

**CITY OF WHITEHORSE**  
**REGULAR Council Meeting #2014-06**

**DATE:** Monday, March 24, 2014  
**TIME:** 5:30 p.m.

**Mayor** Dan Curtis  
**Deputy Mayor** Mike Gladish  
**Reserve Deputy Mayor** Betty Irwin

## **AGENDA**

**CALL TO ORDER** 5:30 p.m.

**AGENDA:** Adoption

**PROCLAMATION:**

**MINUTES:** Regular Council Meeting #2014-05 dated March 10, 2014

**DELEGATIONS:**

**PUBLIC HEARING:** Bylaw 2014-10 – Zoning Amendment (37-14<sup>th</sup> Avenue)

**COMMITTEE**

**REPORTS:**

**City Operations** – *Councillors Curteanu & Stockdale*

**Community Services** – *Councillors Cameron & Gladish*

**Public Health & Safety** – *Councillors Stockdale & Cameron*

Fire Apparatus Purchase

**Development Services** – *Councillors Irwin & Streicker*

Environmental Grant Allocations

**Corporate Services** – *Councillors Streicker & Irwin*

City Manager Bylaw

Fees & Charges Amendment

Write-off Uncollectible Accounts

**City Planning** – *Councillors Gladish & Curteanu*

**NEW & UNFINISHED**

**BUSINESS:**

<b><u>BYLAWS:</u></b>	2014-14 – Amend Traffic Bylaw (Hillcrest Speed Limits)	3 <sup>rd</sup> Reading
	2014-15 – Write-off Uncollectible Accounts	1 <sup>st</sup> & 2 <sup>nd</sup> Reading
	2014-18 – Fees & Charges Amendment	1 <sup>st</sup> & 2 <sup>nd</sup> Reading
	2014-19 – City Manager Bylaw	1 <sup>st</sup> & 2 <sup>nd</sup> Reading

**ADJOURNMENT:**

MINUTES of **REGULAR** Meeting #2014-05 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, March 10, 2014, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis  
Councillors Kirk Cameron  
Jocelyn Curteanu  
Mike Gladish  
Betty Irwin  
Dave Stockdale  
John Streicker

ALSO PRESENT: City Manager Brian Crist  
Director of Community and Recreation Services Linda Rapp  
Acting Director of Corporate Services Valerie Anderson  
Director of Development Services Mike Gau  
Acting Director of Infrastructure and Operations Dave Muir

Mayor Curtis called the meeting to order at 5:30 p.m.

**CALL TO ORDER**

Mayor Curtis noted the passing of long-time employee Kelly Patrick and expressed condolences to her family and friends.

Condolences Expressed

**2014-05-01**

It was duly moved and seconded  
THAT the agenda be adopted as amended with the addition of a  
Council Travel Authorization under New and Unfinished Business.

**AGENDA**

Carried Unanimously

**2014-05-02**

It was duly moved and seconded  
THAT the minutes of the regular council meeting dated February 24,  
2014 be adopted as presented.

**MINUTES**

February 24, 2014

Carried Unanimously

**COMMITTEE REPORTS**

**City Operations Committee**

**2014-05-03**

It was duly moved and seconded  
THAT the 2014-2017 Capital Budget be amended by moving the  
2015 allocation of funds for the Ogilvie Street Reconstruction Project  
240c00911 to 2014.

BUDGET AMENDMENT  
OGILVIE STREET  
RECONSTRUCTION

Carried Unanimously

Activity reports for February 2014 were received from the Acting Director of Infrastructure and Operations, and the Engineering, Operations, and Water and Waste Services Departments.

ACTIVITY REPORTS  
 For Information Only

Administration confirmed that:

- The City’s asset management initiative will be consistent with the Yukon Government’s efforts. Staff members have attended some YG workshops and are currently developing an asset management plan that can be shared with YG
- Renovations at Fire Hall #2 are being done to house Water and Waste crews, and improvements have been made at the solid waste facility
- Water leaks are an ongoing municipal issue that must be studied regularly, and a report on current efforts will be forthcoming
- The Riverdale fuel tank program is being conducted in conjunction with work on wellhead protection; a report will be forthcoming; and
- Various households have been selected for the water meter study project that should be completed by June

Issues Arising from  
 the Activity Reports

**Community Services Committee**

**2014-05-04**

It was duly moved and seconded  
 THAT Festivals and Special Events Grants for July to December 2014 be approved as follows:

<u>Organization</u>	<u>Cash</u>	<u>In-Kind</u>
All City Band Society Music for a Winter’s Eve	\$ 600.00	
Blue Feather Music Society Blue Feather Music Festival	\$ 2,000.00	
Breakdancing Yukon Society CypherFest International Festival	\$ 5,000.00	
Royal Canadian Legion Branch 254 Canada Day 2014	\$ 5,500.00	\$ 4,858.45
Whitehorse Nuit Blanche Collective Whitehorse Nuit Blanche	\$ 2,000.00	

FESTIVALS AND  
 SPECIAL EVENTS  
 GRANT ALLOCATIONS  
 (July-December 2014)

.../continued

**2014-05-04** (Continued)

Yukon Arts Centre			
Culture Days 2014	\$ 2,000.00	\$ 1,991.25	
Yukon Art Society			
Art on the Wharf	\$ 2,000.00	\$ 2,880.00	
Yukon Educational Theatre Society			
Winterval Santa Parade	\$ <u>1,000.00</u>	\$ <u>2,525.95</u>	
<b>Totals</b>	<b>\$ 20,100.00</b>	<b>\$ 12,255.65</b>	

FESTIVALS AND  
SPECIAL EVENTS  
GRANT ALLOCATIONS  
July-December 2014  
(Continued)

Carried Unanimously

Activity reports for February 2014 were received from the Director of Community and Recreation Services, Recreation and Facility Services, Outreach and Events, Parks and Trails, and the Transit Department.

ACTIVITY REPORTS  
For Information Only

Administration confirmed that:

- A policy regarding the private use of public space is being developed in response to private activities such as boot camps using public parks and potentially impeding general public use;
- Some organizational changes may result from the current review of the general reorganization
- The Kids Triathlon is an event that evolved over time from an previous adult program of the same nature; and
- The Transit chart reflects increased ridership, but a different design for the graph will be explored in order to better reflect the ridership trends.

Issues Arising from  
the Activity Reports

The Committee commended the results that have been achieved at the Canada Games Centre, particularly with respect to the positive trend towards year-round use. The Committee also commended the Outreach and Events Department on its fine work throughout Rendezvous, and the Mayor thanked Council members for their participation in Rendezvous events.

STAFF AND COUNCIL  
MEMBERS COMMENDED  
For Information Only

The suggestion was made that Council members should have some highly visible identification to help increase Council's profile at public events.

COUNCIL IDENTIFIERS  
For Information Only

Administration confirmed that the fireman statue has been completed and it is anticipated that it will be installed sometime this spring

FIREMAN STATUE  
For Information Only

**Public Health and Safety Committee**

**2014-05-05**

It was duly moved and seconded  
THAT Bylaw 2014-14, a bylaw to amend the Traffic Bylaw with  
respect to speed limits in the Hillcrest Residential Neighbourhood, be  
brought forward for due consideration under the bylaw process.

BRING FORWARD  
TRAFFIC BYLAW  
AMENDMENT  
(Hillcrest Speed Zones)

Carried Unanimously

Activity reports for February 2014 were received from Bylaw Services  
and the Fire Department.

ACTIVITY REPORTS  
For Information Only

The Committee was advised that the process to develop a strategic  
plan for the Fire Department is well under way

FIRE STRATEGIC PLAN  
For Information Only

**Development Services Committee**

Activity reports for February 2014 were received from the Director of  
Development Services and the Environmental Sustainability  
Department.

ACTIVITY REPORT  
For Information Only

Administration confirmed that the Economic Development  
Coordinator position has been filled and the successful candidate will  
start work in early April.

The Committee noted that the on-line survey regarding solid waste  
collection in country residential areas is now under way. It was also  
noted that Yukon Housing is studying compost collection for its multi-  
family buildings.

Issues Arising from  
the Activity Reports

**Corporate Services Committee**

Activity reports for February 2014 were received from the City  
Manager, the Director of Corporate Services, and the Business and  
Technology Systems, Financial Services, Human Resources, and  
Strategic Communications Departments.

ACTIVITY REPORTS  
For Information Only

Administration confirmed that:

- The Finance Department is recruiting to fill three positions;
- The Specified Procedures Report for the Great Northern Ski Society is complete; and
- The virtual city hall is nearing deployment and should be available in the very near future

Issues Arising from  
the Activity Reports

**City Planning Committee**

**2014-05-06**

It was duly moved and seconded  
THAT Bylaw 2014-11, a bylaw to change the zoning of portions of the Skookum Asphalt quarry lease at 1 Ear Lake Road to align the zoning boundaries with the lease area, be brought forward for due consideration of second and third reading under the bylaw process

BRING FORWARD  
ZONING AMENDMENT  
FOR SKOOKUM QUARRY  
LEASE PARCEL

Carried Unanimously

**2014-05-07**

It was duly moved and seconded  
THAT Bylaw 2014-13, a bylaw to amend the zoning in the Hillcrest residential area to implement the Hillcrest Neighbourhood Plan, be brought forward for due consideration under the bylaw process

BRING FORWARD  
ZONING AMENDMENT  
FOR HILLCREST AREA

Carried Unanimously

Council members discussed concerns regarding properties that will become non-conforming under the new regulations and the potential impacts on home owners. The consensus was that the bylaw should come forward for due process, and citizens will have an opportunity to address this and other issues during the public hearing process.

Discussion

An activity report for February 2014 was received from the Planning Services Department.

ACTIVITY REPORT  
For Information Only

**NEW AND UNFINISHED BUSINESS**

**2014-05-08**

It was duly moved and seconded  
THAT travel expenses be authorized for Mayor Curtis to attend the Thaw-Di-Gras Spring Carnival in Dawson City in March.

AUTHORIZE COUNCIL  
TRAVEL (Mayor's  
Travel to Thaw-Di-Gras)

Carried Unanimously

**BYLAWS**

**2014-05-09**

It was duly moved and seconded  
THAT Bylaw 2014-11, a bylaw to change the zoning of portions of the Skookum Asphalt quarry lease at 1 Ear Lake Road, be given second reading.

**BYLAW 2014-11**  
ZONING AMENDMENT  
Skookum Quarry Lease

SECOND READING

Carried Unanimously

**2014-05-10**

It was duly moved and seconded  
THAT Bylaw 2014-11, a bylaw to change the zoning of portions of the Skookum Asphalt quarry lease at 1 Ear Lake Road to align the zoning boundaries with the lease area, having been read a first and second time, now be given third reading.

Carried Unanimously

**BYLAW 2014-11**

ZONING AMENDMENT  
Skookum Quarry Lease

THIRD READING

**2014-05-11**

It was duly moved and seconded  
THAT Bylaw 2014-14, a bylaw to amend the Traffic Bylaw to implement a 40 kilometre per hour speed limit in the residential section of the Hillcrest Subdivision in accordance with the recommendations of the Hillcrest Neighbourhood Plan, be given first reading.

Carried Unanimously

**BYLAW 2014-14**

AMEND TRAFFIC BYLAW  
Hillcrest Speed Limits

FIRST READING

**2014-05-12**

It was duly moved and seconded  
THAT Bylaw 2014-14 be given second reading.

Carried Unanimously

SECOND READING

**2014-05-13**

It was duly moved and seconded  
THAT Bylaw 2014-13, a bylaw to amend the zoning in the Hillcrest Subdivision to implement the Hillcrest Neighbourhood Plan, be given first reading.

Carried Unanimously

**BYLAW 2014-13**

ZONING AMENDMENT  
Hillcrest Neighbourhood  
Plan Implementation

FIRST READING

There being no further business, the meeting adjourned at 6:07 p.m.

**ADJOURNMENT**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

ADOPTED by resolution at Meeting #2014-

## MEMORANDUM

FILE #: Z-01-2014

TO: Mayor and Council

FROM: Administration

DATE: March 24, 2014

SUBJECT: Public Hearing at Regular Council Meeting March 24, 2014

Please be advised there will be a Public Hearing at the Regular Council Meeting of March 24, 2014, to hear from interested parties related to the following zoning amendment application:

**Bylaw 2014-10, a bylaw to change the zoning of 37-14th Avenue (Lot 1691, Plan 2011-0141) to allow for the construction of a living suite in the RR-Restricted Residential Detached zone.**

Lot 1691 was created as part of the City infill project that occurred in 2011. Four lots were created on 14<sup>th</sup> Avenue adjacent to the existing Guild Hall. Overall, 19 infill lots were created. Lot 1691 is currently owned by High Caliber Contracting, who applying for a zoning amendment to allow for a living suite as part of the home construction. The proponent has stated that a home will be constructed regardless of the outcome of this amendment.

Bylaw 2014-10 received 1<sup>st</sup> Reading on February 24, 2014. Notices were published in the newspapers on February 28 and March 7, 2014. A zoning amendment sign was also placed on the subject area. A total of 14 letters were sent to property owners within a radius of 100 metres of the subject property. Yukon Government Lands Department, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were also notified by mail.

Kinden Kosick  
Planner II, Planning Services

cc: Director of Development Services  
Manager of Planning Services





## Minutes of the meeting of the City Operations Committee

<b>Date</b>	January 6, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Dave Stockdale – Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Mike Gladish Councillor Betty Irwin Councillor John Streicker
<b>Absent</b>	Councillor Jocelyn Curteanu
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the City Operations Committee



## Minutes of the meeting of the Community Services Committee

<b>Date</b>	January 6, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Kirk Cameron – Chair Councillor Mike Gladish – Vice-Chair Mayor Dan Curtis Councillor Betty Irwin Councillor Dave Stockdale Councillor John Streicker
<b>Absent</b>	Councillor Jocelyn Curteanu
<b>Staff Present</b>	Brian Crist, City Manager Linda Rapp, Director of Community and Recreation Services Valerie Anderson, Acting Director of Corporate Services Wayne Tuck, Acting Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations

Your Worship, the Community Services Committee respectfully submits the following report:

### 1. **Proclamation**

The mayor proclaimed Friday, March 21, 2014 to be International Day for the Elimination of Racial Discrimination in the City of Whitehorse

### 2. **Mayor's Award** – For Information Only

The Committee was advised that the Canada Games Centre was the recipient of the 2014 Mayor's Award for Barrier-free Access. The Games Centre was nominated for this award by the Challenge Resource Group.



## Minutes of the meeting of the Public Health and Safety Committee

<b>Date</b>	January 6, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Dave Stockdale – Chair Councillor Kirk Cameron – Vice Chair Mayor Dan Curtis Councillor Mike Gladish Councillor Betty Irwin Councillor John Streicker
<b>Absent</b>	Councillor Jocelyn Curteanu
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations Kevin Lyslo, Acting Fire Chief

Your Worship, the Public Health and Safety Committee respectfully submits the following report:

### **1. Fire Apparatus Purchase**

The 2014 Capital Budget includes funds for the purchase of a new rescue/pumper unit for the Fire Department, complete with hydraulic rescue tools. Since the budget was established the value of the Canadian dollar has decreased by about five percent, causing a significant increase in the price of the unit. This increase was not anticipated and is not under the control of the supplier. Additional funds are required to ensure that the apparatus and required tools can be purchased with a small contingency for unexpected requirements.

Administration confirmed that the tool portion of the purchase could be deferred, but a loss of efficiencies in operation would result, and it is probable that the cost would increase over time. The rescue tools will be compatible with existing equipment used by the City and partner organizations, allowing for seamless integration in the event of a major emergency

**Recommendation**

THAT the 2014 Capital Budget be amended by increasing project number 440c00311 Pumper Replacement by \$65,000.00, funded from the Equipment reserve; and

THAT the purchase of one rescue/pumper fire apparatus from Safetek Emergency Vehicles, complete with hydraulic rescue tools as specified, be approved for a cost of \$721,150.00.



## Minutes of the meeting of the Development Services Committee

<b>Date</b>	January 6, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Betty Irwin – Chair Councillor John Streicker – Vice Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Mike Gladish Councillor Dave Stockdale
<b>Absent</b>	Councillor Jocelyn Curteanu
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations Shannon Clohosey, Manager of Environmental Sustainability

Your Worship, the Development Services Committee respectfully submits the following report:

### **1. Environmental Grant Allocations**

The City allocates \$25,000 annually for Environmental Grants to assist non-profits, community groups and commercial organizations with environmental projects that advance the Strategic Sustainability Plan. 55% of the total is available for spring grant allocations per the Environmental Grant Policy. An internal committee reviewed the applications and determined that four proposals met the policy guidelines. Partial funding for one project is recommended as grant requests exceed available funds.

Administration confirmed that grant recipients are required to submit an accountability report. A final report from the two-year lagoon study project, complete with analysis and recommendations, will be submitted to the City.

### **Recommendation**

THAT Environmental Grant allocations as recommended by the review committee be approved in the amount of \$13,750.00.



## Minutes of the meeting of the Corporate Services Committee

<b>Date</b>	January 6, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor John Streicker – Chair Councillor Betty Irwin – Vice Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Mike Gladish Councillor Dave Stockdale
<b>Absent</b>	Councillor Jocelyn Curteanu
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations Barbara Walker, Manager of Human Resources

Your Worship, the Corporate Services Committee respectfully submits the following report:

### 1. **City Manager Bylaw**

The *Municipal Act* requires that a new bylaw be enacted when there is a change in city manager. The proposed bylaw includes the terms of the existing bylaw as revised to reflect the requirements of the Act and other changes required by council. These changes were discussed with and approved by a majority of council prior to a Letter of Offer being issued to the successful candidate.

### **Recommendation**

THAT Bylaw 2014-19, a bylaw to appoint a city manager and delegate certain administrative powers to the position, be brought forward for due consideration under the bylaw process.

## **2. Fees and Charges Amendment**

As part of the annual budget process, the Financial Services Department conducts a quarterly review of the Fees and Charges Bylaw and compiles a list of suggested additions and amendments as submitted by the management group. First quarter changes are recommended to provide for a number of increases and some minor wording adjustments in the Miscellaneous, Planning and Waste Management fee schedules.

### **Recommendation**

THAT Bylaw 2014-18, a bylaw to amend the Fees and Charges Bylaw, be brought forward for due consideration under the bylaw process; and

THAT the 2014 operating and maintenance budget and the 2015 and 2016 provisional budgets be amended to increase budgeted revenue in the amounts of \$34,600, \$42,600 and \$18,600 respectively to reflect the changes in the Fees and Charges Bylaw.

## **3. Write Off Uncollectible Accounts**

The City levies fees and charges for goods and services that, on occasion, cannot be collected for various reasons. In all cases in-house collection procedures have been exhausted and it has been determined that there is little chance of recovery. In certain circumstances, an account will remain with a collection agency/credit bureau for possible further action. If these accounts are not written off, they will remain as outstanding receivable items. Generally accepted accounting practices require that receivables that are no longer realizable assets be written off against existing allowances. A bylaw is required to write off such accounts.

### **Recommendation**

THAT Bylaw 2014-15, a bylaw to authorize the write-off of uncollectible accounts, be brought forward for due consideration under the bylaw process



## Minutes of the meeting of the City Planning Committee

<b>Date</b>	January 6, 2014
<b>Location</b>	Council Chambers, City Hall
<b>Committee Members Present</b>	Councillor Mike Gladish – Chair Mayor Dan Curtis Councillor Kirk Cameron Councillor Betty Irwin Councillor Dave Stockdale Councillor John Streicker
<b>Absent</b>	Councillor Jocelyn Curteanu
<b>Staff Present</b>	Brian Crist, City Manager Valerie Anderson, Acting Director of Corporate Services Linda Rapp, Director of Community and Recreation Services Wayne Tuck, Acting Director of Development Services Dave Muir, Acting Director of Infrastructure and Operations

Your Worship, there is no report from the City Planning Committee

There being no further business, the meeting adjourned at 6:12 p.m.



# CITY OF WHITEHORSE

## BYLAW 2014-14

A bylaw to amend Traffic Bylaw 2013-34

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WHEREAS section 124 of the *Motor Vehicles Act* (RSY 2002) provides that a municipality may by bylaw prescribe a maximum speed other than 50 kilometres per hour for all or part of a highway subject to its jurisdiction; and

WHEREAS section 125 of the *Motor Vehicles Act* provides that a municipality may authorize the placing, erecting, or marking of traffic control devices at any locations considered necessary for controlling highways subject to its jurisdiction; and

WHEREAS it is deemed desirable and expedient that the City of Whitehorse Traffic Bylaw be amended to establish a uniform 40 kilometre per hour speed limit in the residential portion of the Hillcrest Subdivision, as recommended in the Hillcrest Neighbourhood Plan;

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

1. Traffic Bylaw 2013-34 is hereby amended by deleting the existing Schedule "B" and substituting therefore a new Schedule "B", attached hereto as Appendix "A" and forming part of this bylaw.
2. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST and SECOND READING:** March 10, 2014

**THIRD READING and ADOPTION:**

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Mayor

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City Clerk

# Traffic Bylaw Amendment Bylaw 2014-14

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APPENDIX "A"

## Schedule "B" of Traffic Bylaw 2013-34

### OPERATION OF VEHICLES

1. No person shall drive at a greater rate of speed than **30 kilometres per hour** on the following highways between the designated points:
  - (1) On Third Avenue between Strickland Street and the north end of Third Avenue;
  - (2) On Valleyview Drive along its entire length;
  - (3) On Prospector Road from the Alaska Highway to that point where the roadway enters private property;
  - (4) On Rhine Way from Range Road to Nijmegen Road;
  - (5) On Normandy Road from Range Road to Nijmegen Road; (*Bylaw 2013-44 passed 2013-09-23*)
  - (6) on Alsek Road between Duke Road and Blanchard Road;
  - (7) on Mount Sima Road from the ski hill parking lot northward towards the downtown core of the City, for a distance of 600 metres;
  - (8) on Sumanik Drive from Hamilton Boulevard to Mount McIntyre Recreation Centre.
  
2. No person shall drive at a greater rate of speed than **35 kilometres per hour** on the following streets within the McIntyre Subdivision:

Hanna Crescent	McCandless Crescent
McClennan Road	McCrimmon Crescent
McIntyre Drive	Murphy Road
O'Brien Place	O'Brien Road
  
3. No person shall drive at a greater rate of speed than **40 kilometres per hour** on the following streets within the Whistle Bend Subdivision:

Aksala Drive	Atlin Place
Chakawana Lane	Bailey Place
Bellingham Court	Caprice Court
Casca Boulevard	Dora Crescent
Eldorado Road	Keno Way
Iskoot Crescent	Olive May Way
Skookum Drive	Tarahne Way

*(Section 3 of Schedule "B" added by Bylaw 2013-44 passed 2013-09-23)*

.../continued

# Traffic Bylaw Amendment Bylaw 2014-14

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APPENDIX "A" (Continued)

## Schedule "B" of Traffic Bylaw 2013-34 (Continued)

4. No person shall drive at a greater rate of speed than **40 kilometres per hour** on the following streets within the Hillcrest Subdivision:  
Burns Road between Hillcrest Drive and Roundel Road  
Chalet Crescent  
Dalton Trail  
Hillcrest Drive between Park Lane and Burns Road  
Kluane Crescent  
Park Lane  
Roundel Road between Summit Drive and Burns Road  
Summit Road  
Sunset Drive North  
Sunset Drive South
5. No person shall drive at a greater rate of speed than **60 kilometres per hour**:
  - (1) on Robert Service Way between the Miles Canyon Access Road intersection and the Fourth Avenue intersection;
  - (2) on Hamilton Boulevard between Falcon Drive South and the Alaska Highway intersection at the top of Two Mile Hill;
  - (3) on Two Mile Hill between the Second Avenue Extension and the Alaska Highway.
6. No person shall drive at a greater rate of speed than **70 kilometres per hour** on the following highways between the designated points:
  - (1) on Mountainview Drive from Tlingit Road to a point 100 metres south of Twelfth Avenue;
  - (2) on the Hamilton Boulevard Extension between the Alaska Highway and Falcon Drive South;
  - (3) on Robert Service Way between the Alaska Highway and the intersection at Miles Canyon Access Road.

# CITY OF WHITEHORSE

## BYLAW 2014-15

A bylaw to authorize the write off of un-collectible accounts

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WHEREAS section 233 of the *Municipal Act* (R.S.Y. 2002) provides for the cancellation of tax arrears where such taxes are not secured against land in the municipality; and

WHEREAS section 60 of the *Assessment and Taxation Act* provides for the discharge of certain taxes; and

WHEREAS it has been determined that certain debts outstanding to the account of the City of Whitehorse are un-collectible;

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

1. The debts hereinafter described are written off:

<u>Date</u>	<u>Description</u>	<u>Amount</u>
August 31, 2010	Christina Hassard DBA/Childhood Discoveries	\$244.60
January 31, 2012	Megan Ennis	\$168.72
May 31, 2012	Knights of Columbus	\$682.11
February 8, 2012	Robert Knorr	\$168.35
February 28, 2012	Jesse Mckeown	\$316.53
April 30, 2011	Tania Torgerson	<u>\$165.97</u>
	<b>TOTAL:</b>	<b><u>\$1,746.28</u></b>

2. This bylaw shall come into full force and effect upon the final passing thereof.

**FIRST and SECOND READING:**  
**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

## Write Off Un-collectible Accounts Bylaw 2014-15

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### Explanatory Notes:

A bylaw is required to write off un-collectible accounts. The accounts outlined in this bylaw are deemed un-collectible for the following reasons:

Christina Hassard DBO  
Childhood Discoveries

Invoice for 2010 Fall Leisure Guide Advertising and accrued finance charges. Client stated that they had issued a payment to the City for this but were unable to produce a payment receipt. As the client stopped all communication with the City, we forwarded this matter to Metropolitan Credit Adjusters on April 19, 2012.

Megan Ennis

Invoice for additional charges on a 2011 facility booking at Mount Macintyre. As the client did not respond to City issued invoice and written correspondence this was forwarded to Metropolitan Credit Adjusters for collection on November 9, 2012.

Knights of Columbus

Invoice for a 2012 facility booking held at Mount Macintyre. As the client did not respond to City issued invoice and written correspondence this was forwarded to Metropolitan Credit Adjusters for collection on January 11, 2013.

Robert Knorr

2011 Property taxes owing on a space leased from the Yukon Government at the Whitehorse Airport. The taxes as outlined in the lease agreement were the responsibility of the lessor. We are unable to locate the client and as a result this file was forwarded to Metropolitan Credit Adjusters for collection on May 4, 2013.

Jesse Mckeown

Utilities left unpaid at time of property sale as a result of error in preparation of reprinted Tax Certificate. The City was unable to locate the client and this matter was forwarded to Metropolitan Credit Adjusters on April 29, 2013.

Tania Torgerson

2011 invoice owing for towing an abandoned vehicle belonging to the client as per Bylaw Services. As the client stopped all communication with the City, we forwarded this matter to Metropolitan Credit Adjusters on February 15, 2012.

# CITY OF WHITEHORSE

## BYLAW 2014-18

A bylaw to amend Fees and Charges Bylaw 98-12

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WHEREAS section 220 of the *Municipal Act* (R.S.Y. 2002) provides that council may by bylaw amend or vary bylaws; and

WHEREAS all City of Whitehorse municipal fees and charges are consolidated into one bylaw; and

WHEREAS it is deemed desirable that the Fees and Charges Bylaw be amended to reflect changes in response to a quarterly operational review;

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

1. The fee schedule attached to and forming part of Fees and Charges Bylaw 98-12 is hereby amended by repealing existing Schedules 5, 7 and 9 and substituting therefore new Schedules 5, 7 and 9 attached hereto as Appendix "A" and forming part of this bylaw.
2. This bylaw shall come into full force and effect upon the final passing thereof.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

# **CITY OF WHITEHORSE**

## **BYLAW 2014-18**

### **Explanatory Notes:**

The attached bylaw amends the Fees and Charges Bylaw to reflect changes required as per a quarterly operational review. The changes include the following increases, deletions and some minor wording amendments:

- Effective June 1, 2014, an increase the fee for NSF Fees, Cheque Returned Fees and Rejected Pre-Authorized Card Fees from \$35 to \$45. The increase is required to offset the Bank Service Fee of \$7.50 charged to the City for processing these fees and to cover the City's administrative costs. This fee was last increased in 2007.
- An increase of 2% to Development Cost Charges effective July 2014 to keep in line with the Residential Development Cost Charges Bylaw 2012 -12 which states that the Development Cost Charge shall have an annual increase of 2%. The annual increases were designed to account for inflation adjustments and rising construction costs.
- Change the description for the fee for "Parking – Payment in lieu of providing parking space" from "CW zone" to "CC, CPG and CMW zones" to ensure that the fee stays relevant.
- Add a new fee for Industrial, Commercial and Institutional (ICI) customers to recover costs associated with providing a pilot organics collection service to ICI customers. It is important that condominiums and commercial establishments pay fees for waste management not only to recover actual costs but also to recognize in principal that generating waste has a cost. These customers will transition to a private collection service in 2015, so an interim fee will help clients make this transition. If this is not approved, fees cannot be charged for the 2014 ICI Pilot Project. Operational costs would not be recovered, including wages, garage charges and tipping fees.
- The current Memorandum of Agreement (MOA) between YG, Community Services and the City expires May 1, 2014. It is proposed that in the new agreement, the fee for sorted loads of domestic waste be increased from the current \$115/tonne to \$145/tonne, which is in line with the January 1, 2014 increase of 26% for in-town domestic waste tipping fees. If this fee is not approved, the effect would be to decrease revenues from current projections.
- An administrative revision is required to re-instate a fee that was mistakenly removed from the Fees and Charges Bylaw 2014-02. The current fee for "Compostable Waste: Organic Material – Small Load at \$5.00" should not have replaced "Compostable Waste: Organic Material – Bagged in Compostable Bags 8-20kg at \$3.00", but should have been added as an entirely new fee.

FEE DESCRIPTION		Bylaw 2014-18 Approved Fee	Final Fee Effective	Final Fee if GST Applicable + 5% GST	UNITS
Advertising	All	various by tender	8-Mar-99		
Autocad custom drafting & plotting		minimum 1/2 hour charge	1-Jan-08	52.50	per hour
Autocad drawing compilation and printing			1-Jan-08	22.60	per sheet
Autocad Plotting			1-Jan-08	8.70	per plot
Blue Print reproductions			1-Jan-08	3.20	per sheet
Book, Lost Graves		special monthly or partial listing	1-Jan-08	10.50	each
Business Licence List		full listing	1-Jan-08	0.30	per page
Business Licence List		Ability to purchase additional household cart	1-Jan-08	47.30	each
Amended by Bylaw 2012-X	Sales		1-Jan-10	210.00	each
Delivery Charge-rentals	Equipment (DPW)-barriacades		1-Jan-08	40.00	per rental
Delivery Charge-rentals	Equipment (DPW)-portable bleachers		1-Jan-08	210.00	per rental
Delivery Charge-rentals	Equipment (DPW)-snow/fencing		1-Jan-08	42.00	per rental
Deposit, Damage	Flag	fully refundable if returned in good condition	28-Jun-99		each
Deposit, Damage	Equipment (DPW)-barriacades	fully refundable if all rental conditions met	22-Jun-98		each
Deposit, Damage	Equipment (DPW)-portable bleachers	fully refundable if all rental conditions met	22-Jun-98		section
Deposit, Damage	Equipment (DPW)-snow/fencing	fully refundable if all rental conditions met	22-Jun-98		roll
Evaluation of restricted / overstrength waste	Flag	roll approx. 50 linear feet, rent includes posts if available	8-Mar-99	actual	each
DVD	copy of recorded meeting		1-Jan-10	6.30	each
Inspection Cost Charge	Construction Value Up To \$500,000.00		1-Jul-13	Based on Engineer's Estimate	
Inspection Cost Charge	Construction Value Up To \$3,000,000.00		1-Jul-13	Based on Engineer's Estimate	
Inspection Cost Charge	Construction Value Above \$3,000,000.00		1-Jul-13	Based on Engineer's Estimate	
IS Consultant Fees			23-Feb-09	84.00	each
Land Use Permit		temporary or seasonal land use	22-Jun-98		each
Local Improvement Search		LIC	29-Jan-07	26.30	each
Manual - Contract Tendering			1-Jan-08	84.00	each
Manual - Servicing Standards		manual & changes/revisions to manual to be sold at cost	1-Jan-08	84.00	each
NSF Fees/Cheque return fees/Rejected Pre-authorized credit card fee			1-Jun-14	45.00	each
Official Community Plan			1-Jan-08	21.00	each
Overstrength oil and grease, B.O.D. and T.S.S. surcharge		at the discretion of administration	8-Mar-99	0.20	per Kg.
photocopy		reference Pin Policy (City Clerks)	1-Jan-08	0.30	each
Pin	City of Whitehorse	fee plus reproduction cost	1-Jan-08	1.10	each
Plan Reproduction			29-Jan-07	1.10	each
Property Verification			1-Jan-08	26.30	plus registr-
Service Inspection - Private			1-Jan-08	26.30	plus registr-
Snow Dump Permit		per truck	8-Mar-99	210.00	each
Studies/Reports		at cost with \$10.00 minimum	1-Jan-08		per truck
Tax Search/Certificate			22-Jun-98	cost + gst	each
3rd Party Rate	(materials & shipping costs = shipping surcharge) X 35% Markup		23-Feb-09	63.00	each
Unpaid Accounts Act	All unpaid accounts will be charged interest on the outstanding amounts. Outstanding taxes will be charged under the provisions of the Tax Act		23-Feb-09	Plus GST	each
Use Permit		temporary or seasonal land use	1-Jan-11	2.00%	per month
Wood Stove Approval		copy of approval	22-Jun-98	75.00	each
Zoning Bylaw			22-Jun-98	10.00	each
Zoning Bylaw	individual copy		1-Jan-08	75.00	each
Zoning Bylaw	initial subscription service		1-Jan-08	10.00	each
Zoning Maps			1-Jan-08	50.00	each
Zoning Maps			1-Jan-08	5.30	each



		<b>FEE DESCRIPTION</b>		Bylaw 2014-18			
				Approved Fee	Date Fee Effective	Units	
Address Changes	changing a municipal address	no relocation		200.00	22-Jun-98	each	
Development Cost Charge	residential, single family	Secondary Suite		2,185.00	1-Jul-14	per dwelling	
Development Cost Charge	residential, single family	unserviced County Residential secondary Suite		1,040.00	1-Jul-14	per dwelling	
Development Cost Charge	residential, single family	urban serviced lot		3,641.00	1-Jul-14	per dwelling	
Development Cost Charge	residential, single family	country residential serviced lot		3,641.00	1-Jul-14	per dwelling	
Development Cost Charge	residential, single family	country residential non serviced lot		1,769.00	1-Jul-14	per dwelling	
Development Cost Charge	residential, duplex	duplex housing		5,826.00	1-Jul-14	per 2 dwellings	
Development Cost Charge	residential, multiple housing	townhouse		2,913.00	1-Jul-14	per dwelling	
Development Cost Charge	residential, multiple housing	apartment		2,185.00	1-Jul-14	per dwelling	
Development Cost Charge	residential, multiple housing	multiple detached dwellings		2,913.00	1-Jul-14	per dwelling	
Development Agreement	Incentive	Minor		75.00	8-Oct-13	each	
Development Agreement	Incentive	Standard/Major		200.00	8-Oct-13	each	
Development Permit	Conditional Use - \$200 plus applicable	Permitted Use fee.		200.00	22-Jun-98	each +	
Development Permit	Designated municipal historic resource			-	27-Jan-03	each	
Development Permit	Permitted Use: Non-residential Zone	(No new construction)		275.00	29-Jan-07	each	
Development Permit	Permitted Use: Non-residential Zone	(New Construction)	\$275.00 + 1.10/sq.metre	275.00+	29-Jan-07	each +	
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial Use	\$275. base plus \$1.10/sq.metre (new Con)	275.00 +	22-Jun-98	each	
Development Permit	Permitted Use: Residential Zone	Multiple Housing & Commercial Use	\$275. (Change of use)	275.00	1-Feb-09	each	
Development Permit	Permitted Use: Residential Zone	Secondary commercial uses (change of use)		25.00	1-Feb-09	each	
Development Permit	Placement of Sign			25.00	1-Feb-09	each	
Development Permit	Schwaka Lake Waterfront Policy Dook Permit			75.00	1-Feb-09	each	
Development Permit	Demolition of a Structure	Commercial		275.00	1-Feb-09	each	
Development Permit	Demolition of a Structure	Residential		200.00	1-Feb-09	each	
Development Permit	Relocation of a Structure			25.00	1-Feb-09	each	
Development Permit	Temporary Use Permit	Community Event		25.00	1-Feb-09	each	
Development Permit	Temporary Use Permit	Commercial Event/Development		275.00	1-Feb-09	each	
Development Permit	Temporary Use Permit	Temporary Use Permit<7 days		25.00	1-Feb-09	each	
Development Permit Refund	written request fm applicant within 6 months of original date of issue-no permit related work on site has begun-deduction of \$55. or 20			Varies	1-Feb-09	each	
Land Management	Development agreement			200.00	29-Jan-07	each	
Land Management	Road Closure Bylaw			500.00	29-Jan-07	each	
Land Management	Subdivision Approval Extension			250.00	29-Jan-07	each	
Official Community Plan Amendment Fee	(OCP Amendment Fee)			500.00	1-Feb-05	each	
Parking	Payment in lieu of providing parking space	Space in the CC, CPG and CMW Zones		18,706.00	13-Nov-01	each space	
Parking	Payment in lieu of providing parking space	space in the CM1 and CM2 zones		7,967.00	13-Nov-01	each space	
Subdivision Application	Condominium (non refundable fee)	\$50.00 per unit being created to a maximum of \$500.00		50.00	8-Jan-01	each	
Subdivision Application	Consolidation (non refundable fee)			50.00	22-Jun-98	each	
Subdivision Application	Subdivision (non refundable fee)	min. charge \$250. max. charge \$1000.	ea lot \$100	100.00	22-Jun-98	each	
Subdivision Application	Property line adjustment or realignment (non refundable fee)	ea adjustment/realignment \$50		50.00	8-Jan-01	each	
Variance, Board or Appeal	non refundable fee each appeal			500.00	1-Feb-05	each	
Zoning Amendment	Designated municipal historic resource			1,500.00	8-Oct-13	each	
Zoning Amendment				-	27-Jan-03	each	

		Bylaw 2014-18		UNITS
		Approved Fee	Date Fee Effective	
Waste	Curbside Collection	10.30	1-Jan-14	unit/month
Waste	Curbside Collection	22.60	1-Jan-14	unit/month
Waste	Organics Collection	8.00	1-May-14	per month
Waste	Organics Collection	4.00	1-May-14	per month
Waste	Compostable Waste	26.00	1-May-13	tonne
Waste	Compostable Waste	5.00	1-Jan-14	per load
Waste	Recyclable Waste	0.00	1-Jul-00	no charge
Waste	Controlled Waste	7.00	1-May-13	each
Waste	Controlled Waste	15.00	1-May-13	each
Waste	Controlled Waste	160.00	1-May-13	per load
Waste	Controlled Waste	35.00	1-May-13	each
Waste	Controlled Waste	10.00	1-May-13	each
Waste	Controlled Waste	15.00	1-May-13	each
Waste	Controlled Waste	23.50	1-May-13	each
Waste	Controlled Waste	87.00	1-Jan-14	tonne
Waste	Controlled Waste	0.00	30-May-12	each
Waste	Controlled Waste	0.00	28-Jun-99	each
Waste	Controlled Waste	23.90	1-Jan-08	each
Waste	Controlled Waste	70.55	1-Jan-08	tonne
Waste	Controlled Waste	charged per item as per relevant category		
Waste	Controlled Waste	15.00	1-May-13	each
Waste	Controlled Waste	40.00	1-May-13	each
Waste	Residual Waste	5.00	1-May-13	1 to 8 bags
Waste	Residual Waste	10.00	1-May-13	each
Waste	Residual Waste	20.00	1-May-13	each
Waste	Residual Waste	87.00	1-Jan-14	tonne
Waste	Residual Waste	145.00	1-May-14	tonne
Waste	Residual Waste	15.00	1-May-13	cubic metre
Waste	Mixed Waste	250.00	23-Feb-09	tonne
Waste	Mixed Waste	250.00	1-May-13	tonne
Waste	Mixed Waste	250.00	23-Feb-09	tonne
Waste	Mixed Waste	250.00	1-Jan-10	tonne
Waste	Mixed Waste	30.00	1-May-13	cubic metre
Waste	Banned Landfill Waste	5.00	1-Jan-12	each
Waste	Banned Landfill Waste	10.00	1-Jan-12	each
Waste	Banned Landfill Waste	15.00	1-Jan-12	each
Waste	Banned Landfill Waste	15.00	1-Jan-12	each
Waste	Banned Landfill Waste	30.00	1-Jan-12	each
Waste	Banned Landfill Waste	20.00	1-Jan-12	each
Waste	Banned Landfill Waste	40.00	1-Jan-12	each
Waste	Banned Landfill Waste	1.00	1-Jan-12	each
Waste	Banned Landfill Waste	10.00	1-Jan-12	each
Waste	Banned Landfill Waste	40.00	1-Jan-12	each
Waste	Other	actual	22-Jun-98	each
Waste	Other	100.00	1-Jan-10	per inspection
Waste	Other	actual	28-Jun-99	each
Waste	Other	actual	28-Jun-99	each
Waste	Other	actual	28-Jun-99	each
Waste	Other	250.00	23-Feb-09	each
Waste	Permit	0.00	30-May-12	
Waste	Permit	0.00	30-May-12	
Waste	Permit	0.00	30-May-12	
Waste	Permit	100.00	23-Feb-09	each
Waste	Permit	55.00	1-May-12	cubic yard

# CITY OF WHITEHORSE

## BYLAW 2014-19

A bylaw to establish the position of chief administrative officer, appoint a person to the position, establish the terms and conditions of employment, and delegate certain administrative powers to the position.

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WHEREAS section 183 of the *Municipal Act* (R.S.Y. 2002) provides that the council of a municipality must establish by bylaw the position of chief administrative officer and appoint a person or persons to the position; and

WHEREAS section 188 of the *Municipal Act* provides that council shall by bylaw establish the terms and conditions of employment of the chief administrative officer, including remuneration, benefits, expenses, hours of work, and manner of appointment, promotion, discipline, dismissal, and rules of conflict of interest; and,

WHEREAS council deems it proper and expedient to appoint a chief administrative officer and to enter into a contract of employment with that person;

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

1. This bylaw may be cited as the "**City Manager Bylaw**".

### **Definitions**

2. In this bylaw,

“city” means the City of Whitehorse.

“city manager” means the chief administrative officer of the city.

“council” means the council of the city.

“designated municipal officer” means a person appointed by council as a municipal officer under the provisions of the *Municipal Act*.

“mayor” means the duly elected mayor of the city.

3. Where the term "chief administrative officer", "city manager", "manager", or "municipal manager" is used in any other bylaw of the city, then that term shall be deemed to refer to the position of city manager or the person appointed to that position pursuant to this bylaw, as the context requires.

### **Creation of Office**

4. The position of chief administrative officer is hereby established and shall be referred to as the city manager.

## City Manager Bylaw 2014-19

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### Appointment of City Manager

5. The city manager shall be appointed pursuant to this bylaw and shall hold office at the pleasure of council and in accordance with the terms and conditions of employment stated in this bylaw, as contractually agreed to by the city manager pursuant to a letter dated February 25, 2014.
6. The city manager shall be selected by council solely on the basis of executive and administrative qualifications with special reference to experience in or knowledge of accepted practice in respect to the duties of the office hereinafter set forth.
7. **Christine Smith** of 41 Pelly Road, Whitehorse YT, is hereby appointed city manager for the city commencing April 14, 2014.

### Powers and Duties

8. The city manager is the administrative head of the city. She shall report to council and shall be responsible for the proper administration of all affairs of the city. To that end, the city manager shall:
  - (1) make reasonable efforts to inform herself of city bylaws, resolutions, policies, procedures, administrative directives, practices and programs that apply to issues she must address in her role;
  - (2) to the best of her information and actual knowledge, comply with all applicable city bylaws, resolutions, policies, procedures, administrative directives, practices and programs;
  - (3) sign-off having read certain city bylaws, resolutions, policies, procedures, administrative directives, practices and programs as amended by the city from time to time;
  - (4) ensure that the bylaws, resolutions, policies, procedures, administrative directives, practices and programs of the city are implemented and enforced;
  - (5) advise and inform council on city operations and affairs;
  - (6) notify council if any action or inaction by council or the city administration is contrary to a bylaw or resolution of council or a provision of the *Municipal Act*, or any other applicable legislation;
  - (7) exercise the powers, duties and functions of any designated municipal officer when necessary;
  - (8) be responsible for policy research and development on matters referred by council, and on matters arising from the administration of the affairs of the city;
  - (9) submit to council the city's annual estimates of revenue and expenditure (the budget), ensure the estimates reflect priorities defined by council policies and city administrative directives, and be responsible for the administration of the budget after adoption;

## City Manager Bylaw 2014-19

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- (10) to the best of her information and actual knowledge, ensure the preparation and awarding of contracts are in compliance with council policies and city administrative directives;
  - (11) monitor the internal and external affairs of the city for the purpose of informing council of anticipated policy requirements;
  - (12) work closely with the mayor and council in developing proposals for council's review; and
  - (13) carry out any other duties as may be assigned by council from time to time, or as are assigned by the *Municipal Act* or by any other applicable legislation.
9. Subject to section 10 of this bylaw, the city manager may delegate any of her duties, powers and functions to an officer or employee of the city in a manner consistent with the best interests of the administration of the city, but she may not delegate or relinquish her overall responsibility for results, or her accountability to council.
10. Except as is specifically required by any applicable legislation, bylaw, policy, or administrative directive, the city manager shall not delegate her performance of the following duties:
- (1) personally attending all meetings of council unless absent with leave of the mayor, in which case an acting city manager is appointed by the mayor for the meeting;
  - (2) when requested by council, attending and participating in discussions at all meetings of committees and boards appointed by council unless absent with leave of the mayor;
  - (3) when requested by council, taking part in the discussion of any matter coming before any meeting of council; and
  - (4) receiving notice of all regular and special meetings of council and all meetings of boards and committees appointed by council.
11. The city manager is hereby empowered to authorize the expenditure of funds up to the maximum authorized by bylaw in the annual operating and maintenance budget and in accordance with the thresholds, limits and principles contained within council's Purchasing and Sales Policy.
12. Council may, by resolution, delegate to the city manager the power to authorize the expenditure of funds for budgeted items in excess of those limits prescribed pursuant to section 11 of this bylaw and for specified approved projects, subject to the terms of the bylaw adopting the annual operating and maintenance budget.
13. In the case of an accident, disaster or other circumstance creating a public emergency, the city manager, in consultation with the mayor, may make such purchases, award such contracts, or make such other arrangements as are necessary to meet the emergency, but the city manager shall report on her actions, with an itemized statement of all expenditures, to the next meeting of council.

## City Manager Bylaw 2014-19

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14. The city manager shall be responsible for directing, managing, and supervising the officers and employees of the city. Subject to any bylaw or contract of employment or collective agreement, the city manager has the authority to appoint, discipline, suspend, or dismiss any employee and, where authorized by council, may appoint, suspend, discipline or dismiss any designated municipal officer. In the case where a designated municipal officer of the city is suspended for more than five working days, or where any employee or designated municipal officer is dismissed, the city manager shall report the suspension or dismissal and reasons for it to council.

### Conflict of Interest

15. The city manager shall sign and provide to the city the *Oath of Office and Secrecy*, attached hereto as Schedule "A" and forming part of this bylaw, before commencing employment.
16. The city manager shall at all times act in the best interests of the city and comply with the *Employee Code of Conduct Policy* adopted by resolution of council and amended from time to time.

### Compensation

17. The city manager shall be entitled to the following compensation during the first year of employment:
- (1) annual base salary of \$175,000, less statutory deductions;
  - (2) contributions to the city's Group Registered Retirement Savings Plan as follows:
    - (a) upon the commencement date of employment, the city manager shall enrol in the city's Group RRSP Plan;
    - (b) all monies remitted on behalf of the city manager shall be immediately vested with the city manager;
    - (c) the city manager cannot withdraw from the Group RRSP Plan until termination of employment or retirement from her employment with the city, with the exception of withdrawals for home ownership, Lifetime Learning Plan, and/or settlement from marriage break-ups;
    - (d) the annual base salary is inclusive of a mandatory 6.0% contribution by the city manager to the Group RRSP Plan;
    - (e) the city will contribute an amount equivalent to an additional 12.0% of the annual base salary to the Group RRSP on behalf of the city manager;
    - (f) the city manager may elect to contribute additional amounts out of her annual base salary to the Group RRSP subject to the terms of the city's Group RRSP Plan and applicable tax laws;

## City Manager Bylaw 2014-19

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- (g) the terms of the city's Group RRSP Plan and the city manager's entitlement to contributions may be amended from time to time by the city at its sole discretion; and
  - (3) eligibility to earn an annual performance bonus in an amount up to a maximum of 3% of annual base salary payable at the sole discretion of the council.
18. The city shall conduct a performance evaluation and review of the city manager on an annual basis, including a review of the city manager's base salary. Any proposed increase arising from the city manager's performance evaluation and review (a performance increase) will be at the sole discretion of council and must be approved by council.
19. In addition to any performance increase, the city manager's base salary shall increase on January 1 of each year following the city manager's effective date of commencement of employment by an amount equal to the percentage increase given to management employees pursuant to Schedule "A" of the Management and Management Staff Bylaw, as amended from time to time, or any bylaw replacing such bylaw.
20. The city manager shall be entitled to the Yukon Bonus and Long Service Bonus pursuant to the terms stated in the Management and Management Staff Bylaw.

### Expenses

21. The city manager shall be reimbursed for reasonable expenses incurred on behalf of the city subject to appropriate verification and section 11 of this bylaw.
22. The city manager shall undertake an ongoing program of professional development, related to the her position and shall be reimbursed for expenses incurred in accordance with funds approved during the normal budget process.
23. The city shall pay the cost of reasonable annual membership dues for the city manager. In the opinion of council, such memberships must relate to the city manager's position with the city.

### Benefits and Leaves

24. Subject to the terms stated in the Management and Management Staff Bylaw and all governing policies and plans as amended from time to time by the city, the city manager shall be entitled to the following benefits contained in the Management and Management Staff Bylaw:
- General Holidays
  - Illness
  - Medical and Group Insurance
  - General Provisions
  - Vacation Leave
  - Leave of Absence
  - Health Spending Allowance
  - General Provisions

## City Manager Bylaw 2014-19

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For clarity, in lieu of overtime pay the city manager will be entitled to the two additional standard work weeks of annual vacation leave each year contained in the Management and Management Staff Bylaw for Schedule "A" employees.

### Hours of Work

25. The city manager acknowledges that the operation of the city occurs twenty-four hours per day and seven days per week. The city manager shall ensure that either she or a delegate approved by the mayor is available to work as necessary at any time on an on-call basis.
26. Regular office hours of the city manager shall be 8:30 a.m. to 4:30 p.m., Monday to Friday, or as council may from time to time determine in accordance with the operating and administrative requirements of the city. The city manager is expected to work additional hours as necessary to fulfil the duties and responsibilities of the position, including attending at meetings and events.
27. The city manager is not entitled to overtime pay and her salary and benefits fully compensate her for all hours worked including those in excess of eight hours a day or 40 hours a week.
28. If the city manager is absent from duty without prior authorization from the mayor or council or pursuant to the policies and procedures applicable to leave entitlements contained in the Management and Management Staff Bylaw, then the city manager shall communicate the reason for her absence to the mayor as soon as reasonably possible.
29. If the city manager is absent from duty without authorization, she shall forfeit pay for the period of absence in question unless leave with pay in respect of such absence is agreed to by the mayor or council.

### Discipline, Suspension and Termination of Employment

30. Termination of employment for the purposes of this bylaw is also deemed to be the revocation of the appointment of the city manager.
31. Subject to the terms of this bylaw or any other applicable legislation, the discipline, suspension and termination of employment of the city manager shall be governed by the ordinary rules of contract.
32. The city may discipline the city manager for any material breach of this bylaw or any other city bylaw or resolution, any material breach of any of the city's policies, procedures, administrative directives and practices, and any other conduct deemed by the city to be inappropriate for a city manager.
33. When imposing discipline on the city manager, the city shall attempt to correct behaviour through the application of progressive discipline. However, it is within the sole discretion of the city to determine the level of discipline appropriate under each circumstance including to apply verbal warnings, written warnings, demotions, and suspensions with or without pay.



## City Manager Bylaw 2014-19

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34. Pursuant to section 180 of the *Municipal Act*, the mayor has a duty to suspend the city manager when necessary.
- (1) Pursuant to section 189 of the *Municipal Act*, the city manager may appeal in writing to council within five working days of her suspension.
  - (2) After hearing the city manager and others as council deems necessary, council shall extend, reduce, or confirm the suspension, or overturn the suspension and reinstate the city manager.
  - (3) The city's internal procedural obligations pursuant to this provision shall be fully discharged, and the rights of the city manager fully and fairly satisfied if the city manager has been provided written notice summarizing the reasons for the suspension and the opportunity to provide written submissions to council prior to a decision being made.
  - (4) This provision does not restrict any lawful rights of the city manager to initiate a claim to the courts of the Yukon that her employment has been wrongfully dismissed based on the decision of the mayor or council arising from this provision.
35. The employment relationship between the city and the city manager may be terminated as follows:
- (1) By written agreement between the city and the city manager.
  - (2) By the city manager, upon providing one month's written notice of resignation to the city. The city may waive such notice in whole or in part and if it does so then the city manager shall be entitled to payment of salary in lieu of any of the remaining one month's notice.
  - (3) By the city manager retiring if she elects to do so upon achieving a combined age and years of service of 75, subject to a minimum ten years of service requirement. The city manager must provide one month's written notice of retirement to the city. If eligible pursuant to the requirements stated in this paragraph and any applicable administrative directive, the city manager will be entitled to a severance payment in accordance with the formula contained in section 35(5) of this bylaw.
  - (4) By the city, at any time without any notice or pay in lieu of notice, for cause. Cause shall include, but not be limited to:
    - (a) conduct by the employee that brings or has the potential to bring the city or its representatives into public disrepute or ridicule;
    - (b) unauthorized disclosure of confidential information or documents received or obtained by city manager in the course of her employment without the written consent of council;
    - (c) use of such confidential information or documentation referred to in section 35(4)(b) hereof for the city manager's benefit or gain;

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- (d) significant or repetitive breaches of the city's bylaws, resolutions, policies, procedures, administrative directives, or practices; and
- (e) any conduct that would constitute just cause for termination pursuant to the common law governing employment contracts.

The city shall suspend the city manager pending a determination of whether there is cause for termination of employment. The city manager may appeal in writing to council within five working days of her suspension. The city manager shall be entitled to an opportunity to be heard by council prior to a decision being made to terminate for cause. The city's internal procedural obligations pursuant to this provision shall be fully discharged and the rights of the city manager fully and fairly satisfied if the city manager has been provided with a written notice summarizing the reasons for the potential termination for cause and the opportunity to provide written submissions to council prior to the decision to terminate for cause being made. This provision does not restrict any lawful rights of the city manager to initiate a claim to the courts of the Yukon that her employment has been terminated without cause.

- (5) By the city, for any reason at its sole discretion, on a without-cause basis, by providing the city manager six months' notice during the first year of employment and thereafter two additional weeks of notice for each completed year of employment to a maximum notice of twelve months. The city may at its sole discretion provide notice as written working notice, payment of base salary in lieu of notice, or any equivalent combination of written notice and base salary in lieu of notice. All of the city's obligations related to the employment of the city manager and this bylaw are fully discharged and the rights of the city manager fully and fairly satisfied upon the city providing the notice or pay in lieu of notice pursuant to this provision.
- 36. It is within the sole discretion of the city to elect to continue all or any part of the remuneration and benefits of the city manager during a period of suspension pursuant to this bylaw including any suspension that is under appeal.
  - 37. If the employment relationship is terminated in accordance with section 35 of this bylaw, all remuneration and benefits shall cease immediately upon the effective date of termination unless expressly stated otherwise in this bylaw or agreed to in writing by the city, and the city manager shall have no further legal claim of any kind against the city arising out of the termination of her employment or arising out of this bylaw.
  - 38. It is within the sole discretion of the city to enter into a contractual arrangement with a candidate for the city manager position governing reimbursement of reasonable moving expenses upon termination of employment by the city on a without-cause basis.

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### **Bylaw Repeal**

39. Bylaw 2013-55, including any amendments thereto, is hereby repealed.

### **Coming Into Force**

40. This bylaw shall come into full force and effect on and from the date of adoption thereof.

**FIRST and SECOND READING:**

**THIRD READING and ADOPTION:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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## SCHEDULE "A"

### OATH OF OFFICE AND SECRECY

I, \_\_\_\_\_, solemnly and sincerely swear that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the public service of the City of Whitehorse and that I will not, without due authority in that behalf, disclose or make known any matter that comes to my knowledge by reason of such employment.

SO HELP ME GOD.

\_\_\_\_\_  
Signature

Sworn before me at the City of Whitehorse,  
in the Yukon Territory, this \_\_\_\_\_ day  
of March, 2014.

\_\_\_\_\_  
A Notary Public or Commissioner for Oaths  
in and for the Yukon Territory