

CITY OF WHITEHORSE – STANDING COMMITTEES

Monday, March 1, 2021 – 5:30 p.m.

Council Chambers, City Hall

CALL TO ORDER

ADOPTION OF AGENDA

PROCLAMATION

Kidney Health Month – March 2021

DELEGATION

Michelle Stimson – Taxi Situation

CORPORATE SERVICES COMMITTEE

1. Forthcoming Procurements – *For Information Only*
2. Election Procedures Bylaw
3. Repeal of Out-dated and Redundant Bylaws
4. Updating References in Selected Bylaws
5. New Business

CITY PLANNING COMMITTEE

1. New Business

CITY OPERATIONS COMMITTEE

1. Procurement Commencement – Custodial Services – Administrative Buildings
2. New Business

COMMUNITY SERVICES COMMITTEE

1. New Business

PUBLIC HEALTH AND SAFETY COMMITTEE

1. New Business

DEVELOPMENT SERVICES COMMITTEE

1. New Business



PROCLAMATION

KIDNEY HEALTH MONTH

March 2021

WHEREAS one in ten individuals in Canada has kidney disease, with the number of Canadians being treated for kidney failure doubling over the last two decades; and

WHEREAS the two main reasons for kidney failure are high blood pressure and diabetes; and

WHEREAS by calling attention to the importance of education and patient self-empowerment with regard to chronic kidney disease, we hope to encourage each citizen to seek information about how they can personally take action to protect the health of their kidneys; and

WHEREAS education, advocacy and awareness of chronic kidney disease represent a commitment to current and future people impacted with the disease;

NOW THEREFORE, I, Mayor Dan Curtis, do hereby proclaim the month of March 2021 to be ***Kidney Health Month*** in the City of Whitehorse.

Dan Curtis
Mayor

CITY OF WHITEHORSE
CORPORATE SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Stephen Roddick **Vice-Chair:** Jocelyn Curteanu

March 1, 2021

Meeting #2021-05

1. Forthcoming Procurements – *For Information Only*
Presented by Supervisor Gloria Kasigazi
2. Election Procedures Bylaw
Presented by Assistant City Clerk Norma Felker
3. Repeal of Out-dated and Redundant Bylaws
Presented by Policy Analyst Will Schenn
4. Updating References in Selected Bylaws
Presented by Policy Analyst Will Schenn
5. New Business

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: Administration
DATE: March 1, 2021
RE: Forthcoming Procurements – For Information Only

ISSUE

Bi-monthly update on forthcoming procurement projects with an anticipated value greater than \$100,000.

REFERENCE

Procurement Policy 2020-03
Appendix A – Upcoming procurement projects information report

HISTORY

On August 10, 2020 Council adopted Procurement Policy 2020-03, which came into effect on January 1, 2021. In accordance with section 3.5.1, a list of forthcoming procurements with an anticipated value greater than \$100,000 must be provided to Council on a bi-monthly basis.

ANALYSIS

Managers have been asked to review their capital projects and operating requirements and to provide information on their anticipated procurements over \$100,000 for the period of March-April 2021. The information as compiled by Financial Services department is attached as Appendix A.



Appendix A
Upcoming Procurement Projects Information Report to Council

Report Number 2021-02

Date: March 1, 2021
Subject: 2021 Bi-monthly Procurement Projects Update
Period: March-April 2021
Purpose: The purpose of this report is to provide Council with a bi-monthly update on forthcoming procurement projects with an anticipated value greater than \$100,000

Upcoming Procurement Projects

#	Department	Project Title	Brief description	Budget (Operating / Capital)	Will require Commencement Report (No/Yes + reason)	Anticipated Procurement Posting Date
1	Engineering Services	SCADA Stations Upgrades	Construction services to install SCADA controls in water and sewer facilities	#240c02609	No Project Value < \$500,000	March 1, 2021
2	Engineering Services	Range Road Lift Station	Engineering consulting services for detailed design and construction inspection	#240c00311	No Project Value < \$500,000	March 1, 2021
3	Operations	Design of 139 Tlingit Energy Retrofit and Biomass Heating	Design and construction administration of energy retrofits and a biomass heating system for the building located at 139 Tlingit Street; and architectural changes to the building to accommodate the Parks and Community Development Department and to improve accessibility	#320c00521 #320c01217	No Project Value < \$500,000	March 1, 2021
4	Operations	Winter Road Sand	Supply of Winter Road Sand	#5002010	No Project Value < \$500,000	March 8, 2021
5	Operations	Winter Road Salt	Supply of Winter Road Salt	#5002010	No Project Value < \$500,000	March 8, 2021

#	Department	Project Title	Brief description	Budget (Operating / Capital)	Will require Commencement Report (No/Yes + reason)	Anticipated Procurement Posting Date
6	Operations	20 mm Crushed Gravel	Supply of 20mm Crushed Gravel	5002015, 5003010, 6503051, 6503101, 7402050, 500c00116, 500c00409	No Project Value < \$500,000	March 8, 2021
7	Engineering Services	Range Road South Asphalt Path Extension	Construction services for a new asphalt path on Range Road south of Two Mile Hill	#240c00921	No Project Value < \$500,000	March 24, 2021
8	Engineering Services	McIntyre Drive Traffic Calming	Engineering consulting services for detailed design	#240c00621	No Project Value < \$500,000	March 24, 2021
9	Water and Waste Services	Wastewater Lagoon Repairs	Repair berms, ground irregularities, and perform vegetation clearance at the Livingstone Lagoon and Crestview Lagoon, as recommended from site inspections	#650c00221	No Project Value < \$500,000	April 1, 2021
10	Operations	Condenser/ Water Tower Replacement	Takhini Arena Condenser Replacement	#320c00717	No Project Value < \$500,000	April 1, 2021
11	Engineering Services	Storm Sewer Improvements 4 th and Baxter	Construction services for the installation of new storm sewer pipe	#240c00710	No Project Value < \$500,000	April 7, 2021
12	Engineering Services	Traffic Signals -4 th and Main	Construction services for the supply and installation of new traffic signals	#240c00619	No Project Value < \$500,000	April 7, 2021
13	Engineering Services	School Zone Improvements	Construction services for the installation of roadway improvements within school zones	#240c00220	No Project Value < \$500,000	April 7, 2021
14	Operations	Ice Resurfacer Replacement	Replacement of 2 ice resurfacers	#320c00215	No Project Value < \$500,000	April 15, 2021
15	Engineering Services	Groundwater Monitoring Well Installations	Installation of groundwater monitoring wells at various facilities	#240c01721	No Project Value < \$500,000	April 19, 2021

#	Department	Project Title	Brief description	Budget (Operating / Capital)	Will require Commencement Report (No/Yes + reason)	Anticipated Procurement Posting Date
16	Engineering Services	Rural Road Surfacing	Construction services for the 2021 rural roads resurfacing program	#240c00309	Yes Project Value > \$500,000	April 21, 2021
17	Engineering Services	Schwatka Lake West Shore Area Improvements	Construction services for the installation of a parking area on the west shore of Schwatka Lake	#240c01420	Yes Project Value > \$500,000	April 21, 2021

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: Administration
DATE: March 1, 2021
RE: Election Procedures Bylaw

ISSUE

Consideration of a bylaw to establish procedures for the municipal election

REFERENCE

Municipal Act (RSY 2002, c. 154)

HISTORY

The *Municipal Act* requires council to pass a bylaw in each election year to provide for the holding of the election.

ALTERNATIVES

1. Proceed with Bylaw 2021-16 as presented
2. Refer the bylaw back to Administration for further review

ANALYSIS

In 2018 Council passed a bylaw to establish voting procedures and the use of tabulators to count the votes for municipal elections. The election procedures bylaw now being brought forward addresses issues specific to the 2021 election including:

- the appointment of a Returning Officer and the delegation to the Returning Officer of authority to administer the election;
- establishing the date, time and place for the submission of nominations,
- providing for the use of an electronic list of electors;
- requiring electors to produce identification;
- delegation of authority to the Returning Officer to establish:
 - registration kiosks to allow residents to check if they are on the list of electors, update their information if necessary, or register as an elector if they are not on the preliminary list;
 - polling places;
 - mobile and institutional polls and the hours of operation for those polls;
 - a Board of Revision and the hours the Board will sit; and
- establishing the honorariums to be paid to election officials.

The proposed bylaw also provides additional options for voters in the event that restrictions established by the Yukon Chief Medical Officer of Health to combat the spread of the COVID-19 virus will be in effect at the time of the 2021 municipal election.

Specifically, the bylaw provides that:

- all eligible electors may vote by special ballot. This provides for mail-in ballots.

- all eligible electors may vote at an advance poll. This offers an opportunity to vote in person at a time and location convenient to the elector, regardless of whether or not they expect to be present in the City on polling day;
- the Returning Officer may establish additional advance polls beyond the maximum permitted by the *Municipal Act*. This would help to minimize potential crowding and wait times that are normally experienced on advance poll days;
- the Returning Officer may establish special ballot polls and the hours of operation for those polls for the purpose of serving residents and staff at institutions such as care homes and correctional facilities; and
- the City Manager is delegated the authority to close the polls and establish an alternate date for the receipt of mail-in ballots in the event that the Chief Medical Officer of Health imposes new restrictions on polling day.

The *Municipal Act* provides that Council must establish a Board of Revision to review the preliminary list of electors. The bylaw provides for a five-person Board of Revision and sets the honorariums for the Board of Revision and all staff operating at the polls.

The payment for the members of the Board of Revision equates to \$20 per hour. It is anticipated that the Board will sit for a period of eight hours, but each member is required to do approximately four hours of homework before reporting for duty.

Regular polls on polling day and advance polling days are required to be open for a period of 12 hours. Allowing for half an hour for set-up and for shut down after the polls close, and including two hours for training time, the payment for all election staff except senior deputy returning officers and standby officers is for a period of 15 hours.

Senior deputy returning officers will be the supervisors of the polling place where two or more polling stations are located at the site. The additional responsibilities assigned to a senior deputy returning officer will require an additional hour of work on polling days, and they will be compensated for a 16-hour day.

A number of standby election officers will also be hired to provide election operations continuity in the event of no-shows, relief, or additional capacity requirements. Standby officers will be paid for five hours, which includes two hours training time. In the event that they are assigned to work at a poll or are called back after the initial work, their total pay for the day will be at the rate of the position assigned.

Election staff will be paid a flat rate as detailed in the bylaw. These rates equate to an hourly rate of \$24.00 for senior deputy returning officers, 20 dollars an hour for deputy returning officers and revision officers, and 18 dollars an hour for poll clerks, poll attendants, tabulator operators and standby election officials.

ADMINISTRATIVE RECOMMENDATION

THAT Bylaw 2031-16, a bylaw to regulate the 2021 municipal election in the City of Whitehorse, be brought forward for consideration under the bylaw process.

CITY OF WHITEHORSE

BYLAW 2021-16

A bylaw to establish regulations and procedures for the 2021 municipal election

WHEREAS section 53 of the *Municipal Act* provides that council may by bylaw establish polling places and mobile polls, and otherwise regulate the conduct of an election, subject to that *Act*;

AND WHEREAS section 63 of the *Municipal Act* requires that council establish a Board of Revision and prescribe the fees to be paid to the members of such Board;

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

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

AND WHEREAS section 265 of the *Municipal Act* provides that, despite any other provision in the *Act*, a council may take any temporary measure necessary to respond to and deal with an emergency;

AND WHEREAS a public health emergency declared under the *Public Health and Safety Act* continues to be in effect due to the Coronavirus pandemic, and may still be in effect at the time of the 2021 municipal election;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the "**Election 2021 Procedures Bylaw**".

INTERPRETATION

2. In this bylaw,

"ALTERNATE RETURNING OFFICER" means the person appointed by bylaw to assist the Returning Officer in the administration of the election.

"BOARD OF REVISION" means the group of persons appointed by council in accordance with section 63 of the *Municipal Act* to review all applications to revise the preliminary list of electors for the municipal election.

"CANDIDATE" means a person running for office at this or any election taking place in the City of Whitehorse,

"CITY" means the corporation of the City of Whitehorse.

"COUNCIL" means the elected council of the City of Whitehorse.

Election 2021 Procedures Bylaw 2021-32

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

"ELECTION OFFICIALS" means the Returning Officer, Alternate Returning Officer, Senior Deputy Returning Officers, Deputy Returning Officers, Revision Officers, Poll Clerks, Poll Attendants, Tabulator Operators and Standby Election Officers.

"ELECTOR" means a person qualified to vote in the 2021 municipal election pursuant to section 48 of the *Municipal Act*.

"IDENTIFICATION" means documentation that verifies that the elector is the person whose name appears on the list of electors or the person applying to be included on the list of electors. Included in such identification shall be the birthdate of the voter and a current residential address.

"MOBILE POLL" means a poll that has been established in order that an elector may cast his or her vote while residing in a hospital, extended care facility, senior citizens' home or correctional institute. In addition, a mobile poll may attend at the residence of an elector incapable of attending at a poll by reason of physical incapacity.

"POLL ATTENDANT" means a person who has been sworn in by the Returning Officer or Deputy Returning Officer to provide information and support to electors at a polling place.

"POLL CLERK" means a person who has been sworn in by the Returning Officer or Deputy Returning Officer to support the administration of the voting at each polling station.

"RETURNING OFFICER" means the person appointed by bylaw to be responsible for the administration of the election.

"REVISION OFFICER" means a person who has been sworn in by the Returning Officer to support the administration of the voting at a polling place by completing registration tasks including verifications of eligibility, form completion, and entry into the list of electors. A Revision Officer may also be employed at a registration kiosk in advance of normal polling dates if such a kiosk is established by the Returning Officer.

"SENIOR DEPUTY RETURNING OFFICER" means the person appointed by the Returning Officer to oversee a polling place at which more than one Deputy Returning Officer is working.

"STANDBY ELECTION OFFICER" means a person trained to provide election operations continuity in the event of no-shows, relief, or additional capacity requirements on polling day. Persons hired as standby election officers shall be employed as required for partial or full periods when polls are open for advance polls and on polling day.

"TABULATOR" means a device that scans marked paper ballots, interprets voter marks on the paper ballot, and safely stores and tabulates each vote from each paper ballot.

"TABULATOR OPERATOR" means a person who has been sworn in by the Returning Officer to operate the tabulator at a polling place.

Election 2021 Procedures Bylaw 2021-32

3. Except as otherwise provided in this bylaw and in Automated Vote Counting System Bylaw 2018-01, the 2021 municipal election in the City of Whitehorse shall be conducted in accordance with the provisions of Part 3 of the *Municipal Act*.

ELECTION OFFICIALS

4. Norma Felker is hereby appointed Returning Officer for the 2021 municipal election in the City of Whitehorse.
5. The manager of Legislative Services is hereby appointed Alternate Returning Officer and is authorized to act in the absence of Norma Felker.
6. The Returning Officer is hereby delegated the authority to appoint election officials in sufficient numbers to assist in the conduct of the election. Election officials so appointed will include Senior Deputy Returning Officers, Deputy Returning Officers, Revision Officers, Poll Clerks, Poll Attendants, Tabulator Operators and Standby Election Officers.
7. During their employment for the election, election officials shall refrain from any active or public support for or criticism of any candidate.
8. Senior Deputy Returning Officers will be appointed at each polling place where more than one Deputy Returning Officer is working. The additional responsibilities of Senior Deputy Returning Officers will include:
 - (1) Overseeing the setup of the polling place;
 - (2) Setup and activation of the tabulator at the opening of the poll;
 - (3) Shutdown of the tabulator at the close of the poll, ensuring the security of the results card, and reporting the results of the poll to the Returning Officer;
 - (4) Supervision of the tabulator operator while the poll is open;
 - (5) Supervision of revision officers and poll attendants assigned to work at a polling place and tasked with registration duties, door-keeping, crowd control and other miscellaneous responsibilities; and
 - (6) Overseeing the closing of the polling place and the secure return of the ballot box, results card and tabulator to the Returning Officer.
9. Standby Election Officers will be hired to provide election operations continuity in the event of no-shows, relief or additional capacity requirements. Standby Officers will:
 - (1) Be trained to take over the position of a Deputy Returning Officer, Revision Officer, Poll Clerk, Tabulator Operator, or Poll Attendant as required;
 - (2) Report for duty on polling day as assigned by the Returning Officer for a minimum of three hours or until they are reassigned;
 - (3) Assist with the set-up at their assigned polling place;
 - (4) Be available for call back during all the hours the polls are open; and
 - (5) If assigned to take over the position of an Election Official, or called back after the initial work, be paid for the day at the rate of the position assigned rather than at the standby rate.

Election 2021 Procedures Bylaw 2021-32

10. The following honorariums shall be paid to persons acting as election officials:
- | | |
|-------------------------------------|-----------|
| (1) Senior Deputy Returning Officer | \$ 384.00 |
| (2) Deputy Returning Officer | \$ 300.00 |
| (3) Revision Officer | \$ 300.00 |
| (4) Poll Clerk | \$ 270.00 |
| (5) Tabulator Operator | \$ 270.00 |
| (6) Poll Attendant | \$ 270.00 |
| (7) Standby Election Officials | \$ 90.00 |

NOMINATION PLACE AND TIME

11. Thursday, September 23, 2021, between the hours of 10:00 a.m. and 12:00 noon, is hereby established as the designated date and time where the Returning Officer shall receive the candidates' nomination papers.
12. Council Chambers in City Hall, located at 2121 Second Avenue, is hereby designated as the place where the Returning Officer shall receive the candidates' nomination papers.
13. Notwithstanding sections 11 and 12 of this bylaw, candidates may arrange an appointment with the Returning Officer to file nomination papers between the date of the nomination notice and 10:00 a.m. on nomination day.

POLLING DAY

14. Polling day for the 2021 municipal election shall be Thursday, October 21, 2021.

SPECIAL BALLOTS

15. Applications for special ballots shall be available from the office of the Returning Officer as of the 1st day of September, 2021.
16. Notwithstanding section 58(1) of the *Municipal Act*, due to extraordinary circumstances arising from the COVID-19 pandemic, any qualified elector may vote by special ballot.
17. A special ballot poll shall be established in City premises. This special ballot poll will be open from 8:30 a.m. to 4:30 p.m. every business day from September 28th to and including October 20th.
18. The special ballot poll established in City premises shall be open on polling day, October 21st, from 8:30 a.m. until 2:00 p.m. to serve electors who have identified themselves as being at personal risk if their name or address is disclosed.
19. Special ballots issued to qualified electors must be returned to the Returning Officer by no later than 2:00 p.m. on polling day in order to be counted.
20. An elector who applies for and receives a special ballot is deemed to have voted when the special ballot has been issued, and the list of electors shall be marked to indicate that the elector has already voted. This includes an elector to whom a special ballot has been mailed.

Election 2021 Procedures Bylaw 2021-32

21. A person who applies for and receives a special ballot MUST return the ballot to the Returning Officer or deposit the ballot in a designated drop box by no later than 2:00 p.m. on polling day. Under no circumstances may an elector take a special ballot to a polling station on polling day and vote in person using that special ballot.
22. Secure drop boxes shall be put in place at City administrative premises and the Canada Games Centre for the collection of special ballots. Such drop boxes will be clearly identified as collection sites for special ballots. An additional drop box may be deployed if deemed necessary at the discretion of the Returning Officer.
23. Electors who have received a special ballot may return their ballot by depositing it in one of these special drop boxes.
24. Special ballots may be mailed to qualified electors who complete a special ballot application and indicate that they require the ballot to be mailed to them. It shall be the responsibility of the elector to ensure that such ballots are returned to the Returning Officer by no later than 2:00 p.m. on polling day.

ADVANCE POLL

25. Notwithstanding section 87(3) of the *Municipal Act*, due to extraordinary circumstances arising from the COVID-19 pandemic, any qualified elector may vote at an advance poll.
26. An advance poll shall be established in City premises on Thursday, October 14, 2021 between the hours of 8:00 a.m. and 8:00 p.m.
27. Advance polls shall be established at the Canada Games Centre on Thursday, October 14, 2021 and Saturday, October 16, 2021 between the hours of 8:00 a.m. and 8:00 p.m.
28. Notwithstanding section 85(1)(b) of the *Municipal Act*, the Returning Officer may, at her discretion, establish a maximum of three additional advance poll dates for the purpose of enabling every eligible elector to vote.

ELECTRONIC LIST OF ELECTORS

29. The City will use an electronic list of electors for the 2021 municipal election. In accordance with a Memorandum of Understanding between the City and Elections Yukon, an electoral district based on City boundaries will be created in the VoterView software used by Elections Yukon, and this software will be updated in September 2021 for use by the City in the 2021 municipal election.
 - (1) The electronic list will be an alphabetical list for the entire City.
 - (2) When an elector is duly identified at any polling station and is subsequently provided with a ballot, said elector shall be marked on the list of electors as having voted, and the electronic list will be updated at all polling places to show that the said elector has already voted.
 - (3) To facilitate the use of an electronic list of electors, all polling places will be established in places with Wi-Fi or internet-based connectivity.

Election 2021 Procedures Bylaw 2021-32

- (4) In the event of a power failure, some polls may be temporarily closed until power is restored.
- (5) In the event that power is unable to be restored in a timely manner, some polls may remain closed and electors will be directed to an alternate polling place. The list of electors will be manually updated to ensure that it accurately reflects the names of electors who have already voted until the power is restored or until the close of the polls.

IDENTIFICATION OF ELECTORS

30. Electors will be required to produce identification at the poll to verify that they are the voter whose name appears on the list of electors.
31. If the elector does not have photo ID such as a driver's license, general identification card or passport, two other pieces of identification showing the elector's name and address shall be deemed acceptable provided that at least one of the alternate pieces of identification:
 - (1) shows the elector's date of birth; and
 - (2) provides proof of Whitehorse residency.
32. If an elector's official identification shows only a post office address, the elector will be required to produce additional documentation to show that they have a residential address in the City of Whitehorse.
33. For the purposes of this bylaw,
 - (1) For proof of identity and/or date of birth, the following documents will be deemed acceptable:
 - (a) Canadian birth certificate;
 - (b) Canadian passport;
 - (c) Citizenship and Immigration Canada documents;
 - (d) Secure Certificate of Indian Status card;
 - (e) Yukon driver's license; or
 - (f) Yukon general identification card.
 - (2) For proof of Whitehorse residency, any one of the following **current** documents will be deemed acceptable as long as it reflects the residential address of the elector:
 - (a) A banking statement or a stamped banking profile from a local bank;
 - (b) A bill showing a service address, such as bills from ATCO Electric, NorthwTel or a City of Whitehorse utilities bill;
 - (c) A City of Whitehorse property tax notice;
 - (d) A credit card statement;
 - (e) Employment confirmation, signed and on company letterhead;
 - (f) An income tax return or notice of assessment (recent or current year);
 - (g) Mortgage documentation;

Election 2021 Procedures Bylaw 2021-32

- (h) A signed residential tenancy agreement; or
 - (i) Social assistance benefit confirmation.
34. If an elector's birth certificate, valid passport or other documentation does not reflect his or her current full legal name, the elector will also be required to provide a marriage certificate or legal name change document as part of their proof of identity papers.
35. Eligible electors whose names do not appear on the list of electors used for this election may be sworn in at the poll.

POLLING PLACES

36. The Returning Officer shall establish polling places in various sectors of the municipality for the convenience of electors residing therein.
- (1) The Returning Office may establish polling places in places of public assembly or other locations where electors may reasonably be presumed to gather or visit during the course of their normal activities on polling day.
37. Polling places established in accordance with this bylaw shall be in premises of convenient access, including access for persons with disabilities.
38. A conspicuous sign identifying the polling place shall be maintained in place outside each polling place during the time that the poll is open.
39. Voting compartments shall be provided for the use of electors in marking their ballots, along with a hard smooth surface and a suitable pen.

HOURS OF THE POLLS

40. Except as otherwise provided in this bylaw, regular polls shall be open on polling day between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon (8:00 a.m. to 8:00 p.m.).
- (1) The poll at the Yukon government Main Administration Building shall be open between the hours of 8:00 a.m. and 5:30 p.m.
 - (2) The poll at the Whitehorse General Hospital shall be open between the hours of 7:00 a.m. and 4:30 p.m.
 - (3) Mobile polls at various institutions shall be open for limited hours in accordance with a schedule arranged in advance by the Returning Officer in consultation with staff at these institutions.
 - (4) A mobile poll shall be established to attend upon request at the residences of electors incapable of attending at a poll by reason of physical incapacity. Such mobile poll shall operate between the hours of 8:30 a.m. and 7:30 p.m. on polling day.
41. The Returning Officer is hereby delegated the authority to establish additional polls that will be open for limited hours in order to meet the needs of the community, and such polls shall operate between the hours of 8:00 a.m. and 7:30 p.m. on polling day. For example, some seniors' residences may require such a poll.

Election 2021 Procedures Bylaw 2021-32

42. Election staff attending at additional polls established under section 41 of this bylaw will collect all ballots cast at those polls in a ballot box and deliver the sealed ballot box to the Returning Officer. Such ballot boxes will be opened following the close of the polls and the ballots will be scanned by a tabulator as the means of counting the votes. These ballots will be included in the tally of votes from mobile polls.

MOBILE POLLS

43. Mobile polls shall be established to attend at care homes such as Copper Ridge Place and Whistle Bend Place at which electors who reside in the said institutions on polling day may cast their vote.
- (1) Eligible electors who work at or may be visiting at an institution where a mobile poll has been established may cast their votes at such mobile polls.
 - (2) In the event that institutions such as care homes are closed to the public during the election period, the Returning Officer is delegated the authority to make arrangements with the individual institutions that will allow residents and staff to vote by special ballot. Arrangements may include training staff within the location to assist residents with their forms and voting as required.
44. Except as provided in sections 40 to 42 of this bylaw and in relevant provisions of the *Municipal Act*, mobile polls shall be conducted in the manner provided by the *Municipal Act* for the conduct of other polls in an election.
45. Election staff attending at mobile polls will secure all ballots cast at those polls in a ballot box and deliver the sealed ballot box to the Returning Officer. Such ballot boxes will be opened following the close of the polls and the ballots will be scanned by a tabulator as the means of counting the votes cast at the mobile polls.

BOARD OF REVISION

46. Pursuant to the provisions of the *Municipal Act*, a Board of Revision consisting of five members is hereby established. The members of the said Board shall be appointed by resolution of council.
- (1) A member of council or an employee of the municipality shall not be a member of the Board of Revision.
 - (2) The Returning Officer shall be the recording officer for the Board.
47. The Board of Revision shall sit between the hours of 10:00 a.m. and 6:00 p.m. on Wednesday, September 22, 2021 in City premises.
- (1) In the event that an in-person meeting of the Board of Revision is not possible due to restrictions imposed by the public health emergency, arrangements will be made for a virtual meeting.
48. Members of the Board of Revision shall be paid a flat rate of Two Hundred Forty Dollars (\$240.00) for sitting on the Board for the purpose of revising the preliminary list of electors.

Election 2021 Procedures Bylaw 2021-32

USE OF CITY RESOURCES DURING AN ELECTION

49. For the purposes of promoting an election campaign, a limited number of spaces in City facilities are available to candidates for a fee as specified in the Fees and Charges Bylaw. Space is available on a first-come, first-served basis, and certain conditions may apply.
50. During an election, campaign ads may be displayed for a fee provided that they:
- (1) conform to the [Canadian Code of Advertising Standards](#);
 - (2) comply with the laws, statutes, regulations and bylaws in force in the Yukon; and
 - (3) clearly state that; “This advertisement was paid for by (name of candidate or sponsor)”; and
 - (4) include the statement that, “*The opinions expressed in this advertisement or by the sponsor of this advertisement do not in any way represent the opinions of, and are not endorsed by, the City of Whitehorse*”.

ADDITIONAL CONTINGENCY PLANNING

51. In the event that the Chief Medical Officer of Health imposes new restrictions on polling day, the City Manager may close the polls and establish an alternate date for the receipt of mail-in ballots.
- (1) The alternate date shall be no later than 28 calendar days from the date on which the polls were closed.

COMING INTO FORCE

52. This bylaw shall come into full force and effect on and from the final passing thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

ADMINISTRATIVE REPORT

TO:	Corporate Services Committee
FROM:	Administration
DATE:	March 1, 2021
RE:	Repeal of Outdated and Redundant Bylaws

ISSUE

Proposed repeal of outdated or redundant City bylaws.

REFERENCE

- City bylaws proposed for repeal:
 - Committees to Assist the Mayor Bylaw 112
 - Lords Day Permit Bylaw 130 (131)
 - Hotel and Rooming House Bylaw 187
 - Public Health Bylaw 443 (506) (572) (922)
 - Trailer Registration Bylaw 481 (648)
 - Zoning Appeals Board Bylaw 517 (635) (772)
 - Neighbourhood Improvement Bylaw 789
 - Road Cut Bylaw 790
 - Parks and Recreation Fees and Charges Bylaw 97-18
 - Planning Study Bylaw 2006-11
- Road Closure Construction and Storage Bylaw 2006-17
- Fees and Charges Bylaw 2014-36
- Building and Plumbing Bylaw 99-50
- *Hotels and Tourist Establishments Act*
- *Canadian Charter of Rights and Freedoms*
- Council Procedures Bylaw 2021-12
- Sewer and Storm Utility Bylaw 2013-56
- *Public Health and Safety Act*
- *Motor Vehicle Act*

HISTORY

The bylaws proposed for repeal are no longer in use but have not been repealed or replaced.

ALTERNATIVES

1. Proceed with repealing the bylaws as presented.
2. Refer the bylaws back to Administration for further review.

ANALYSIS

The bylaws recommended for repeal are out-dated and have been rendered redundant by the passage of updated City bylaws and Yukon legislation. Many of the bylaws refer to legislation that has long since been updated, replaced or repealed.

ADMINISTRATIVE RECOMMENDATION

THAT council direct that Bylaw 2021-17, a bylaw to repeal out-dated and redundant bylaws, be brought forward for consideration under the bylaw process.

CITY OF WHITEHORSE
BYLAW 2021-17

A bylaw to repeal out-dated and redundant bylaws.

Explanatory Notes

The attached bylaw repeals a number of out-dated and redundant bylaws. The reasons for the repeal are detailed as follows:

Committees to Assist the Mayor Bylaw 112

Part 3 of the *Council Procedures Bylaw* regulates the creation and operation of standing committees, making this bylaw redundant.

Bylaw 112 was passed in 1958.

Lords Day Permits Bylaw 130 (as amended)

This bylaw restricted the playing of public sports, games, movies, theatrical performances, concerts and lectures on Sundays. The authority for this bylaw was based on section 3 of the Lord's Day Ordinance, which is no longer in effect. This bylaw could also be in violation of sections 2(a) and 15(1) of the *Canadian Charter of Rights and Freedoms*.

Bylaw 130 was passed in 1962.

Hotel and Rooming House Bylaw 187

Section 3 of this bylaw concerns the construction and renovation of hotels, which is currently addressed in sections 3 to 6 of the *Hotels and Tourist Establishments Act*. Sections 5 to 24 of the bylaw mandates what must be provided to guests by hotel operators, and sets out the health and safety requirements for hotel operators, all of which are regulated by the *Hotels and Tourist Establishments Act* (section 7) and the *Public Health and Safety Act* (section 2).

Bylaw 187 was passed in 1966.

Public Health Bylaw 443 (as amended)

This bylaw provided regulations for a number of areas concerning public health. Section 5 of the bylaw regulates the creation of a public health nuisance, which is covered by the Yukon *Public Health and Safety Act* (PHSA) sections 2 (d), (e), and (q). Section 6 of the bylaw addresses prohibitions for individuals, which are also addressed in the PHSA sections 2(d), (h), (i), (j), (k), (m) and (r). Section 7 of the bylaw prohibits the practice of blood or bone boiling and other extraction practices with animal parts. There is a similar clause in section 2(m) of the PHSA. Section 8 of the bylaw mandates timely removal of animal carcasses, which is also addressed in section 2(aa) of the PHSA. Section 9 of the bylaw prohibits persons from depositing things that may become a public health or safety issue, the PHSA contains similar sections in section

Explanatory Notes for Bylaw Repeal Bylaw 2021-17

2(j). In section 10 of the bylaw, it mandates that residences must be 500 yards from a waste disposal facility. Yukon *Environment Act* mandates that the waste disposal facility's boundary must be 500 m from any building used for human habitation or food storage. Sections 11, 12, 13, and 14 regulate unsanitary conditions in buildings. Similar legislation regarding unsanitary conditions exists in sections 2(d) and (e) of the PHSA, the *Building and Plumbing Bylaw* (sections 38, 53, and 73), and the *Sewer and Storm Utility Bylaw* (sections 27, 57, and 58). Section 15 of the bylaw regulates airspace in buildings used for human habitation, which is also covered in section 2(f) of the PHSA. Sections 16 to 24 of the bylaw regulate the provision of potable water and sanitary facilities. The PHSA provides extremely similar legislation in sections 2(h), (i), (k), the Yukon Drinking Water Regulation, Sewage Disposal Systems Regulation, in addition to sections 55-69 of the current *Sewer and Storm Water Bylaw*, and section 80 of the *Building and Plumbing Bylaw*.

Part 2 of the bylaw (sections 27-51) regulates food handling and marketing. Similar legislation currently exists in sections 2(l), (m), (n) and (z) of the PHSA, in addition to the Regulations Governing the Sanitation of Eating or Drinking Places in the Yukon Territory. Bylaw 443 was first passed in 1975.

Trailer Registration Bylaw 481 (as amended)

This bylaw required the registration of trailers designed for the purpose of sleeping or dwelling. Trailers in transit through the city, trailers used for recreational or tourist purposes only, trailers on individual residential mobile home lots and new unoccupied trailers being held for sale were exempt from the registration requirement. Current registration requirements for trailers are set out in sections 39, 44 and 57 of the Yukon *Motor Vehicles Act*.

Bylaw 481 was first passed in 1979.

Zoning Appeals Board Bylaw 517 (as amended)

The *Zoning Bylaw* now regulates how residents may present appeals to the Board of Variance or to Council in sections 4.14.5 and 4.15, making this bylaw redundant.

Bylaw 517 was first passed in 1976.

Neighbourhood Improvement Bylaw 789

This bylaw offered financial incentives to property owners to improve the exterior appearance of their properties through the issuance of grants. The grants through the bylaw were limited to 10% of the purchase price of materials to a maximum of \$500.

Some of the clauses in this bylaw could be used in the drafting of a future bylaw, possibly incorporating incentives for Fire Smart renovations related to the Wildfire Risk Reduction Strategy.

Bylaw 789 was first passed in 1980.

Explanatory Notes for Bylaw Repeal Bylaw 2021-17

Road Cut Bylaw 790

This bylaw regulated road cuts on highways and roads within City boundaries. This bylaw is now redundant due to current *Road Closure Construction and Storage Bylaw*. Bylaw 790 was passed in 1981.

Parks and Recreation Fees and Charges Bylaw – 97-18

This bylaw was consolidated with Bylaw 98-12 in June, 1998 and made redundant by the passing of the *Fees and Charges Bylaw*. The Parks and Recreation Fees and Charges Bylaw was not repealed as only the fee schedule was consolidated into Bylaw 98-12, which has since been replaced by the current Fees and Charges Bylaw.

Planning Study Bylaw 2006-11

This bylaw required the preparation of a planning study and a green space map as part of the preliminary development process for any new residential development, and further required that the green space map be submitted for public input by plebiscite. Current planning practices provide greatly enhanced opportunities for public engagement, making this bylaw a barrier to timely land development.

CITY OF WHITEHORSE

BYLAW 2021-17

A bylaw to repeal out-dated and redundant bylaws

WHEREAS section 220 of the *Municipal Act* provides that the power to adopt a bylaw or pass a resolution includes the power to amend or repeal the bylaw or resolution unless the Act or any other Act expressly provides otherwise; and

WHEREAS it is deemed desirable and expedient that a number of out-dated and redundant bylaws be repealed;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. The following bylaws, including all amendments thereto, are hereby repealed:
 - (1) Bylaw 112 – Committees to Assist the Mayor Bylaw
 - (2) Bylaw 130 – Lord’s Day Permit Bylaw
 - (3) Bylaw 187 – Hotel and Rooming House Bylaw
 - (4) Bylaw 443 – Public Health Bylaw
 - (5) Bylaw 481 – Trailer Registration Bylaw
 - (6) Bylaw 517 – Zoning Appeals Board Bylaw
 - (7) Bylaw 789 – Neighbourhood Improvement Bylaw
 - (8) Bylaw 790 – Road Cut Bylaw
 - (9) Bylaw 97-18 – Parks and Recreation Fees and Charges Bylaw
 - (10) Bylaw 2006-11 – Planning Study Bylaw
2. This bylaw shall come into full force and effect upon final passage thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

ADMINISTRATIVE REPORT

TO: Corporate Services Committee
FROM: Administration
DATE: March 1, 2021
RE: Updating References in Selected Bylaws

ISSUE

Four current bylaws require updated references to the *Municipal Act*.

REFERENCE

- *Municipal Act* (RSY 2002, c.154)
- Various Bylaws

HISTORY

The following bylaws reference sections of the version of the *Municipal Act* that was in effect at the time each bylaw was adopted. Amendments to the Act since that time have made the references in these bylaws invalid.

- The Personal Services Bylaw 95-96 regulates the provision of personal services ranging from face painting to acupuncture, and includes esthetics as well as massage and therapeutic touch techniques.
- Business Licenses Inter-Municipal Bylaw 98-10 entered the City into an agreement with the Association of Yukon Communities for inter-municipal business licenses.
- Dangerous Goods Bylaw 98-25 regulates the transportation of dangerous goods into and through the City of Whitehorse.
- The Fees and Charges Bylaw 2014-36 regulates the imposition and collection fees and charges.

A proposed bylaw has been prepared to update the *Municipal Act* references in each case.

ALTERNATIVES

1. Proceed with the proposed bylaw as presented.
2. Refer the bylaw back to Administration for further review.

ANALYSIS

The following chart shows the references in the various bylaws and indicates the references that reflect the current version of the *Municipal Act*.

<u>Bylaw</u>	<u>Current Bylaw Reference</u>	<u>Correct Reference</u>
Personal Services Bylaw 95-96	Section 271	Section 265(a)
Business Licenses Inter-Municipal Bylaw 98-10	Section 276	Section 265(c)
Dangerous Goods Bylaw 98-25	Sections 254, 267, 271, 286, 382, 383, 384	Sections 265(a)(i)(j)(k)(m) Section 272
Fees and Charges Bylaw 2014-36	Section 220	Section 248

ADMINISTRATIVE RECOMMENDATION

THAT council direct that Bylaw 2021-18, a bylaw to update the *Municipal Act* references in various bylaws, be brought forward for consideration under the bylaw process.

CITY OF WHITEHORSE

BYLAW 2021-18

A bylaw to amend the references in a number of current bylaws

WHEREAS section 220 of the *Municipal Act* provides that the power to adopt a bylaw or pass a resolution includes the power to amend or repeal the bylaw or resolution unless the Act or any other Act expressly provides otherwise; and

WHEREAS it is deemed desirable and expedient that a number of current bylaws be updated to reflect revisions to the *Municipal Act*;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Personal Services Bylaw 95-96 is hereby amended by deleting the reference to section 271 of the *Municipal Act* and substituting therefore reference to section 265 (a) of the *Municipal Act*.
2. Inter-Municipal Business License Bylaw 98-10 is hereby amended by deleting the reference to section 276 of the *Municipal Act* and substituting therefore reference to section 265 (a) of the *Municipal Act*.
3. Dangerous Goods Bylaw 98-25 is hereby amended by deleting the references in the preamble portion of the bylaw to sections 254, 267, 271, 286, 382, 383, and 384 of the *Municipal Act* and substituting therefore reference to sections 265 (a), (i), (j), (k) and (m) and section 272 of the *Municipal Act*.
4. Fees and Charges Bylaw 2014-36 is hereby amended by deleting the reference to section 220 of the *Municipal Act* and substituting therefore reference to section 248 of the *Municipal Act*.
5. This bylaw shall come into full force and effect upon final passage thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Mayor

Assistant City Clerk

CITY OF WHITEHORSE
CITY PLANNING COMMITTEE
Council Chambers, City Hall



Chair: Samson Hartland

Vice-Chair: Laura Cabott

March 1, 2021

Meeting #2021-05

1. New Business

CITY OF WHITEHORSE
CITY OPERATIONS COMMITTEE
Council Chambers, City Hall



Chair: Laura Cabott

Vice-Chair: Samson Hartland

March 1, 2021

Meeting #2021-05

-
1. Procurement Commencement – Custodial Services – Administrative Buildings
Presented by Manager Richard Graham
 2. New Business

ADMINISTRATIVE REPORT

TO: Operations Committee
FROM: Administration
DATE: March 1, 2021
RE: Procurement Commencement – Custodial Services – Administrative Buildings

ISSUE

Council approval to commence the procurement of custodial services for administration buildings

REFERENCE

Procurement Policy 2020-03
2021-2023 Operation and Maintenance Expenditure Program

HISTORY

In accordance with Section 3.1.1 of the Procurement Policy 2020-03, Council authorisation is required prior to the commencement of procurements with an estimated value of \$500,000 or more and of procurements less than \$500,000 that are deemed to be of significant risk, involve security concerns or may be of significant community interest. This procurement is proposed for a three-year term and is anticipated to be over \$500,000.

The custodial services proposed in this procurement are for seven buildings with administrative use areas.

Funding for this project is included in the approved 2021-2023 Operating and Maintenance Expenditure Program.

ALTERNATIVES

1. Authorize Administration to commence the procurement for custodial services for administrative buildings.
2. Refer the matter back to Administration.

ANALYSIS

The proposed procurement's objectives are to provide a clean and pleasant working environment for City administration, protecting the capital investment made in the City's buildings by ongoing cleaning and maintenance, and showing leadership in waste reduction with waste sorting and diversion.

Purchasing

A Request for Tender (RFT) will be publicly issued and the lowest compliant bid will be eligible for contract award. Purchase approval will be obtained in accordance with the Procurement Policy.

Procurement Policy Principles

Compliance: The RFT will follow City policy and procedures for procurements.

Supplier Access, Transparency, and Fairness: The RFT will be publicly available on the City’s e-procurement platform, www.whitehorse.bonfirehub.ca

Best Value: The RFT will be publicly advertised and awarded to the lowest compliant bidder that can meet the specifications set by the City.

Efficient and Effective Procurement: The procurement of custodial services for a variety of facility types has been successfully completed numerous times in the past by the City.

Local Procurement: Local contracting expertise is known to exist for this type of work.

Sustainable Procurement: The City’s specifications include environmentally friendly cleaning products and detailed waste stream management for organics, recyclables and residual waste.

Tentative Project Schedule

<u>Item</u>	<u>Proposed date</u>
Issue solicitation document	March 15, 2021
Issue purchase order/contract	April 12, 2021
Start of contract	May 1, 2021

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Administration be authorized to commence the procurement of custodial services for administrative buildings.

CITY OF WHITEHORSE
COMMUNITY SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Dan Boyd

Vice-Chair: Jan Stick

March 1, 2021

Meeting #2021-05

1. New Business

CITY OF WHITEHORSE
PUBLIC HEALTH AND SAFETY COMMITTEE
Council Chambers, City Hall



Chair: Jan Stick

Vice-Chair: Dan Boyd

March 1, 2021

Meeting #2021-05

1. New Business

CITY OF WHITEHORSE
DEVELOPMENT SERVICES COMMITTEE
Council Chambers, City Hall



Chair: Jocelyn Curteanu

Vice-Chair: Stephen Roddick

March 1, 2021

Meeting #2021-05

1. New Business