this bylaw or the *Community Charter*, or the *Local Government Act*.

PART 2 - COUNCIL MEETINGS

Inaugural Meeting

5. (1) Following a general local election, the first Council meeting must be held on the first Monday in November in the year of the election.

(2) If a quorum of Council members elected at the general local election has not
taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

Time and Location of Meetings

6. (1) All Council meetings must take place within the Municipal Office except when Council resolves to hold meetings elsewhere.

(2) Regular Council meetings must:

(a) be held on the second and fourth Monday of each month, except when such date is a statutory holiday, in which case the meeting must be held on the next day the Municipal Office is open which is not a statutory holiday; and

(b) begin at 7:15 pm;

(3) Regular Council meetings may:

(a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and

(b) be postponed to a different day, time, and place by the Mayor, provided the Corporate Officer is given at least two days written notice.

Notice of Council Meetings

7. (1) In accordance with section 127 of the Community Charter, Council must annually make available a schedule of the dates, times and places of regular Council meetings and give notice of the availability of the schedule in accordance with section 94 of the Community Charter.

(2) Where revisions are necessary to the annual schedule of regular Council

meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

Notice of Special Meetings

8. (1) Except where notice of a special meeting is waived by unanimous vote of all Council members under section 127(4) of the Community Charter, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting by:

(a) posting a copy of the notice at the Public Notice Posting Places; and

(b) leaving one copy of the notice for each Council member in the Council member's mailbox at the Municipal Office.

(2) The notice under subsection (1) must describe in general terms the purpose of the meeting.

Electronic Meetings

9. (1) Subject to the conditions set out in the *Community Charter*, Regular, Special, COTW, and Committee Meetings may be conducted by means of electronic or other communication facilities if the Mayor, or in the absence of the Mayor, the Deputy Mayor, determines it is advisable based on an emergency, or health, safety, environmental, or urgent District business, and the number of members able to attend the meeting in person is insufficient to achieve quorum.

(2) Advance notice will be provided advising that the meeting will be conducted by means of electronic or other communication facilities, as follows:

(a) Notice of the meeting will be provided pursuant to the Community Charter and the provisions in sections 5 - 8 of this bylaw;

(b) The agenda cover sheet will include that the meeting is being held electronically; and

(c) Details will be included on the agenda cover sheet and the Public Notice Posting Places noting the location for the public to attend to hear, or watch and hear, the meeting.

(3) Except for any part of the meeting that is closed to the public, the public may attend regular and special meetings at the specified place to hear, or watch and hear, the meeting with a designated municipal officer in attendance.

Electronic Participation

10. (1) If a Council or Committee member is unable to attend a Regular, Special, COTW, or Committee meeting, as applicable, in person, the Council or Committee member may participate in the meeting by means of electronic or other communication facilities if:

(a) the Council or Committee member is unable to be present at the Municipal Office for reasons pertaining to absence from the municipality or health reasons.

(b) The facilities enable the other Council or Committee members to hear and be heard by the Council or Committee member; and

(c) Except for any part of the Council or Committee meeting that is closed to the public, the facilities enable the public to hear, or watch and hear, the Council or Committee member.

(2) With exception for meetings held under section 9 of this bylaw, a member of Council or a Committee member may not participate by means of electronic or other communications facilities in any part of a Regular, Special, COTW, or Committee meeting authorized by the *Community Charter* to be closed to the public.

(3) Up to three members of Council may participate electronically in a Regular, Special, COTW, or Committee meeting if:

(a) at least 24 hours before the meeting those members notified the Corporate Officer of their intended absence, and

(b) a majority of the members of Council are physically in attendance at the designated meeting location.

(4) The Corporate Officer, or designate, shall as soon as reasonably possible thereafter, provide the Council or Committee member with instructions on how to connect to and participate in the Regular, Special, COTW, or Committee meeting by electronic or other communication facilities.

(5) As soon as possible before a meeting at which a Council or Committee member has requested to participate electronically, the Corporate Officer, or designate, must send the meeting's agenda package and late agenda items to that member's email address.

(6) If the majority of Council or Committee members cannot attend in person at the designated meeting location, the meeting must be cancelled, and agenda items deferred to the next regularly scheduled meeting.

(7) If the Mayor or Committee Chair, or those appointed as their designate, are not present at the meeting, only a member who is physically in attendance at the designated meeting location may preside at a meeting at which there is electronic participation.

(8) Written material presented to the meeting without being included in either the agenda package or late agenda items sent to the members participating electronically, must be audibly read into the record.

(9) If there is an interruption in the communications' link to a member who is participating electronically, the other Council members may

(a) decide on a short recess until it is determined whether or not the link can be re-established, or

(b) continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the meeting room.

(10) If an interruption in the communications' link to a member who is participating electronically occurs, their absence will be recorded in the minutes along with their subsequent return, if applicable.

(11) There is no limit to the number of times a member may participate electronically.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

11. (1) Annually, in November, Council must from amongst its members, designate interested Councillors to serve on a quarterly rotating basis, starting in November, as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the Office of the Mayor is vacant.

(2) The Councillor designated under section 11(1) must fulfill the responsibilities of the Mayor in his or her absence.

(3) If both the Mayor and the member designated under section 11(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.

(4) The member designated under section 11(1) or chosen under section 11(3) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 - COUNCIL PROCEEDINGS

Community Charter Provisions

12. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 *[Open Meetings]* and Division 2 of Part 5 *[Council Proceedings]*. The relevant extracts from the *Community Charter* are appended to this bylaw for convenient reference.

Attendance of Public at Meetings

13. (1) Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.

(2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.

(3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation

(a) COTW;

(b) standing and select committees;

(c) parcel tax review panel;

(d) board of variance.

(4) Despite section 12, the Mayor or the Councillor designated as the

member responsible for acting in the place of the Mayor under section 11 may expel or exclude from a Council meeting a person in accordance with section 133 of the *Community Charter* and 19(11) of this bylaw, as applicable.

Minutes of Meetings to be Maintained and Available to the Public

14. (1) Minutes of the proceedings of Council must be:

(a) legibly recorded;

(b) certified as correct by the Corporate Officer; and

(c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

(2) Subject to subsection 14(3), and in accordance with section 97(1)(b) of the *Community Charter,* minutes of the proceedings of Council must be open for public inspection at the Municipal Office during its regular office hours.

(3) Subsection 14(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.

Calling Meeting to Order

15. (1) As soon as, after the time specified for a Council meeting, there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 11 must take the Chair and call such meeting to order.

(2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 11 do not attend within ten minutes of the schedule time for a Council meeting:

(a) the Corporate Officer must call to order the members present; and

(b) the members present must choose a member to preside at the meeting.

Adjourning Meeting Where Quorum is not Present

16. (1) If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must

(a) record the names of the members present, and those absent; and

(b) adjourn the meeting until the next scheduled meeting.

Agenda

17. (1) Prior to each Council meeting, the Corporate Officer must prepare an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

(2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting agenda must be 12:00 noon on the Tuesday prior to the meeting.

(3) The Corporate Officer must make the agenda available to the members of Council and the public on the Thursday afternoon prior to the meeting.

Order of Proceedings and Business

18. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below and all regular Council meetings must be conducted in accordance with the following provisions:

(a) Call to Order;

(b) Adoption of Minutes;

The minutes of previous meetings may be amended, but not debated or reflected upon, at the time they are considered for adoption.

(c) Introduction of Late Items;

(i) Information pertaining to late items submitted by the public, staff, or Council for possible consideration at any Council meeting must be distributed to the members at the commencement of the meeting.

(ii) Except items brought forward by Council members during

New Business, an item not included on the agenda must not be considered at a Council meeting unless introduction of the late item is approved at the time allocated on the agenda for such matters by a majority vote of the members present.

(d) Adoption of Agenda;

The agenda will be adopted as presented, or adopted as amended should Council resolve to consider late items to be included on the agenda, by a majority vote of the members present.

(e) Public Comment and Questions;

(i) Council may allow up to 20 minutes during this time to answer inquiries from the media and members of the public, but such comments and questions must be strictly limited to matters considered by the Council at that particular meeting. This portion of the agenda may be extended only by unanimous vote of Council.

(ii) Written submissions in response to the published agenda of an upcoming meeting, whereby the author will not be present at the meeting either in-person or by electronic communication, must be received by the Corporate Officer, or designate, by 4:30 pm on the date of the Council meeting. The Corporate Officer will present these submissions to Council for the record during this portion of the agenda.

(f) Petitions and Delegations;

(i) Council may allow an individual or a delegation to address Council at the meeting on the subject of an agenda item provided that a written request on the form prescribed by the Corporate Officer has been received by the Corporate Officer prior to 12:00 noon on the Tuesday prior to the meeting. The written request must include a summary of the topic which is the subject of the delegation and the specific action which is being sought from Council by the delegation.

(ii) Each address must be limited to 15 minutes unless a longer period is agreed to by unanimous vote of those members present.

(iii) Where notification has not been received by the Corporate Officer as prescribed in section 18(f)(i), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.

(iv) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

(v) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.

(vi) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.

(g) Correspondence;

(i) Each item of correspondence will be categorized into three designations:

a. correspondence which requires action;

b. correspondence for consideration;

c. correspondence designated as general information.

(ii) Correspondence which requires action and correspondence for consideration will be copied and included in the agenda package. Correspondence designated as general information will be placed in the Centre Table file and the nature of the correspondence indicated on the agenda covering pages. Council may, by resolution, bring forward any correspondence for consideration or for general information.

(h) Administration Reports;

All reports from Directors/Managers and advisory bodies shall include a synopsis of the information relating to the item under consideration and a recommendation on that item.

(i) Council Reports;

Mayor and Council members may submit a verbal or written report of an informational nature.

(j) Unfinished Business;

Matters that have been previously considered by Council and that have not been resolved, such as tabled or postponed resolutions, will be brought forward at this time.

(k) New Business;

Council may make motions pertaining to non-contentious matters that do not consider substantive expenditures or require significant staff resources under the New Business portion of the meeting.

(l) Bylaws;

Part 5 of this bylaw establishes the manner in which bylaws are adopted.

(m) Notice of Motion;

(i) Any Council member may give "notice of motion" respecting an item that may be of a contentious nature and will require time for the Council to consider or deliberate or will require substantive expenditures and significant staff resources. The member of Council must deliver a "Notice of Motion" in written form to the Corporate Officer no later than 12:00 pm on the Tuesday preceding the day of the next regular meeting is scheduled.

(ii) A copy of the motion presented under section 18(m)(i) shall be distributed to each member of Council and shall appear in the minutes of the meeting as a "Notice of Motion". The Corporate Officer shall place the motion on the agenda of the next regular Council meeting or other future meeting

designated by the member bringing forward the notice of motion for consideration.

(n) Coming Events;

(o) Inquiries;

The Mayor may provide time to answer inquiries from the media and members of the public, but such inquiries must be strictly limited to matters considered by the Council at that particular meeting. The Mayor may determine, at his or her discretion, when to conclude this portion of a meeting.

(p) Adjournment.

(2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

Public Comment and Questions Inquiries Rules and Procedures

19. (1) The following rules and procedures apply during both the "Public Comment and Questions" as well as "Inquiries" portions of the regular meetings of Council, unless otherwise stated:

(a) When recognized by the presiding member, and only after giving their name and address for the record, persons from the audience may address Council on a matter related to the agenda;

(b) When speaking during the "Public Comment and Questions" and "Inquiries" segments of the agenda, a person must:

i. Address their remarks to the presiding member;

ii. Use respectful language;

iii. Not use offensive gestures or signs; and

iv. Only address current agenda items

(c) The "Public Comment and Questions" section shall be limited to twenty (20) minutes, unless extended by way of a resolution adopted by a unanimous vote of the Council members present;

(d) The Mayor may determine, at his or her discretion, when to conclude the "Inquiries" portion of a meeting;

(e) Each address must be limited to 2 minutes unless a longer period is agreed to by unanimous vote of those members present;

(f) At the discretion of Council, audience members may address Council more than once, but only after all other audience members who wish to speak have had their opportunity;

(g) A summary of questions asked, and input received, including the name of the individual, will be included in the recorded minutes.

Limitations of Public Comment and Questions, Inquiries, and Petition and Delegations

20. (1) Council must not permit a member of the audience during "Public Comment and Questions," Inquiries," or as a "Petition and Delegation" to address Council regarding:

(a) A bylaw in respect of which a public hearing has been scheduled or held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw;

(b) Matters on which the District has commenced prosecution and on which judgment has not been rendered;

(c) Matters relating to a claim or potential claim against the District, against a member of Council, or against an officer or employee of the District;

(d) Business license hearings conducted in accordance with Part 20 of the Local Government Act;

(e) Reconsideration of remedial action requirement hearing under section 78 of the *Community Charter;*

(f) A dispute between third parties not falling within the jurisdiction of Council;

(g) The promotion of commercial products or services, or services for the District;

(h) Publicly tendered contracts or proposal calls for the provision of goods or services for the District between the time that such

contract or proposal call has been authorized and the time such contract or proposal call has been awarded, either by Council or District staff.

Voting at Meetings

21. (1) When debate on a matter is closed the Mayor must put the matter to a vote of Council members.

(2) When the Council is ready to vote, the Mayor must put the matter to a vote by stating:

"Those in favour raise your hands" and then "Those opposed raise your hands".

(3) The names of those Council members who vote against a question shall be entered upon the minutes whenever the vote is not unanimous.

(4) A Council member present at the meeting at the time of the vote who does not raise his or her hand either in favour or in opposition of the matter is deemed to have voted in the affirmative.

(5) If the votes of the Council members present at the meeting at the time of the vote are equal for and against a question, the question is defeated.

(6) The Chair must declare the results of all votes.

Authority of Mayor

22. The Mayor at a Council meeting must preserve order and decide points of order that may arise, subject to an appeal under section 132 of the *Community Charter*.

Rules of Conduct and Debate

23. (1) When any Council member wishes to speak in debate, he or she shall wait until no other Council member is speaking and address the presiding member.

(2) Except as otherwise resolved by Council at a Council meeting, a Council member:

(a) may speak only to a matter being debated by the Council;

(b) may speak only twice to a matter, except in order to:

i. explain a material part of his or her speech which may have been misunderstood; or

ii. ask a question.

(c) may speak for no more than five minutes at a time, except that Council may resolve by a simple majority vote to permit a Council member to speak longer;

(d) may not speak to a matter already dealt with by the Council;

(e) may not speak when called to order by the Mayor;

(f) may not speak to a motion unless a motion has been moved and seconded;

(g) may only speak in a regular meeting of Council after the Council member has raised his or her hand and the Mayor has recognized the Council member.

(3) If two or more Council members raise their hands at the same time, the Mayor must designate the order in which each is to speak.

(4) If the Mayor wishes to speak in a regular meeting of Council, the Mayor or presiding member may do so.

(5) If a Council member has raised his or her hand at the same time the Mayor begins to speak, the Mayor may speak first.

(6) A Council member shall address the Mayor as "Your Worship", or "Mayor _____" and a Council member shall address a Council member by that Council member's surname preceded with "Councillor".

(7) A Council member may address municipal staff through the Mayor to the Chief Administrative Officer who shall refer the matter to the appropriate staff representative if necessary.

(8) At the time any ruling is made by the Mayor on a point of order, the Mayor shall inform the Council of the grounds upon which the point of order is decided.

(9) Council members shall not:

(a) interrupt another Council member who is speaking except to raise a point of order or a question of privilege;

(b) make any noise or disturbance during the meeting;

(c) pass between the speaker and the Chair.

(10) Council members speaking at a Council meeting:

(a) must use respectful language;

(b) must not use offensive gestures or signs;

(c) must adhere to the rules of procedure established under this bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.

(11) If a member does not adhere to subsection (10) the Mayor may order the member to leave the member's seat, and

(a) if the member refuses to leave, the Mayor may cause the member to be removed by a peace officer, and

(b) if the member apologizes to Council, Council may, by resolution, allow the member to retake the member's seat.

Motions Generally

24. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.

(2) After a motion has been made it shall be deemed to be in possession of the Council, but the motion may be withdrawn at any time before a decision or amendment is made by the mover of the motion provided that the mover has the consent of the seconder.

(3) A motion that has been moved and seconded at a Council meeting, other than a withdrawn motion as provided for in subsection (2), must be recorded by the Corporate Officer in the minutes and be given a distinguishing number.

(4) The name of the Council member moving the motion will be recorded in the minutes; however, the name of the Council member seconding the motion will not be recorded in the minutes.

(5) A Council member may make only the following motions when the Council is considering a question:

(a) to refer to committee;

(b) to amend;

(c) to lay on the table;

(d) to postpone indefinitely;

(e) to postpone to a certain time;

(f) to move the previous question.

(6) A motion made under 24(5)(c) to (f) is not amendable or debatable.

(7) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

Motion to Commit

25. Further to subsection 24(5)(a), until it is decided, a motion made at a Council meeting to refer to a committee precludes an amendment of the main question.

Motion for the Main Question

26. (1) In this section, "main question," in relation to a matter, means the motion that first brings the matter before Council. The following rules apply to a motion to call the main question, or for the main question as amended:

(a) If a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and

(b) If the motion for the main question, or for the main question as amended, is decided in the negative, Council may again debate the

main question, or proceed to other business.

Amendments Generally

27. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.

(2) An amendment may propose removing, substituting for, or adding to the words of an original motion.

(3) A proposed amendment must be reproduced in writing by the mover if requested by the Mayor.

(4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.

(5) An amendment may be amended once only.

(6) An amendment that has been negated by a vote of Council cannot be proposed again.

(7) A Council member may propose an amendment to an adopted amendment.

(8) The Mayor must put the main question and its amendments in the following order for the vote of Council:

(a) a motion to amend a motion amending the main question;

(b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive;

(c) the main question.

Privilege

28. (1) In this section, a matter of privilege refers to any of the following motions:

(a) fix the time to adjourn;

(b) adjourn;

(c) recess;

(d) raise a question of privilege of the Council;

(e) raise a question of privilege of a member of Council.

(2) A matter of privilege must be immediately considered when it arises at a Council meeting.

(3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

PART 5 - BYLAWS

Copies of Proposed Bylaws to Council Members

29. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

Form of Bylaws

30. (1) A bylaw introduced at a Council meeting must:

(a) be printed;

(b) have a distinguishing name;

(c) have a distinguishing number;

(d) contain an introductory statement of purpose;

(e) be divided into sections.

Bylaws to be Considered Separately or Jointly

31. (1) Council must consider a proposed bylaw at a Council meeting either:

(a) separately when directed by the Mayor or requested by another Council member; or

(b) jointly with other proposed bylaws in the sequence determined by the Mayor.

Reading and Adopting Bylaws

32. (1) The Mayor of a Council meeting may:

(a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws; and then

(b) request a motion that the proposed bylaw or group of bylaws be read.

(2) The readings of the bylaw may be given by stating its title and object.

(3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

(4) Each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.

(5) In accordance with section 135 of the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same Council meeting.

(6) Despite section 135(3) of the *Community Charter*, and in accordance with sections 477(6) and 480 of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

Bylaws Must be Signed

33. (1) After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping and endorse upon it:

(a) the dates of its readings and adoption;

(b) and the date of Ministerial approval or approval of the electorate if applicable.

PART 6 - COMMITTEE OF THE WHOLE

Going into Committee of the Whole (COTW)

34. (1) COTW meetings are scheduled for every fourth Monday of each month commencing at 7:00 pm.

(2) COTW meetings are meetings, other than Standing or Select Committee meetings, to which all members of Council are invited to consider but not to decide on matters of the District's business.

Notice for COTW Meetings

35. (1) At least 72 hours before a COTW meeting, the Corporate Officer will give public notice of the meeting by:

(a) posting a copy of the notice of the agenda covering page at the Public Notice Posting Places; and

(b) delivering a copy of the agenda to each Council member in the Council member's mailbox at the Municipal Office.

Minutes of COTW Meetings to be Maintained and Available to the Public

36. (1) Minutes of the proceedings of COTW must be:

(a) legibly recorded;

(b) certified by the Corporate Officer;

(c) signed by the member presiding at the meeting; and

(d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

Presiding Members at COTW Meetings and Quorum

37. (1) COTW meetings must be chaired by one Council member to be selected by Council from time to time on a rotating basis.

(2) The quorum of COTW is the majority of Council members.

Points of Order at Meetings

38. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

Conduct and Debate

39. (1) The following rules apply to COTW meetings:

(a) a motion is not required to be seconded;

(b) a member may speak any number of times on the same question;

(c) a member must not speak longer than a total of five minutes on any one question.

Committee Recommendations

40. (1) The minutes of the COTW meeting must record all COTW recommendations.

(2) The Corporate Officer must include COTW recommendations on the agenda for future Council meetings as directed by the COTW.

PART 7 - COMMITTEES

Duties of Standing Committees

41. The Mayor must establish Standing Committees for matters the Mayor considers would be better dealt with by committee and must appoint persons to those committees.

42. At least half of the members of a Standing Committee must be Council members.

43. (1) Standing Committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:

(a) matters that are related to the general subject indicated by the name of the Committee;

(b) matters that are assigned by Council;

(c) matters that are assigned by the Mayor.

Duties of Select Committees

42. Council may appoint a Select Committee to consider or inquire into any matter and to report its findings and opinions to Council.

43. At least one member of a Select Committee must be a Council member.

44. Select Committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.

Holding of Committee Meetings

45. Every committee shall have a Chair, appointed by Council, to preside over its meetings.

46. After its first meeting is held, subsequent committee meetings will be held at the call of the Chair.

47. To the extent necessary, a committee may by resolution create its own rules of procedure, but the provisions of this bylaw prevail over any such rules of procedure to the extent of any conflict.

Notice of Committee meetings

48. (1) A notice of the date, hour, and place of a Committee meeting must be given at least 24 hours before the time of meeting by posting a copy of the notice at the Public Notice Posting Places.

(2) The Chair of a Committee must cause a notice of the day, time, and place of a meeting to be given to all members of the Committee at least 24 hours before the time of the meeting.

Attendance at Committee Meetings

44. Council members who are not members of a committee may attend the meetings of the committee.

45. A part or all of a committee meeting may be closed to the public if the subject matter being considered falls under section 90 of the Community Charter.

Minutes of Committee Meetings to be Maintained and Available to the Public

46. (1) Minutes of the proceedings of a committee must be:

(a) legibly recorded;

(b) certified by the Corporate Officer;

(c) signed by the Chair or member presiding at the meeting; and

(d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

47. Subsection 46(1)(d) does not apply to minutes of a Council committee meeting or

that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.

Quorum

48. The quorum for a Committee is a majority of all of its members who are entitled to vote.

Conduct and Debate

49. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless otherwise provided in this bylaw.

(2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.

(3) A motion made at a meeting of a committee is not required to be seconded.

Voting at Meetings

50. Council members attending a meeting of a committee of which they are not a member must not vote on a question

PART 8 – GENERAL

51. If any section, subsection, or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

52. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the Community Charter.

READ a first time this 28th day of February, 2022.

READ a second time this 28th day of February, 2022.

READ a third time this 28th day of February, 2022.

ADOPTED this 14th day of March, 2022.

I hereby certify the foregoing
to be a true and correct copy
of District of Mackenzie Bylaw
No. 1470 cited as "Council Procedure
Bylaw No. 1470, 2022".

Mayor

Corporate Officer

Corporate Officer

DISTRICT OF MACKENZIE

Bylaw No. 1504, 2023

A bylaw to amend Council Procedure Bylaw No. 1470, 2022

WHEREAS the Council of the District of Mackenzie deems it prudent and desirable to amend its Council Procedure Bylaw;

NOW THEREFORE BE IT RESOLVED that the Council of the District of Mackenzie in open meeting assembled, **HEREBY ENACTS** as follows:

1. That Bylaw No. 1470 cited as "Council Procedure Bylaw No. 1470, 2022" is hereby amended as follows:

    A. By adding the following to new sections immediately after Part 4 Section 18 (1), and renumbering the subsequent sections accordingly:

        (2) The agenda for all COTW meetings contains the following matters in the order in which they are listed below and all COTW meetings must be conducted in accordance with the following provisions:

        a. Call to Order

        b. Public Comments and Questions

            i. Council may allow up to 20 minutes during this time to answer inquiries from the media and members of the public, but such comments and questions must be strictly limited to matters considered by the Council at that particular meeting. This portion of the agenda may be extended only by unanimous vote of Council.

            ii. Written submissions in response to the published agenda of an upcoming meeting, whereby the author will not be present at the meeting either in-person or by electronic communication, must be received by the Corporate Officer, or designate, by 4:30 pm on the date of the Council meeting. The Corporate Officer will present these submissions to Council for the record during this portion of the agenda.

        c. Reports

        d. Other Business

        e. Adjournment."

    B. By deleting the current text in Part 4 Section 19(1) and replacing it with the following:

        "The following rules and procedures apply during both the "Public Comment and Questions" as well as "Inquiries" portions of the regular meetings of Council and COTW meetings, unless otherwise stated:

2. This bylaw may be cited for all purposes as "Council Procedure Amendment Bylaw No. 1504, 2023."

READ a first time this 24th day of July, 2023.

READ a second time this 24th day of July, 2023.

READ a third time this 24th day of July, 2023.

ADOPTED this 14th day of August, 2023.

I hereby certify the foregoing to be a true and correct copy of District of Mackenzie Bylaw No. 1504 cited as "Council Procedure Bylaw Amendment Bylaw No. 1504, 2023".

Mayor

Corporate Officer

Corporate Officer

DISTRICT OF MACKENZIE

Bylaw No. 1482

A bylaw to provide for the determination of various procedures
for the conduct of local government elections and other voting

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WHEREAS under the *Local Government Act*, Council may, by bylaw, determine various procedures and requirements to be applied to the conduct of local government elections and other voting;

AND WHEREAS Council wishes to establish voting procedures and requirements under that authority.

NOW THEREFORE BE IT RESOLVED THAT the Council of the District of Mackenzie in open meeting assembled, **HEREBY ENACTS** as follows:

1. CITATION

This Bylaw may be cited for all purposes as "General Local Government Election Bylaw No. 1482, 2022".

2. ADDITIONAL ADVANCE VOTING OPPORTUNITIES

(a) In addition to the required advance voting opportunity on the 10th day before general voting day, the following day is hereby established as an advance voting opportunity for the general local election and other voting:

(i) on the day before general voting day.

(b) Advance voting opportunities on the dates specified in subsection 2(a) shall be available between the hours of 8:00 am and 8:00 pm.

(c) As authorized under Section 108 of the *Local Government Act*, the Council authorizes the Chief Election Officer or designate to establish additional advance voting opportunities for each election to be held in advance of general voting day and to designate the voting places, and to establish the date and voting hours for these voting opportunities.

3. SPECIAL VOTING OPPORTUNITIES – MACKENZIE AND DISTRICT HOSPITAL

(a) To give electors who may otherwise be unable to vote an opportunity to do so, the Council will provide a special voting opportunity as authorized under Section 109 of the *Local Government Act* for each election and authorizes the Chief Election Officer or designate to establish a special voting opportunity for each election and designate the location, the date and the voting hours within the limits set out in Section 109 of the *Local Government Act,* for the special voting opportunities.

(b) The following restrictions apply to persons who may vote at this special voting opportunity:

The only electors who may vote are electors who, on the date on which the special voting opportunity is held and before the end of the voting hours for that special voting opportunity, have been admitted as a patient to the Mackenzie and District Hospital or are employees of the Mackenzie and District Hospital.

(c) Council authorizes the Chief Election Officer or designate to limit the number of candidate representatives who may be present at the special voting opportunity.

4. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT

In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with Section 151 of the *Local Government Act*.

5. REPEAL

Bylaw No. 1178 cited as "General Local Government Election Bylaw No. 1178, 2005" is hereby repealed.

READ a first time this 24th day of May, 2022.

READ a second time this 24th day of May, 2022.

READ a third time this 24th day of May, 2022.

ADOPTED this 13th day of June, 2022.

I hereby certify the foregoing
to be a true and correct copy of
District of Mackenzie Bylaw No. 1482
cited as "General Local Government
Election Bylaw No. 1482, 2022.

Joan Atkinson
Mayor

Corporate Officer

Emily Kael
Corporate Officer

DISTRICT OF MACKENZIE

BYLAW NO. 1483

A bylaw to permit voting by mail ballot.

WHEREAS pursuant to Section 110 of the *Local Government Act*, Council may, by bylaw, permit voting by mail ballot and establish procedures therefor;

NOW THEREFORE the Council of the District of Mackenzie in open meeting, enacts as follows:

1. CITATION

1.1 This bylaw may be cited as "Mail Ballot Authorization and Procedure Bylaw No. 1483, 2022".

2. AUTHORIZATION

2.1 Voting may be done by mail ballot and registration of election may be done by mail in conjunction with mail ballot voting.

2.2 The following time limits shall apply in relation to voting by mail:

a) Commencing seven days before the first day of advance voting; and

b) Ending at 4:00 pm on the Thursday two days before general voting day.

3. APPLICATION PROCEDURE

3.1 A person wishing to vote by mail ballot shall apply by giving their name and address to the Chief Election Officer or to the person designated by the Chief Election Officer for such purposes, during the period commencing seven days before the first day of advance voting and ending at 4:00 pm on the Thursday two days before general voting day.

3.2 Upon receipt of a request for a mail ballot, the Chief Election Officer or designate shall, between the time when the ballots are ready and 4:00 pm on the Thursday two days before general voting day:

a) Make available to the applicant, a mail ballot package which contains:

i. The content set out in Section 110(7) of the *Local Government Act*;

ii. Additional instructions; and

iii. A statement advising the elector that

a) The elector must meet the eligibility to vote criteria, and

b) The elector must attest to such fact; and

b) Record in the register of Mail Ballots and, upon request, make available for inspection:

i. The name and address of the elector to whom the mail ballot package was issued; and

ii. Any other information that the Chief Election Officer or designate deems helpful to maintain the register of mail ballots.

3.3 As per the applicant's direction, the Chief Election Officer or designate may distribute the mail ballot package in any of the following ways:

a) Sending the mail ballot package by Canada Post;

b) Sending the mail ballot package by courier at the expense of the applicant;

c) Having the mail ballot package picked up by the applicant at a designated time and location; or

d) Having the mail ballot package picked up by an authorized person at a designated time and location

3.4 The Chief Election Officer or designate may request that the authorized person show identification and sign a form before providing the authorized person with the mail ballot package.

4. VOTING PROCEDURE

4.1 To vote using a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the chief election officer.

4.2 After marking the ballot, the elector shall:

a) place the ballot in the secrecy envelope provided and seal the secrecy envelope;

b) place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;

c) place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope;

d) mail, or have delivered, the outer envelope and its contents to the Chief Election Officer or designate at the address specified so that it is received no later than the close of voting on general voting day.

5. BALLOT ACCEPTANCE OR REJECTION

5.1 Until 4:00 pm on the Thursday two days before general voting day, upon receipt of the outer envelope and its contents, the Chief Election Officer or designate shall immediately record the date of such receipt and shall then open the outer envelope and remove and examine the certification envelope and the completed elector registration application, if applicable, and if satisfied as to:

a) the identity and entitlement to vote of the elector whose ballot is enclosed; and

b) the completeness of the certification; and

c) the fulfilment of the requirements of Section 70 of the *Local Government Act* in the case of a person who is registering as a new elector;

the Chief Election Officer or designate shall mark the certification envelope as "accepted" and shall retain in his custody all such certification envelopes in order to deal with any challenges made in accordance with Section 6 of this bylaw.

5.2 The unopened certification envelopes shall remain in the custody of the Chief Election Officer or designate until 4:00 pm on the Thursday two days before general voting day, at which time the certification envelopes containing the secrecy envelopes shall be opened in the presence of at least one other person, including any scrutineers present.

5.3 At 4:00 pm on the Thursday two days before general voting day, the Chief Election Officer or designate shall place all secrecy envelopes received up until that time into a ballot box specified for such purpose, where such secrecy envelopes were received from persons whose right to vote using a mail ballot has not been challenged, or where such challenge has been resolved and the challenged person permitted to vote.

5.4 Where an outer envelope and its contents are received by the Chief Election Officer or designate between 4:00 pm on the Thursday two days before general voting day and the close of voting on general voting day, the provisions of Section 5.1 of this bylaw with regard to ballot acceptance shall apply and the Chief Election Officer or designate shall retain such envelopes in their possession until the close of voting and at that time shall open such certification envelopes in the presence of at least one other person, including

any scrutineers present, and place the secrecy envelope containing the ballot into the ballot box containing the other unopened secrecy envelopes.

5.5 As soon as possible after all of the secrecy envelopes have been placed in the ballot box designated for that purpose, the ballot box shall be opened under the supervision of the Chief Election Officer or designate, and in the presence of at least one other person and any scrutineers present, the secrecy envelopes shall be opened and the ballots contained therein counted in accordance with the provisions of the *Local Government Act*.

5.6 Where:

a) upon receipt of an outer envelope, the Chief Election Officer or designate is not satisfied as to the identity of the elector whose ballot is enclosed; or

b) in the case of a person required to complete an application for registration as an elector, such application has not been completed in accordance with Section 70 of the *Local Government Act*; or

c) the outer envelope is received by the Chief Election Officer or designate after the close of voting on general voting day,

the certification envelope shall remain unopened and the Chief Election Officer or designate shall mark such envelope as "rejected", and shall note the reasons therefor, and the ballot contained therein shall not be counted in the election.

5.7 Any certification envelopes and their contents rejected in accordance with Section 5.6 of the bylaw shall remain unopened and shall be subject to the provisions of Section 160(6) of the *Local Government Act* with regard to their destruction.

6. CHALLENGE OF ELECTOR

6.1 A person exercising the right to vote under the provisions of this bylaw may be challenged in accordance with and on the grounds specified in Section 126 of the *Local Government Act*, until 4:00 pm on the Thursday two days before general voting day.

6.2 The provisions of Section 126(2) to (5) inclusive of the *Local Government Act* shall apply where a challenge of an elector using a mail ballot has been made.

7. ELECTOR'S NAME ALREADY USED

7.1 Where, upon receiving a request for a mail ballot, the Chief Election Officer or designate determines that another person has voted or has already been issued a mail ballot in

the elector's name, the provisions of Section 127 of the *Local Government Act* shall apply, so far as applicable.

8. REPLACEMENT OF SPOILED BALLOT

8.1 Where an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer or designate, the elector may request a replacement ballot by advising the Chief Election Officer or designate of the ballot spoilage and by mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the Chief Election Officer or designate.

8.2 The Chief Election Officer or designate shall, upon receipt of the spoiled ballot package, record such fact, and proceed in accordance with Section 3.2 of this bylaw.

9. REPEAL

Bylaw No. 1222 cited as "Mail Ballot Authorization and Procedure Bylaw No. 1222, 2008" is hereby repealed.

READ a first time this 24th day of May, 2022.

READ a second time this 24th day of May, 2022.

READ a third time this 24th day of May, 2022.

ADOPTED this 13th day of June, 2022.

I hereby certify the foregoing
to be a true and correct copy
of the District of Mackenzie
Bylaw No. 1483 cited as
"Mail Ballot Authorization and
Procedure Bylaw No. 1483, 2022".

Joan Atkinson
Mayor

Emily Kael
Corporate Officer

Corporate Officer

DISTRICT OF MACKENZIE

BYLAW NO. 1484

A bylaw to limit registration of electors
to registration at the time of voting.

WHEREAS pursuant to Section 69 of the *Local Government Act*, Council may, by bylaw, limit registration of electors to registration at the time of voting;

AND WHEREAS the Council of the District of Mackenzie wishes to limit registration of electors to registration at the time of voting for all elections under Part 4 of the *Local Government Act*;

NOW THEREFORE the Council of the District of Mackenzie, in open meeting assembled, **HEREBY ENACTS** as follows:

1. This bylaw may be cited as "Voting Day Registration Bylaw No. 1484, 2022."

2. For the purposes of all elections and other voting under Part 4 of the *Local Government Act*, a person may register as an elector only at the time of voting.

3. Registration as an elector under Section 2 of this bylaw is effective only for the voting or other matters on which the opinion of the electors is being sought at the time of voting.

4. Bylaw No. 1221 cited as "Voting Day Registration Bylaw No. 1221, 2008" is hereby repealed.

READ a first time this 13th day of June, 2022.

READ a second time this 13th day of June, 2022.

READ a third time this 13th day of June, 2022.

ADOPTED this 27th day of June, 2022.

I hereby certify the foregoing to be a true and correct copy of the District of Mackenzie Bylaw No. 1484 cited as "Voting Day Registration Bylaw No. 1484, 2022".

Joan Atkinson

Mayor

Emily Kael

Corporate Officer

Corporate Officer

Consolidated for Convenience
Amended by Bylaw No. 1441 May/2020
Applicable sections have been highlighted

DISTRICT OF MACKENZIE

BYLAW NO. 1262

A Bylaw to authorize the District of Mackenzie
to regulate the use, construction and installation of signs
in the District of Mackenzie

WHEREAS pursuant to Section 8. (4) of the *Community Charter* Council may regulate and impose requirements in relation to matters referred to in Section 65 (signs and other advertising).

AND WHEREAS the purpose of this Bylaw is:

(a) To protect the appearance and preserve the amenity of the various zones which may be adversely affected by signs of inappropriate size, design or location.

(b) To ensure that signs and lights erected for the direction and safe movement of traffic are not affected by the placement, size or design of signs.

(c) To prevent the confusion and conflict of signs with one another.

NOW THEREFORE, the Council of the District of Mackenzie, in open meeting assembled, enacts as follows:

1.1 TITLE

This Bylaw may be cited for all purposes as "Sign Regulation Bylaw No. 1262, 2010."

1.2 DEFINITIONS

"PRINCIPAL BUILDING" means the definition as identified in the District of Mackenzie Zoning Bylaw.

"ROOFLINE" means the profile or silhouette which creates the outline of the roof.

"SETBACK" means the definitions identified in the District of Mackenzie Zoning Bylaw and as delineated in each individual zone within the District of Mackenzie Zoning Bylaw.

"SIGN" means an exterior painting, illustration or description including a sign displayed on the interior surface of an exterior window used to advertise, identify or communicate information or attract the attention of the public and includes any structures supporting a sign.

"SIGN, AREA" means the entire area of sign on which copy could be placed.

"SIGN, ADVERTISING" means a sign which identifies or directs attention to a business, profession, commodity or place of entertainment upon the site at which the sign is located. Advertising signs may also refer to the goods or services produced, offered for sale or obtainable at the site.

"SIGN, BILLBOARD" means a sign which directs attention to a business, commodity, service or entertainment which is sold or offered elsewhere than on the site at which the sign is located.

"SIGN, CANOPY" means a sign attached to or constructed in or on the face of a canopy.

"SIGN, COMMUNITY ACTIVITY" means a sign or banner indicating a community cause, festivity or event including charitable fund raising campaigns.

"SIGN, CONTRACTOR" means a sign erected on the site of the building or structure proposed or currently under construction displaying the name of the building, owners, architects, consultants and contractors.

"SIGN, DIRECTIONAL" means a non-advertising sign designed to direct pedestrian or vehicular traffic.

"SIGN, FASCIA" means a flat sign which is affixed, painted or attached to the face of a wall, the sign running parallel for its whole length, and which does not project more than 0.3 metres (9 inches) from the face of the wall.

"SIGN, FLASHING" means an illuminated sign which contains an intermittent or flashing light source or which exhibits noticeable changes in light intensity. Signs which produce the effect of sudden change in light or colour by means of revolution only shall also be deemed to be flashing signs.

"SIGN, FREESTANDING" means a sign, independently supported from a building or other structure and permanently fixed to the ground.

"SIGN, HEIGHT" means the vertical distance measured from the highest point of the sign to grade.

Amended by Bylaw No. 1441 – May/2020

"SIGN, HOME OCCUPATION" means a sign that is used to indicate the name and place of a home-based occupation.

"SIGN, IDENTIFICATION" means a sign which is limited to the name, address and number of a building, institution or person.

"SIGN, MARQUEE" means a sign which projects more than 0.3 metres (9 inches) from the face or wall of a building, but does not include a canopy sign or fascia sign

"SIGN, POLITICAL" means a sign erected to promote the voting at an election, or the election of a particular candidate or the voting for or support of a particular cause at an election.

"SIGN, PORTABLE" means a sign not fixed to the ground or a building but does not include signs affixed to motor vehicles.

"SIGN,PROHIBITION" means a fascia or free standing sign indication a prohibition or penalty respecting the property on which it is situated.

"SIGN, REAL ESTATE" means a sign which indicates that a building or property on which the sign is located is for sale, rent or lease.

"SIGN, REVOLVING" means a sign, all or part of which revolves or rotates, or partly revolves or rotates, but does not include animated signs.

"SIGN, ROOF" means a sign erected upon the roof or above the eaves or the parapet of a building, the entire face of which is situated above the Roofline of the building to which it is attached. Roof signs shall exclude fascia signs which are affixed to elevator or ventilation machines on the roof of a building.

"SIGN, WARNING" means a sign indicating that a danger to health, life or property exists.

1.3 **EXEMPTIONS**

This section shall not apply to signs erected by the District of Mackenzie including but not limited to:

(1) Signs on or over municipal streets installed or authorized by the Director of Public Works for the control of traffic and parking.

(2) Signs indicating street names and direction.

(3) Signs indicating hazards, prohibition and penalties.

1.4 **APPLICATION AND ISSUANCE OF PERMITS**

(1) No person shall commence or carry on the construction, erection, installation, additional repair or alteration of a sign until application and approval for a sign permit has been obtained from the Building Inspector and fees paid in accordance with the Building Bylaw.

(2) The following signs do not require a permit but shall conform to all other applicable regulations:

Amended by Bylaw No. 1441 – May/2020

(a) Real Estate Signs
(b) Political Signs
(c) Home identification Signs
*(d) Home Occupation Signs

1.5 PROHIBITIONS

No sign shall by reason of its location, colour or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic.

The following signs shall not be permitted:

(1) Roof signs

(2) Billboard signs

(3) Flashing or Intermittent signs.

1.6 SIGN PROJECTIONS AND SETBACKS

(1) No sign or part thereof shall project over a highway right-of-way or public property except as approved by the Director of Public Works.

(2) No sign except a Freestanding sign shall be located in a required setback.

(3) A sign may project into a required setback but the projection shall not exceed 1.0 metres (3.28 feet).

1.7 SIGN HEIGHT

(1) No Freestanding sign shall exceed an overall height of 9.0 metres (30 feet).

(2) No sign shall project above the Roofline to which it is attached.

(3) No Freestanding sign shall exceed 1.25 times the Principal Building on the lot subject to Clause (1).

(4) Fascia signs in the C1, C2, C3, C4 and C5 Zones may extend above the Roofline to maximum of 1.52 metres (5 feet).

1.8 PERMITTED SIGNS

Subject to the Motor Vehicle Act and the Highways Act, the following signs are permitted in the specified zones:

I. R1, R2, R3, R4, RR1, RR2, RB1, RRB1 and A2 Zone

(a) Traffic Control Devices

(i) as defined in the "Motor Vehicle Act"
(ii) are restricted to public rights-of-way

(b) Warning Signs

(i) shall be removed after the danger to which the sign refers has abated
(ii) the total area of all warning signs shall not exceed 0.2 m2 (2 sq. ft.)
(iii) shall be located on the property to which the warning refers

(c) Prohibition Sign

(i) shall be located on the property to which the prohibition refers
(ii) shall not exceed 0.09 m2 (1 sq. ft.)
(iii) shall not exceed 2 signs per lot

(d) Political Sign

(i) shall not be erected for a period exceeding the length of writ governing an election and shall be removed within 7 days after the election
(ii) shall not exceed 2.97 m2 (32 sq. ft.)

(e) Real Estate Signs

(i) shall be located on the property or premises to which the sign refers
(ii) shall not exceed 0.75 m2 (8 sq. ft.)
(iii) shall be removed within 30 days after the property is sold or leased

(f) Contractor Signs

(i) shall be located on the property to which the sign refers
(ii) total area of all contractor signs shall not exceed 1.48 m2 (16 sq. ft.)
(iii) shall be removed within 30 days after completion of construction on the property

(g) Identification Signs

(i) shall be located on the property to which the sign refers
(ii) shall only be one identification sign per dwelling unit excluding a home occupation sign
(iii) shall not exceed 0.2 m2 (2 sq. ft.)

(h) Home Occupation Signs

Amended by Bylaw No. 1441 – May/2020

(i) only one (1) Home Occupation Sign shall be permitted per principal building excluding home identification signs
(ii) a Home Occupation Sign may only be a fascia, free standing or portable sign
(iii) Home Occupation Sign dimensions must not exceed 0.2 square metres
(iv) Home Occupation Signs shall not be illuminated

II. RM1, RM2, RM3 and RMS5

(a) Traffic Control Device

(i) as defined in the "Motor Vehicle Act"
(ii) are restricted to public rights-of-way

(b) Directional Signs

(i) shall be located on the property where the sign is providing direction
(ii) shall not exceed 0.55 m2 (6 sq. ft.) in area

(c) Warning Signs

(i) shall be removed after the danger to which the sign refers has abated
(ii) the total area of all warning signs shall not exceed 0.2 m2 (2 sq. ft.) per mobile home space and shall not exceed 2.97 m2 (32 sq. ft.) per lot in the RM1 and RM2 zones
(iii) shall be located on the property to which the warning refers

(d) Prohibition Signs

(i) shall be located on the property to which the prohibition refers
(ii) shall not exceed 0.2 m2 (2 sq.ft.)
(iii) shall not exceed 2 signs per lot or mobile home space

(e) Political Signs

(i) shall not be erected for a period exceeding the length of writ governing an election and shall be removed within 7 days after the election
(ii) shall not exceed 2.97 m2 (32 sq. ft.) in area

(f) Real Estate Signs

(i) shall be located on the property or premises to which the sign refers
(ii) shall not exceed 0.75 m2 (8 sq. ft.) in area per lot or mobile home space
(iii) shall be removed within 30 days after the property is sold or leased

(g) Contractor Signs

(i) shall be located on the property to which the sign refers
(ii) shall not exceed 5.94 m2 (64 sq.ft.) in area per lot
(iii) shall be removed within 30 days after completion of construction on the property

(h) Identification Signs

(i) shall be located on the property to which the sign refers
(ii) shall only be one identification sign per mobile home space or per dwelling unit excluding a home occupation sign
(iii) shall not exceed 0.2 m2 (2 sq. ft.)

(i) Freestanding Signs

(i) there shall be only one Freestanding sign except where a lot has a second frontage exceeding 100 metres (328 feet) two Freestanding signs are permitted
(ii) shall not exceed 12 m2 (130 sq. Ft.) in sign area
(iii) shall not be located within 7.6 metres (25 feet) of any residential zone.

Amended by Bylaw No. 1441 – May/2020

(j) Home Occupation Signs

(i) Approval of the legal property owner or strata corporation is required prior to sign installation
(ii) Only one (1) Home Occupation Sign shall be permitted per principal building excluding home identification signs

(iii) a Home Occupation Sign may only be a fascia, free standing or a portable sign
(iv) Home Occupation Sign dimensions must not exceed 0.2 square metres
(v) Home Occupation Signs shall not be illuminated

III C1, C2, C3, C4, C5, RRC1, P1, and A Zone

(a) Traffic Control Devices

(i) as defined in the "Motor Vehicle Act"
(ii) are restricted to public rights-of-way

(b) Directional Signs

(i) shall be located on the property where the sign is providing direction
(ii) shall not exceed 0.55 m2 (6 sq. ft.) in area

(c) Warning Signs

(i) shall be removed after the danger to which the sign refers has abated
(ii) the total area of all warnings signs shall not exceed 2.97 m2 (32 sq. ft.)
(iii) the maximum area per sign shall not exceed 1.48 m2 (16 sq. ft.)
(iv) shall be located on the property to which the warning refers

(d) Prohibition Sign

(i) shall be located on the property or premises to which the prohibition refers
(ii) shall not exceed 0.18 m2 (2 sq. ft.)

(e) Community Activity Sign

(i) shall not be erected for a period exceeding 60 days
(ii) the total area of all community activity signs shall not exceed 2.97 m2 (32 sq. ft.)

(f) Political Sign

(i) shall not be erected for a period exceeding the length of writ governing an election and shall be removed within 7

days after the election

(ii) shall not exceed 2.97 m2 (32 sq. ft.)

(g) Real Estate Signs

(i) shall be located on the property or premises to which the sign refers
(ii) shall not exceed 2.97 m2 (32 sq. ft.) in area per lot or per premise
(iii) shall be removed within 30 days after the property is sold or leased

(h) Contractor Signs

(i) shall be located on the property to which the sign refers
(ii) total area of all contractor signs shall not exceed 5.94 m2 (64 sq. ft.) per lot or per building
(iii) shall be removed within 30 days after completion of construction on the property

(i) Identification Signs

(i) shall be located on the property or business to which the sign refers
(ii) shall only be one identification sign per business
(iii) shall not exceed 0.2 m2 (2 sq. ft.)

The following advertising signs are permitted:

(j) Canopy Signs

(i) shall not extend above the Roofline or horizontal limits of the canopy
(ii) shall provide a minimum clearance of 2.5 metres (8 feet) from the finished grade
(iii) shall not exceed 1 m2 (10.76 sq.ft.) in sign area for every 3 m2 (32 sq. ft) of canopy

(k) Fascia Signs

(i) shall not extend above or beyond the limits of the building face to which it is attached
(ii) Fascia sign area shall not exceed 25% of the wall to which they are attached
(iii) Fascia signs in the C1, C2, C3, C4, and C5 Zones may extend above the Roofline to a maximum of 1.52 metres (5 feet)

(l) Freestanding Signs

(i) there shall be only one Freestanding sign except where a lot has a second frontage exceeding 100 metres (328 feet) two Freestanding signs are permitted
(ii) shall not exceed 12 m2 (130 sq.ft.) in sign area
(iii) shall not be located within 7.6 metres (25 feet) of any residential zone

(m) Marquee Sign

(i) shall be a minimum of 2.5 metres (8 feet) above the finished grade
(ii) not more than two shall be permitted per building
(iii) the total area of all Marquee signs shall not exceed 10 m2 (107 sq. ft.)

(n) Portable Signs

(i) not more than two (2) shall be permitted on any lot
(ii) the total sign area for any portable sign shall not exceed 5.94 m2 (64 sq. ft.)

IV M1, M2, M3, M4 and M5 Zones

(a) Traffic Control Devices

(i) as defined in the "Motor Vehicle Act"
(ii) are restricted to public rights-of-way

(b) Directional Signs

(i) shall be located on the property where the sign is providing direction
(ii) shall not exceed 1.48 m2 (16 sq. ft.) in area excluding signs located in the M3 Zone

(c) Warning Signs

(i) shall be removed after the danger to which the sign refers has abated
(ii) shall not exceed 5.94 m2 (64 sq. ft.) excluding signs located in the M3 Zone
(iii) shall be located on the property to which the warning refers

(d) Prohibition Sign

(i) shall be located on the property or premises to which the prohibition refers
(ii) shall not exceed 2.97 m2 (32 sq. ft.) excluding signs located in the M3 Zone

(e) Community Activity Signs

(i) shall not be erected for a period exceeding 60 days
(ii) community activity signs shall not exceed 2.97 m2 (32 sq. ft.) in area excluding signs located in the M3 Zone

(f) Political Sign

(i) shall not be erected for a period exceeding the length of writ governing an election and shall be removed within 7 days after the election
(ii) shall not exceed 2.97 m2 (32 sq. ft.) in area excluding signs located in the M3 Zone

(g) Real Estate Signs

(i) shall be located on the property or premises to which the sign refers
(ii) shall not exceed 2.97 m2 (32 sq. ft.) in area per lot or premise excluding signs located in the M3 Zone
(iii) shall be removed within 30 days after the property is sold or leased

(h) Contractor Signs

(i) shall be located on the property to which the sign refers
(ii) shall not exceed 5.94 m2 (64 sq. ft.) excluding signs located in the M3 Zone
(iii) shall be removed within 30 days after completion of construction on the property

(i) Identification Signs

(i) shall be located on the property to which the sign refers
(ii) shall only be one identification sign per business
(iii) shall not exceed 0.74 m2 (8 sq. ft.) excluding signs located in the M3 Zone

The following advertising signs are permitted:

(j) Canopy Signs

(i) shall not extend above the Roofline or horizontal limits of the canopy
(ii) shall provide a minimum clearance of 2.5 metres (8 feet) from the finished grade
(iii) shall not exceed 1 m2 (10.76 sq. ft.) in sign area for every 3 m2 (32 sq. ft.) of canopy excluding signs in the M3 Zone

(k) Fascia Signs

(i) shall not extend above or beyond the limits of the building face to which it is attached
(ii) Fascia sign area shall not exceed 25% of the wall to which they are attached excluding signs located in the M3 Zone

(l) Freestanding Signs

(i) there shall be only one Freestanding sign except where a lot has a second frontage exceeding 100 metres (328 feet) two Freestanding signs are permitted
(ii) shall not exceed 12 m2 (130 sq. ft.) in sign area excluding signs located in the M3 Zone
(iii) shall not be located within 7.6 metres (25 feet) of any residential zone

(m) Marquee Sign

(i) shall be a minimum of 2.5 metres (8 feet) above the finished grade
(ii) not more than two shall be permitted per building
(iii) the total area of all Marquee signs shall not exceed 10 m2 (107 sq. ft.) excluding signs located in the M3 Zone

(n) Portable Signs

(i) not more than two (2) shall be permitted on any lot
(ii) the total sign area for any portable sign shall not exceed 5.94 m2 (64 sq. ft.) excluding signs located in the M3 Zone.

1.9 **REPEAL**

Bylaw No. 1167 cited as "Sign Regulation Bylaw No. 1167, 2006" is hereby repealed.

1.10 **DATE OF EFFECT**

This bylaw will take effect as of the date of adoption.

READ a first time this 25th day of October, 2010.

READ a second time this 25th day of October, 2010.

READ a third time this 25th day of October, 2010.

ADOPTED this 29th day of October, 2010.

I hereby certify the foregoing
to be a true and correct copy
of District of Mackenzie Bylaw
No. 1262 cited as "Sign Regulation
Bylaw No. 1262, 2010."

Director of
Corporate Administration

Mayor

Director of
Corporate Administration