

CITY OF WHITEHORSE
REGULAR Council Meeting #2024-12

DATE: Monday, June 24, 2024
TIME: 5:30 p.m.

Mayor Laura Cabott
Deputy Mayor Ted Laking
Reserve Deputy Mayor Mellisa Murray

AGENDA

CALL TO ORDER 5:30 p.m.

AGENDA Adoption

PROCLAMATIONS

MINUTES Regular Council meeting dated June 11, 2024

DELEGATIONS

PUBLIC HEARING Zoning Amendment – 6119 6th Avenue
Zoning Amendment – 13, 23, and 33 McClimon Crescent

STANDING COMMITTEE REPORTS

City Planning Committee – Councillors Friesen and Boyd

1. Public Hearing Report – Zoning Amendment – Municipal Services Building
2. Wasson Place Extension Master Plan
3. Supplementary Information Report – Official Community Plan Amendment – Maximum Building Heights in Mixed Use Downtown Core

Development Services Committee – Councillors Boyd and Murray

1. Housing and Land Development Advisory Committee Extension/Work Plan Approval

City Operations Committee – Councillors Curteanu and Friesen

Community Services Committee – Councillors Cameron and Laking

Public Health and Safety Committee – Councillors Murray and Cameron

Corporate Services Committee – Councillors Laking and Curteanu

1. Upcoming Procurements (July/August) – For Information Only
2. Audited 2023 Financial Statements
3. Commencement Report – Pumper Truck – Station 3
4. Budget Amendment – Additional Transit Buses
5. Commencement Report and Budget Amendment – Residential Curbside Recycling Program

NEW AND UNFINISHED BUSINESS

1. Election Procedures Bylaw Supplementary Report

CITY OF WHITEHORSE
REGULAR Council Meeting #2024-12

DATE: Monday, June 24, 2024
TIME: 5:30 p.m.

AGENDA (cont'd)

BYLAWS

2024-26	Official Community Plan Amendment – Building Height Maximum	1 st Reading
2024-36	Budget Amendment – Residential Curbside Recycling	1 st and 2 nd Reading
2024-25	Zoning Amendment – Municipal Services Building	2 nd and 3 rd Reading
2024-10	Vehicle for Hire Bylaw	3 rd Reading
2024-35	Community Services and Municipal Charges Grants	3 rd Reading
2024-11	Elections Procedure Bylaw	3 rd Reading

ADJOURNMENT

MINUTES of REGULAR Meeting #2024-11 of the Council of the City of Whitehorse called for 5:30pm on Tuesday, June 11, 2024, in Council Chambers, City Hall.

PRESENT: Mayor Laura Cabott
Councillors *Dan Boyd
Kirk Cameron
Jocelyn Curteanu
Michelle Friesen
Ted Laking

ABSENT: Councillor Mellisa Murray

ALSO PRESENT: City Manager Jeff O'Farrell
Director of Community Services Krista Mroz
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Director of People and Culture Lindsay Schneider
Director of Operations and Infrastructure Tracy Allen

*Indicates electronic participation

Mayor Cabott called the meeting to order at 5:30pm

CALL TO ORDER

AGENDA

2024-11-01

It was duly moved and seconded
THAT the Agenda be adopted as presented.

Carried Unanimously

MINUTES

2024-11-02

It was duly moved and seconded
THAT the Minutes of the Regular Council meeting dated May
27, 2024 be adopted as presented.

Carried Unanimously

COMMITTEE REPORTS

City Planning Committee

2024-11-03

It was duly moved and seconded
THAT Council direct that Bylaw 2024-33, a bylaw to amend the
Zoning Bylaw to enable interim granular resource extraction as
a multi-year temporary use, be brought forward for
consideration under the bylaw process.

Zoning Amendment – Interim
Granular Resource Extraction

Carried Unanimously

2024-11-04

It was duly moved and seconded
THAT Council direct that Bylaw 2024-22, administrative
amendments to the Official Community Plan, be amended at
second reading and proceed through the bylaw process.
Carried Unanimously

Public Hearing Report –
Official Community Plan
Administrative Amendments

Development Services Committee

As requested by a Committee member, Administration
provided an update on efforts to address the list of pending
permit applications, confirming that contracted services are
being utilized to conduct plan reviews and reduce the waiting
period.

New Business –
Development Permits
Backlog

A Committee member requested an update on the Selkirk
Water Treatment Project. Administration confirmed that the
City is still working to secure the construction funding, but the
contract to begin the design phase has been awarded.

New Business – Selkirk
Water Treatment Project

City Operations Committee

There was no report from the City Operations Committee.

No Report

Community Services Committee

As requested by a Committee member, Administration
confirmed that a letter outlining City funding and support
opportunities was sent to the Yukon Firefit Association last
year. Administration will follow up with the event organizers.

New Business – Yukon Firefit
Association

A Committee member requested an update on planning for
Leota Street Park in Whistlebend. Based on feedback from the
public engagement, Administration is working with the Yukon
Government on the design concept which is expected at the
end of June. Public engagement for the naming of the park
was encouraged.

New Business – Leota Street
Park

A Committee member thanked the Parks department staff for
their work on Fridays in the Park, commenting that the events
have been well advertised and are a good opportunity to bring
the community together.

New Business – Fridays in
the Park

Delegate Juan Jordan informed Council of struggles
experienced by the students of St. Francis of Assisi Catholic
Secondary School (SFACSS) utilizing the City’s transit system.
The delegate asked that the routes be updated on Google
Maps, and that the students of SFACSS be considered in
future changes.

Delegate Juan Jordan –
Public Transit Routes to
School

Myron Penner of the Yukon FireFit Association presented to Council to request a street closure of a section of Main Street for the 2025 Firefit Regional. The delegate also requested the City provide some event-specific items such as bleachers, tents, and waiving of parking fees.

Delegate Myron Penner, Fire
Fitness Association – Firefit
Regional 2025

Public Health and Safety Committee

2024-11-05

It was duly moved and seconded
THAT Council direct Bylaw 2024-10, a bylaw to permit, license, and regulate the owners and operator of vehicles for hire in Whitehorse, be brought forward for consideration under the bylaw process.

Vehicle for Hire Bylaw

Carried Unanimously

Corporate Services Committee

2024-11-06

It was duly moved and seconded
THAT the Council direct that Bylaw 2024-35, a bylaw to authorize municipal charges and community services grants in the amount of \$209,298.45 for the year 2024, be brought forward for consideration under the bylaw process.

Municipal Charges and
Community Service Grants

Carried Unanimously

2024-11-07

It was duly moved and seconded
THAT the appointment of Councillor Michelle Friesen as a City representative to the Association of Yukon Communities be rescinded; and
THAT Councillor Dan Boyd be appointed as a City representative to the Association of Yukon Communities for a term to expire on October 31, 2024.

Council Member Appointment
to the Association of Yukon
Communities

Carried Unanimously

In response to a Committee member requesting information on the potential of reconsidering the letter for ceasefire, Administration confirmed that research will be conducted on procedure.

New Business – Reconsider
Letter for Ceasefire

25 delegates spoke on the topic of solidarity with Palestine. Most of the delegates spoke regarding the motion brought forward to send a letter expressing support for Palestine and calling for a ceasefire. Many expressed disappointment with the point of order that was raised, questioned how this matter was handled in comparison with Ukraine, and urged Council to reconsider the motion. Each delegation is individually noted in the Standing Committee minutes for June 3, 2024.

June 3, 2024 Standing
Committee – Delegates
Summary

NEW AND UNFINISHED BUSINESS

2024-11-08

It was duly moved and seconded
THAT Council direct that the revised Bylaw 2024-10, a bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse, replace the original proposed bylaw; and
THAT the revised bylaw be brought forward for consideration under the bylaw process.

Vehicle for Hire Bylaw
Supplementary Report

Carried Unanimously

BYLAWS

2024-11-09

It was duly moved and seconded
THAT Bylaw 2024-33, a bylaw to amend the Zoning Bylaw to enable interim granular resource extraction as a multi-year temporary use, be given First Reading.

BYLAW 2024-33

Zoning Amendment –
Interim Granular Resource
Extraction
FIRST READING

Carried Unanimously

2024-11-10

It was duly moved and seconded
THAT Bylaw 2024-33 be given Second Reading.

BYLAW 2024-33

Zoning Amendment –
Interim Granular Resource
Extraction
SECOND READING

Carried Unanimously

2024-11-11

It was duly moved and seconded
THAT Bylaw 2024-10, a bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse, be given First Reading.

BYLAW 2024-10

Vehicle for Hire Bylaw
FIRST READING

Carried Unanimously

2024-11-12

It was duly moved and seconded
THAT Bylaw 2024-10 be given Second Reading.

BYLAW 2024-10

Vehicle for Hire Bylaw
SECOND READING

Carried Unanimously

2024-11-13

It was duly moved and seconded
THAT Bylaw 2024-35, a bylaw to authorize municipal charges and community services grants in the amount of \$209,298.45 for the year 2024, be given First Reading.

BYLAW 2024-35

Municipal Charges and
Community Services
Grants Bylaw
FIRST READING

Carried Unanimously

2024-11-14

It was duly moved and seconded
THAT Bylaw 2024-35 be given Second Reading.
Carried Unanimously

BYLAW 2024-35
Municipal Charges and
Community Services
Grants Bylaw
SECOND READING

2024-11-15

It was duly moved and seconded
THAT Bylaw 2024-22, administrative amendments to the
Official Community Plan, be given Second Reading.
Carried Unanimously

BYLAW 2024-22
Official Community Plan
Administrative
Amendments
SECOND READING

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

Laura Cabott, Mayor

Corporate Services

MEMORANDUM

FILE #: Z-02-2024

TO: Mayor and Council
FROM: Administration
DATE: June 18, 2024
SUBJECT: Public Hearing – Zoning Bylaw Amendment for 6119 6th Avenue

Please be advised there will be a Public Hearing at the Regular Council Meeting of June 24, 2024, to hear from interested parties related to the following Zoning Bylaw amendment:

Bylaw 2024-31, a bylaw to amend the zoning at 6119 6th Avenue, from CC – Core Commercial to CCx – Core Commercial (modified), to allow for a child care centre.

The City received an application to rezone 6119 6th Avenue from CC – Core Commercial to CCx – Core Commercial (modified) to allow for the development of a child care centre.

Bylaw 2024-31 received First Reading on May 13, 2024. The Public Hearing was originally scheduled for June 11, 2024. Notices were published in the Whitehorse Star on May 17, 2024 and in the Yukon News on May 17, 2024 and May 24, 2024. A notice sign was placed on the subject site and property owners within 100 m were notified by mail. The Government of Yukon Land Management Branch, Kwanlin Dün First Nation, Ta'an Kwäch'än Council, and the Downtown Residents Association were notified by email.

The date of the Public Hearing was however listed incorrectly in these advertisements and notices. The Public Hearing was therefore rescheduled to June 24, 2024 and new notices were published in the Yukon News on June 7, 2024 and June 14, 2024. An updated notice sign was placed on the subject site and property owners within 100 m were notified by mail of the updated Public Hearing date. The Government of Yukon Land Management Branch, Kwanlin Dün First Nation, Ta'an Kwäch'än Council, and the Downtown Residents Association were notified of the updated Public Hearing date by email.



Mathieu Marois
A / Manager, Planning and Sustainability Services

cc: Director of Development Services
Manager of Planning

MEMORANDUM

FILE #: Z-07-2024

TO: Mayor and Council
FROM: Administration
DATE: June 18, 2024
SUBJECT: Public Hearing – Zoning Bylaw Amendment for 13, 23, and 33 McClimon Crescent

Please be advised there will be a Public Hearing at the Regular Council Meeting of June 24, 2024, to hear from interested parties related to the following Zoning Bylaw amendment:

Bylaw 2024-34, a bylaw to amend the zoning of 13, 23, and 33 McClimon Crescent, from FN-FP – First Nation Future Planning to FN-RS – First Nation Residential Single Detached, to allow for the development of townhouses.

The City received an application to rezone 13, 23, and 33 McClimon Crescent from FN-FP – First Nation Future Planning to FN-RS – First Nation Residential Single Detached to allow for the development of townhouses.

Bylaw 2024-34 received First Reading on May 27, 2024. Notices were published in the Yukon News on May 31, 2024 and June 7, 2024. A notice sign was placed on the subject site and property owners within 100 m were notified by mail. The Government of Yukon Land Management Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council were notified by email.



Mathieu Marois
A / Manager, Planning and Sustainability Services

cc: Director of Development Services
Manager of Planning



Minutes of the meeting of the City Planning Committee

Date	June 17, 2024	2024-12
Location	Council Chambers, City Hall	
	Councillor Michelle Friesen - Chair	
	Mayor Laura Cabott	
Committee Members Present	Councillor Dan Boyd	
	Councillor Kirk Cameron	
	Councillor Jocelyn Curteanu	
	Councillor Ted Laking	
	Councillor Mellisa Murray	
Staff Present	Jeff O'Farrell, City Manager	
	Krista Mroz, Director of Community Services	
	Valerie Braga, Director of Corporate Services	
	Mike Gau, Director of Development Services	
	Taylor Eshpeter, A/Director of Operations and Infrastructure	

Your Worship, the City Planning Committee respectfully submits the following report:

1. Public Hearing Report – Zoning Amendment – Municipal Services Building

The Committee was presented with a summary of submissions received for the Public Hearing held on May 27, 2024, regarding a Zoning Amendment for 4210 4th Avenue. No written submissions were received, but two people attended. The report responded to concerns raised about parking and traffic, road improvements, and the adjacent warehouse. As requested by a Committee member, Administration provided more information on a historical zoning matter related to warehousing in the area and how it is not directly relevant to the proposed Bylaw 2024-25.

The Recommendation of the City Planning Committee is

THAT Council direct that Bylaw 2024-25, a bylaw to amend the zoning at 4210 4th Avenue from CM2 – Mixed Use Commercial 2 to CM2(x) – Mixed Use Commercial 2 (modified) to ensure the redevelopment of the Municipal Service Building (MSB) site includes a residential use and to allow for a maximum building height of 30m, be brought forward for second and third reading under the bylaw process.

2. Wasson Place Extension Master Plan

To help create more opportunities for mixed commercial and industrial land in support of Council's 2022 to 2024 Strategic Priority, a Master Plan (the Plan) has been developed for an extension to the Hillcrest Industrial Area. The Plan was presented to the Committee for approval to move on to a Public Input Session. Administration provided information on the proposed timeline of the Master Plan.

The Recommendation of the City Planning Committee is

THAT Council direct Administration schedule a Public Input Session at the Regular Council Meeting of August 12, 2024, on the proposed Wasson Place Extension Master Plan.

3. Supplemental Information Report – Official Community Plan Amendment – Maximum Building Heights in Mixed Use Downtown Core

As requested by Council at the Standing Committee meeting on May 6, 2024, a supplemental report with additional information regarding an Official Community Plan amendment to increase the maximum building height in the downtown core was presented. Analysis was provided on the effect of the amendment on climate change, equitable access and housing affordability. The report suggested guidelines to address shadow and wind impacts, and the inclusion of affordable housing. Administration provided additional information timelines for other development areas like the South Growth Area and on the consultation process.

The Recommendation of the City Planning Committee is

THAT Council direct that the proposed alternative Bylaw 2024-26, a bylaw to amend the Official Community Plan to increase the maximum building height in the Mixed Use Downtown Core designation to 40 m, be brought forward for consideration under the bylaw process.

4. New Business – Mount Sima Lot 68

A Committee member suggested Administration consider how to address concerns raised regarding Lot 68 in the Mount Sima Industrial area.

5. Delegate Ian Robertson, Inukshuk Planning and Development – Official Community Plan Mapping Error for Lot 68

Delegate Ian Robertson of Inukshuk Planning and Development, representing Sidhu Trucking, requested Council direct Administration to correct a boundary line within the Official Community Plan that has a part of Lot 68 designated as greenspace and designate an additional 3.9 ha for industrial use. The delegate highlighted that the proponent has addressed concerns raised by the Development Review Committee, and the proposed amendment would be in compliance with the City's planning principles.



**Minutes of the meeting of the
Development Services Committee**

Date	June 17, 2024	2024-12
Location	Council Chambers, City Hall	
	Councillor Dan Boyd - Chair Mayor Laura Cabott	
Committee Members Present	Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor Michelle Friesen Councillor Ted Laking Councillor Mellisa Murray	
Staff Present	Jeff O'Farrell, City Manager Krista Mroz, Director of Community Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Taylor Eshpeter, A/Director of Operations and Infrastructure	

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

1. Housing and Land Development Advisory Committee Extension/Workplan Approval

A report was presented to extend the term of the Housing and Land Development Advisory Committee (HLDAC) to December 31, 2024 and to approve the workplan. Administration provided information on the number of current members, the workplan, and the implementation status of formerly approved HLDAC workplan items.

The Recommendation of the Development Services Committee is

THAT Council approve an extension of the term for the Housing and Land Development Advisory Committee until December 31, 2024; and

THAT Council approve the proposed work plan from June – December 2024.

2. New Business – Convention Centre in Whitehorse

As requested by a Committee member, Administration confirmed that the City has been part of preliminary discussions regarding the development of a convention centre in Whitehorse.

3. Delegate Nathan Millar, Downtown Residents Association – Downtown Building Heights

Delegate Nathan Millar of the Downtown Residents Association, spoke against the proposed and alternative proposed bylaw to increase the maximum building height in the downtown core as neither will address key issues such as climate change and housing affordability. The delegate urged Council not to proceed with the bylaw process as the public has already provided input during the creation of the Official Community Plan.



Minutes of the meeting of the City Operations Committee

Date	June 17, 2024	2024-12
Location	Council Chambers, City Hall	
	Councillor Jocelyn Curteanu - Chair	
	Mayor Laura Cabott	
Committee Members Present	Councillor Dan Boyd	
	Councillor Kirk Cameron	
	Councillor Michelle Friesen	
	Councillor Ted Laking	
	Councillor Mellisa Murray	
Staff Present	Jeff O'Farrell, City Manager	
	Krista Mroz, Director of Community Services	
	Valerie Braga, Director of Corporate Services	
	Mike Gau, Director of Development Services	
	Taylor Eshpeter, A/Director of Operations and Infrastructure	

Your Worship, the City Operations Committee respectfully submits the following report:

1. New Business – Concerns with New Transit Routes

As requested by a Committee member, Administration provided information on the decision to have bus route 202 stop on Hamilton Boulevard instead of at the Canada Games Centre and explained how staff will address accessibility.

2. New Business – Traffic Calming

As requested by a Committee member, Administration provided an update on various traffic-calming initiatives and spot improvements.

3. New Business – Advanced Left at Ogilvie and 2nd

As requested by a Committee member, Administration provided an update on the plan to implement an advanced left at the Ogilvie and 2nd Avenue intersection and confirmed that implementation should be complete by the end of 2024.



Minutes of the meeting of the Community Services Committee

Date	June 17, 2024	2024-12
Location	Council Chambers, City Hall	
	Councillor Kirk Cameron – Chair	
	Mayor Laura Cabott	
Committee Members Present	Councillor Dan Boyd	
	Councillor Jocelyn Curteanu	
	Councillor Michelle Friesen	
	Councillor Ted Laking	
	Councillor Mellisa Murray	
Staff Present	Jeff O'Farrell, City Manager	
	Krista Mroz, Director of Community Services	
	Valerie Braga, Director of Corporate Services	
	Mike Gau, Director of Development Services	
	Taylor Eshpeter, A/Director of Operations and Infrastructure	

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

1. New Business – Indigenous People's Day Ceremony

A Committee member encouraged community members to attend the Indigenous People's Day opening ceremony at the Kwanlin Dün Cultural Centre on Friday, June 21, 2024.

2. New Business – Pickleball Facility

As requested by a Committee member, Administration confirmed that the Parks Department is currently working with the Yukon Pickleball Association to identify potential sites, and following confirmation that a site is feasible, a budget submission may be completed.

3. New Business – Philippines Independence Day

A Committee member thanked the community, Council members, and City staff for their involvement in the Philippines Independence Day flag raising ceremony.

4. New Business – Adäka Cultural Festival

A Committee member noted the Adäka Cultural Festival is taking place June 28 to July 1 at the Kwanlin Dün Cultural Centre and encouraged members of the community to attend and learn about indigenous culture.



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

Date	June 17, 2024	2024-12
Location	Council Chambers, City Hall	
	Councillor Mellisa Murray - Chair Mayor Laura Cabott	
Committee Members	Councillor Dan Boyd Councillor Kirk Cameron	
Present	Councillor Jocelyn Curteanu Councillor Michelle Friesen Councillor Ted Laking	
Staff	Jeff O'Farrell, City Manager Krista Mroz, Director of Community Services	
Present	Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Taylor Eshpeter, A/Director of Operations and Infrastructure	

Your Worship, there is no report from the Public Health and Safety Committee.



Minutes of the meeting of the Corporate Services Committee

Date	June 17, 2024	2024-12
Location	Council Chambers, City Hall	
	Councillor Ted Laking - Chair Mayor Laura Cabott	
Committee Members Present	Councillor Dan Boyd Councillor Kirk Cameron Councillor Jocelyn Curteanu Councillor Michelle Friesen Councillor Mellisa Murray	
Staff Present	Jeff O'Farrell, City Manager Krista Mroz, Director of Community Services Valerie Braga, Director of Corporate Services Mike Gau, Director of Development Services Taylor Eshpeter, A/Director of Operations and Infrastructure	

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

1. Upcoming Procurements (July/August) – For Information Only

In accordance with the Procurement Policy, the Committee was presented with a bi-monthly update on forthcoming procurement projects with an anticipated value greater than \$100,000 for the period of July and August 2024. Additional information was provided on the Lewes Boulevard Bus Lane and Residential Curbside Recycling and Recycling Depot projects.

2. Audited 2023 Financial Statements

The Committee was presented with the draft of the 2023 Audited Financial Statements for acceptance before being sent to the Government of Yukon as required under the *Municipal Act*. Administration responded to questions about the surplus and reserve levels, how reserve funds can be used, and the calculation of fees charged.

The Recommendation of the Corporate Services Committee is

THAT Council accept the audited City of Whitehorse 2023 Financial Statements as presented; and

THAT the Water and Sewer Fund surplus of \$329,335 be transferred to the Water and Sewer Reserve.

3. Commencement Report – Pumper Truck – Station 3

A commencement report was presented to authorize the procurement of a pumper truck to ensure the equipment is ready upon construction and occupancy of Station 3. The project is included in the 2024 – 2027 Capital Expenditure Program funded by the Canada Community Building Fund in the amount of \$2,200,000. Administration confirmed that there is a plan to maintain the truck in the event Station 3 is not ready when it arrives, and clarified that the pumper truck, similar to current units, is not designed for higher building heights.

The Recommendation of the Corporate Services Committee is

THAT Council authorize Administration to commence the procurement for project 500c00524 Additional Pumper Truck – Station 3.

4. Budget Amendment – Additional Transit Buses

Due to an escalation in rates, a budget amendment is needed for additional transit buses to continue the implementation of the Modernized Transit Route Plan. Additional information was provided on the decarbonization roadmap currently underway, life-expectancy of the units, and bus storage capacity at the Whitehorse Operations Building.

The Recommendation of the Corporate Services Committee is

THAT Council amend Appendix B of the 2024 - 2027 Capital Expenditure Program by increasing the 2024 Capital Budget for projects 320c01016 Replacement Transit Buses and 320c00722 Additional Transit Buses in the amount of \$250,000 funded by the Investing in Canada Infrastructure Program.

5. Commencement Report and Budget Amendment – Residential Curbside Recycling Program

A commencement report and budget amendment to the 2024 – 2026 Operating Budget were presented to authorize the establishment of a temporary fee-for-service curbside collection program for packaging and paper products. The Yukon Government has committed up to \$2.4M in funding support over the next two years. Administration provided additional information on the timeline of the Yukon Government funding, how the service will work, and on what is expected to happen when the Extended Producer Responsibility Regulations come into effect.

The Recommendation of the Corporate Services Committee is

THAT Council direct that Bylaw 2024-36, a bylaw to amend the 2024-2026 Operating Budget to increase the solid waste expenditures budget in the amount of \$715,000 for the 2024 year and \$2.14 million for the 2025 provisional year, offset by an increase in revenues from user fees and government transfers, be brought forward for consideration under the bylaw process; and

THAT Council authorize Administration to commence the procurement for Residential Curbside Recycling Services.

6. New Business – Possibilities for Palestine

A Committee member questioned what else the City of Whitehorse can do to support the people of Palestine and asked for consideration.

7. Delegate Yusuf Legere – Ceasefire Letter to MP Hanley

Delegate Yusuf Legere requested information on the process that went into the letter that was sent to MP Brendan Hanley regarding the matters in Palestine and questioned the possibility for bias that informed the letter. The delegate asked that the comments made in October 2023 condemning community members protesting for Palestine be rectified.

8. Delegate Molly Swain – Taking Action for Palestine

Delegate Molly Swain urged Council to take concrete action to support the people of Palestine and address colonialism in Whitehorse, suggesting policy review, divestment strategies and transparent communication with the public.

9. Delegate Anya Close – Ceasefire Letter to MP Hanley

Delegate Anya Close questioned why all councillors were not included in drafting the letter that was sent to MP Brendan Hanley and criticized the decision to maintain a balanced position, citing that there is no middle ground between an oppressor and the oppressed. The delegate asked the Council to do more to support the people of Palestine.

There being no further business the meeting adjourned at 9:50 P.M.

Laura Cabott, Mayor

Corporate Services

ADMINISTRATIVE REPORT

TO: Council
FROM: Administration
DATE: June 24, 2024
RE: Elections Procedures Bylaw Supplementary Report

ISSUE

Presenting amendments to the recently introduced Elections Procedures Bylaw, a bylaw to establish regulations and procedures for the 2024 municipal election.

REFERENCE

- [Municipal Act \(RSY 2002, c. 154\)](#)
- Revised Bylaw 2024-11 ([Final Bylaw in June 24, 2024 Meeting Package](#))

HISTORY

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

On April 15, 2024, Administration brought forward a modernized draft bylaw that addressed many issues including:

- Incorporating regulations and procedures for the primary election and any subsequent by-elections over the 2024 – 2028 term of Council;
- Delegating the responsibility to appoint a Returning Officer and Alternative Returning Officer who have the authority to administer the election to the City Manager;
- Establishing the duties and honorariums to be paid to election officials;
- Establishing the date, time, and place for the submission of nominations;
- Providing for the use of an electronic list of electors and dispensing with the requirement for a Board of Revision;
- Allowing for paper ballot, special ballot and internet voting with identification, and other processes specified;
- Delegating authority to the Returning Officer to establish:
 - polling places;
 - mobile institutional polls and mobile special ballot polls; and
- Allowing for the use of tabulators to count votes with processes specified.

Council gave first and second reading to this bylaw on April 22, 2024, but at third reading on May 13, 2024, referred the Bylaw back to Administration to remove the provisions that allow for internet voting.

ALTERNATIVES

1. Accept the amendments proposed and proceed to third reading under the bylaw process; or
2. Refer the matter back to Administration.

ANALYSIS

As requested by Council, provisions throughout the bylaw referring to internet voting were removed. This included changes to the following: Section 2 Interpretation, Sections 29-30 Means of Voting, Sections 51-54 Internet Voting Information, Sections 55-61 Internet Voting Procedure, and Sections 65-67 Voting Secrecy and Interference.

In addition, due to the removal of internet voting as a means to vote, Administration also removed references to by-elections. While by-elections have traditionally been entered into with a separate bylaw, the initial modernized bylaw included by-election provisions. However, without internet voting as an option, Administration is not confident that the timelines established for by-elections in the *Municipal Act* could be met. In order to proceed with the Elections Procedures Bylaw at this time, these references were also removed. This included changes to the following: removal of a whereas statement, Section 2 Interpretation, Section 5 Election Officials, Section 16 and 18 Nomination Place and Time, Section 20 Polling Day, Section 28 Means of Voting, Section 71 Tabulator System, and Sections 81-83 By-Elections.

The Motion to be Considered by Council is (requires a mover and seconder)

THAT Council direct that the revised bylaw 2024-11, a bylaw to establish regulations and procedures for the 2024 municipal election, replace the original proposed bylaw that received second reading; and

THAT the revised bylaw be brought forward for consideration at third reading.

CITY OF WHITEHORSE
BYLAW 2024-26

A bylaw to amend the Whitehorse 2040 Official Community Plan

WHEREAS section 289 of the *Municipal Act* provides that a municipality shall by bylaw adopt an official community plan in accordance with Part 7, Division 1 of the Act; and

WHEREAS section 285 of the *Municipal Act* provides for amendment of an official community plan; and

WHEREAS it is deemed desirable that the Whitehorse 2040 Official Community Plan be amended to increase the maximum building height within the Mixed Use Downtown Core land use designation to 40 m.

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

1. Policy 15.8.7 is hereby amended by replacing the current text with the following:

“The maximum building height allowed in the Mixed Use Downtown Core designation will be 25 metres (approximately 7-8 storeys); however, to promote the concentration of commercial and higher-density residential uses within the Downtown, buildings up to 40 metres (approximately 11-12 storeys) may be considered within this designation. The specific location and regulations for taller building heights within the designation will be identified in the Zoning Bylaw.

Where buildings greater than 25 m are permitted, they must include design elements to minimize shadow and wind impacts from the proposed development. Built-form studies prepared by a qualified professional may be required when considering any potential shadow and microclimatic (e.g. wind) impacts on the surrounding area of buildings greater than 25 m.

Provision of community benefits, such as affordable housing, may also be required as part of the development of buildings greater than 25 m.”

2. Appendix A - Ideas for Action is hereby amended by adding a ‘strategy or program type’ Idea for Action #40 to read as follows and renumbering the remaining Ideas for Action accordingly:

“The City may develop a policy for community benefits and guidelines to establish study requirements, acceptable levels of impact and benefits, and appropriate mitigation measures.”

Attachment 3 – Alternative Proposed Bylaw

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

FIRST READING:

PUBLIC NOTICE:

PUBLIC HEARING:

SECOND READING:

EXECUTIVE COUNCIL MEMBER APPROVAL:

THIRD READING and ADOPTION:

Laura Cabott, Mayor

Corporate Services

CITY OF WHITEHORSE

BYLAW 2024-36

A bylaw to amend the 2024 to 2026 Operating Budget Bylaw 2024-01

WHEREAS Section 238 of the *Municipal Act* (R.S.Y. 2002) provides that Council shall by bylaw adopt an Annual Operating Budget and a multi-year Capital Expenditure Program; and

WHEREAS Section 241 of the *Municipal Act* provides that no expenditure shall be made which increases total expenditures above what was approved in the Annual Operating Budget or the Capital Budget unless such expenditure is approved by bylaw; and

WHEREAS it has become necessary to increase the 2024 to 2026 Operating Budget to provide for funding associated with the Residential Curbside Recycling Services program;

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

1. The 2024 to 2026 Operating Budget is hereby amended by increasing the 2024 Operating Budget in the amount up to \$715,000 and the 2025 Provisional Operating Budget in the amount up to 2,014,000 to provide for the expenses related to the Residential Curbside Recycling Services program.
2. This bylaw shall come into full force and effect upon final passing thereof.

FIRST and SECOND READING:

THIRD READING and ADOPTION:

Laura Cabott, Mayor

Corporate Services

CITY OF WHITEHORSE
BYLAW 2024-25

A bylaw to amend Zoning Bylaw 2012-20

WHEREAS section 289 of the *Municipal Act* provides that a zoning bylaw may prohibit, regulate and control the use and development of land and buildings in a municipality; and

WHEREAS section 294 of the *Municipal Act* provides for amendment of the Zoning Bylaw; and

WHEREAS it is deemed desirable that the Whitehorse Zoning Bylaw be amended to allow for the redevelopment of the Municipal Service Building site for commercial and residential uses.

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

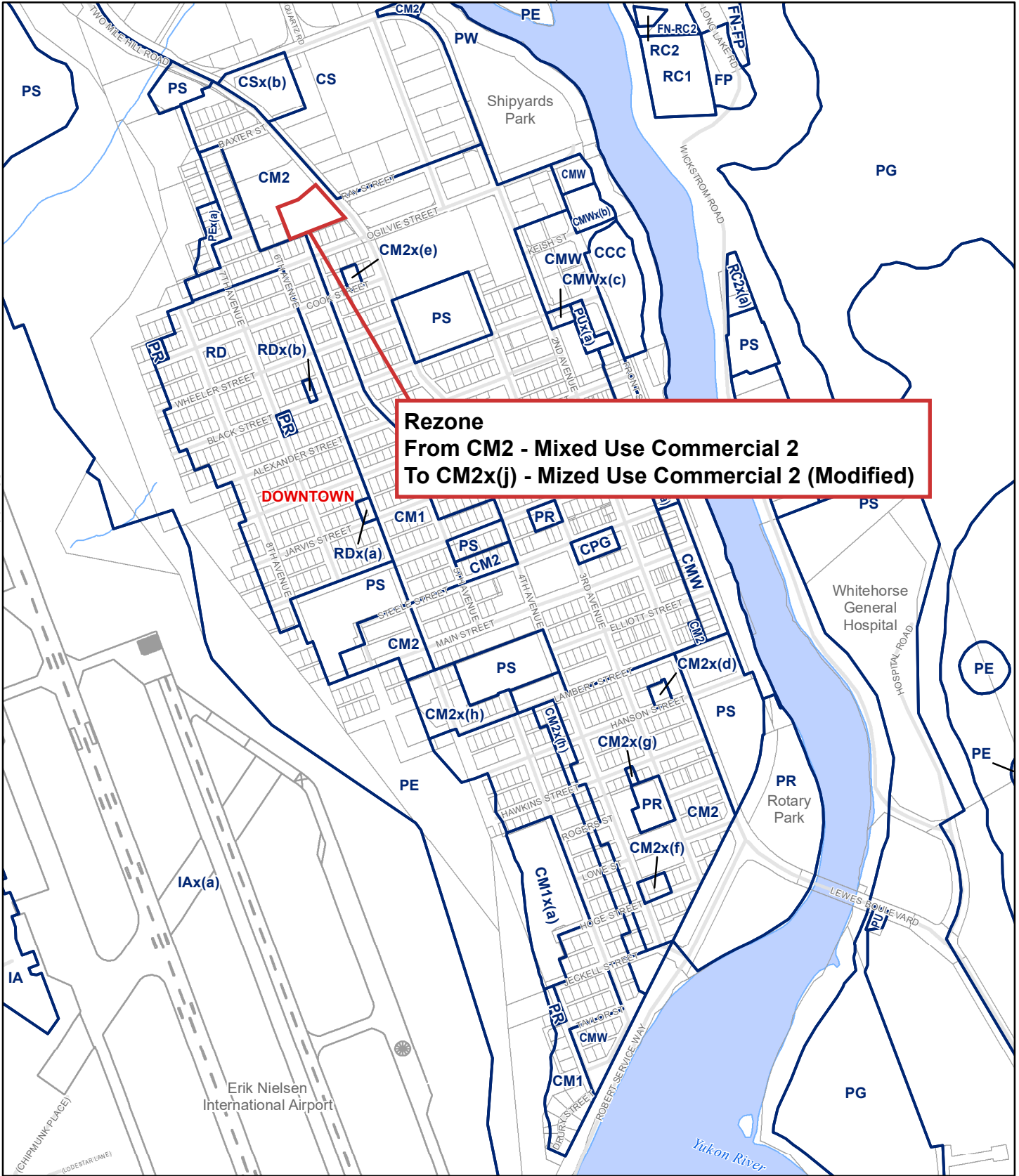
1. Section 10.6 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.6.7 i) as follows:
 - “j) Amended Parcel C Plan Number 65281 CLSR, located at 4210 4th Avenue in the Downtown area, is designated CM2x(j) with the special modifications being:
 - (1) Commercial uses are not permitted above the first storey, except for home-based businesses in residential uses; and
 - (2) Any commercial use must be accompanied with the development of an allowable residential use.
 - (3) The maximum height is 30 m.”
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of a portion of Amended Parcel C Plan Number 65281 CLSR from CM2-Mixed Use Commercial 2 to CM2x(j)-Mixed Use Commercial 2, modified as indicated on Appendix A and forming part of this bylaw.
3. This bylaw shall come into force and effect upon the final passing thereof.

FIRST READING:	April 22, 2024
PUBLIC NOTICE:	April 26, 2024 and May 3, 2024
PUBLIC HEARING:	May 27, 2024
SECOND READING:	
THIRD READING and ADOPTION:	

Laura Cabott, Mayor

Corporate Services

Map 11

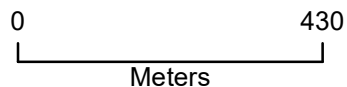


Map 14

Map 18

Map 16

Where a letter appears in brackets following a zoning designation, e.g. RSx(a), the letter corresponds to the 'special restrictions' subsection for that zone.



Consolidation date:
June 15, 2023

Projection: NAD 1983 UTM Zone 8

CITY OF WHITEHORSE
BYLAW 2024-10

A bylaw to permit, license, and regulate the owners and operators of vehicles for hire in the City of Whitehorse.

WHEREAS 265(a) of the *Municipal Act* RSY 2002 Chapter 154 provides that council may pass bylaws for the safety, health, and welfare of people and the protection of persons and property;

AND WHEREAS 265(k) of the *Municipal Act* provides that council may pass bylaws for municipal purposes respecting transport and transportation systems, carriers of persons or personal property including taxi drivers, vehicles and taxi businesses, and other forms of public transport;

AND WHEREAS 266 of the *Municipal Act* provides that council may by bylaw provide for a system of licenses, inspections, permits, or approvals, including establishing fees for the activity authorized;

AND WHEREAS the purposes of this bylaw include:

- (1) ensuring public safety, service quality and consumer protection for customers and service providers in the vehicle for hire industry;
- (2) establishing a system of inspections, permits and plates for drivers of vehicles for hire, vehicles for hire, and vehicle for hire companies; and
- (3) ensuring that the vehicle for hire industry meets the needs of the traveling public in the City;

AND WHEREAS section 126(1) of the *Motor Vehicles Act* provides that a municipality may, with respect to highways subject to its jurisdiction, make bylaws not inconsistent with the *Motor Vehicles Act* and on matters for which no provision is made in the *Motor Vehicles Act*, for the regulation and control of vehicle, animal, and pedestrian traffic, the specifics of which are set forth in subsections (a) through (m);

AND WHEREAS section 126(2) of the *Motor Vehicles Act* provides that without limiting the generality of subsection 126(1), a municipality may make bylaws under and for the purposes of subsection (1) respecting those matters which are set forth in subsections (a) through (q);

AND WHEREAS section 249(2) of the *Motor Vehicles Act* provides that, for the enforcement of any bylaw made by a municipality under sections 36, 50, 86, 106, 114, 130, 133 – 136, 181, 203, 217, 230 and 232 of the *Motor Vehicles Act*, a municipality may by bylaw confer on an officer or employee of the municipality the powers of a peace officer;

Vehicle For Hire Bylaw 2024-10

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 **Vehicle for Hire Bylaw**.

DEFINITIONS

2. In this bylaw:

“ACCESSIBLE VEHICLE FOR HIRE” means a Vehicle For Hire which is designed and manufactured or converted for the purpose of transporting persons with disabilities and/or who use mobility aids.

“APPLICANT” means the person who makes and signs an Application for any certificate, license, Permit, Plate or transfer thereof, as contemplated by this bylaw.

“BROKERAGE PERMIT” means a permit issued to a Vehicle for Hire Company to offer services, hire Drivers, and lease or rent Vehicles For Hire for the purpose and under the conditions, authorizations, limitations and requirements of this bylaw.

“BUS” means a Motor Vehicle For Hire with a Seating Capacity of ten or more passengers, operated over a Fixed Route of travel to a specified location, with a Fare set at a specified sum per passenger.

“BUS OPERATED AS VEHICLE FOR HIRE” means a bus or tour bus that does not travel over a Fixed Route and includes a bus or tour bus that picks up and/or drops off passengers at their place of residence and excludes a bus owned, operated or controlled by a Federal, First Nation, Territorial or Municipal government, health care facility or any approved affiliate of those bodies.

“BUSINESS LICENSE” means the license provided under the City of Whitehorse *Business License Bylaw* as may be amended and replaced from time to time.

“BYLAW SERVICES” means the Manager, or individual(s) appointed to conduct the enforcement of bylaws for the City.

“CHARTER” means to transport passengers by Prior Reservation for an extended engagement or special purpose based on a Charter Fare.

“CHARTER FARE” means a set rate charged to, or collected from, any person for Charter transportation services as outlined in Schedule “A” attached hereto and forming part of this bylaw;

“CITY” means the municipal corporation of the City of Whitehorse.

Vehicle For Hire Bylaw 2024-10

“COMPANY PLATE” means a Vehicle for Hire Plate or Plates issued to a Vehicle For Hire Company under a Brokerage Permit and subject to the purpose, conditions, authorizations, limitations and requirements outlined in this Bylaw, but does not include a Plate or Plates issued directly to a Driver.

“CONSENT TO RELEASE OF INFORMATION” means the Applicant’s written authorization to conduct any and all searches and obtain personal information relevant to this bylaw.

“DESIGNATED OFFICER” means an officer of the Royal Canadian Mounted Police (RCMP), the Manager of Bylaw Services, or individual(s) appointed to conduct the enforcement of bylaws for the City.

DIGITAL or ELECTRONIC DISPATCHING SYSTEM is a software program on a mobile phone or other digital electronic device, and includes an “App”, which allows for or performs one or more of the following functions:

- (1) allows a person to identify the location of available Vehicles for Hire and allows a Driver to identify the location of a person who is seeking services of a Vehicle for Hire;
- (2) allows a person to request a Vehicle for Hire with a mobile phone or other electronic device;
- (3) allows a Driver to receive a request for services from a person;
- (4) allows a person to pay for Vehicle for Hire services through an electronic payment system; and
- (5) issues a receipt for Vehicle for Hire services upon request.

“DISPATCH RECORDS” means the written or digitally recorded details of each Vehicle for Hire trip, which shall contain the following information:

- (1) the specific date and time when the trip was dispatched;
- (2) the unit number of the dispatched Vehicle for Hire;
- (3) the origin and destination of each trip;
- (4) dispatchers name; and
- (5) time format in 24hrs.

“DISPATCH SERVICE” means a person or Digital or Electronic Dispatching System, other than a Driver of a Vehicle For Hire, that coordinates the engagement of Vehicle For Hire services and oversees the transportation services of a Vehicle for Hire Company by providing, digital, electronic or Two-Way Radio Communication with Drivers, and to which requests for service are received by a person or Digital or Electronic Dispatching System and communicated to the Driver.

Vehicle For Hire Bylaw 2024-10

“DOWNTOWN AREA” means that area of the City the boundaries of which are shown on the map attached hereto as “Schedule C” and forming part of this bylaw.

“DRIVER” means a person who drives or is in charge of a Vehicle For Hire, and who is required to be the holder of a valid Vehicle For Hire Permit prior to operating a Vehicle For Hire.

“FARE” means the fare, toll, fee or rate charged to, or collected from, any person for the transportation of a person or persons, or personal property of a person.

“FARE SCHEDULE” is the schedule of maximum Fares which may be charged by the owner of a Vehicle for Hire, which may include a Flat Rate, and the schedule of minimum Charter Fares which may be charged, as set out in Schedule “A” attached hereto and forming part of this bylaw.

“FARE ZONE” means a zone or zones in and between which a Flat Rate may be charged as a Fare.

“FEE” means the fees as set out in the City of Whitehorse Fees and Charges Bylaw as may be amended or replaced from time to time.

“FIXED ROUTE” means the roads or trails designated as a transportation route, and the scheduled times for use of this route, all as approved by the Manager.

“FLAT RATE” means a fixed rate for a Fare that may be charged for travel between a Fare Zone in accordance with this bylaw.

“GENERAL INSPECTION” means the initial inspection, and thereafter semi-annual inspections and random inspections, all for which a fee is charged, of a Motor Vehicle For Hire, as contemplated by this bylaw;

“GENERAL INSPECTION REPORT” is the form to be completed by an Inspector at a General Inspection of a Motor Vehicle For Hire.

“HANDS-FREE CELLULAR TELEPHONE” means a cellular telephone which is equipped with hands-free technology that allows calls to be placed or received by the Driver via voice commands.

“IMMEDIATE FAMILY” means the Driver’s mother, father, sister, brother, spouse, son, daughter, mother-in-law, father-in-law, grandparent, or grandchild, and includes any of the above step-relatives.

“INSPECTION, INSPECT, OR INSPECTED” means a General Inspection, Mechanical Inspection, random inspection, or an inspection of a Motor Vehicle For Hire requested by the Designated Officer.

Vehicle For Hire Bylaw 2024-10

“INSPECTOR” means a person who is authorized to perform periodic, general, or mechanical inspections of a Motor Vehicle For Hire, including the Designated Officer.

“LICENSEE” means the person to whom a Vehicle For Hire Plate is issued under this bylaw.

“LIMOUSINE” means a luxury sedan with a seating capacity greater than nine passengers with separate compartments for engine, passenger and cargo and has a minimum of three passenger doors and a driver’s door, and is identified as a stretch limousine or other limousine by its manufacturer.

“MANAGER” means the Manager of Bylaw Services or their designate.

“MECHANICAL INSPECTION” means the initial inspection, semi-annual inspections and random inspections of a Motor Vehicle For Hire conducted by an Inspector.

“MECHANICAL INSPECTION REPORT” is the form to be completed by an Inspector at a Mechanical Inspection of a Motor Vehicle For Hire.

“MOTOR VEHICLE FOR HIRE” means a motorized Vehicle For Hire, that is operated or intended to be operated for the purpose of carrying passengers and their property for valuable consideration irrespective of whether it is operated or intended to be operated for that purpose each time it is operated and irrespective of whether there is a subsisting Vehicle For Hire Plate issued in respect of it and includes a Bus operated as a Vehicle For Hire and a Limousine.

“NON-MOTORIZED VEHICLE FOR HIRE” means a non-motorized Vehicle For Hire that is not drawn, propelled or driven by any kind of power, other than muscular power, which is used for the carrying, transporting or conveyance of persons or property for hire and, without limiting the generality of the foregoing, shall include a dog sled, horse-drawn carriage, horse-drawn sled, and a pedicab.

“NOT FOR HIRE SIGN” means a sign that is solid lime green in colour throughout, and no smaller than 20 centimetres high by 80 centimetres wide with black lettering, where the lettering is no less than 2 centimetres wide, which states “NOT IN SERVICE”.

“NOTICE” means a written warning issued by a Designated Officer for a contravention of this bylaw.

“OUT OF SERVICE ORDER” means a written statement issued by a Designated Officer directing the immediate removal of a Vehicle For Hire from service for a deficiency or violation pursuant to this bylaw.

“OWNER” means the owner or operator of a Vehicle For Hire Company, and/or the registered owner, Driver or Licensee of a Vehicle For Hire.

Vehicle For Hire Bylaw 2024-10

“PERIODIC MOTOR VEHICLE INSPECTION FACILITY” means a premise which has been established for the inspection and testing of motor vehicles by the Commissioner in Executive Council under the *Motor Vehicles Act*, as may be amended or replaced from time to time.

“PERIODIC MOTOR VEHICLE INSPECTOR” means those qualified persons who have been designated and authorized to preform motor vehicle inspections and tests as contemplated by the *Motor Vehicles Act*, as may be amended from time to time.

“PERMIT” means a permit issued by Bylaw Services to operate a Vehicle For Hire, a Vehicle for Hire Company or Vehicle for Hire Brokerage and includes the annual Vehicle For Hire Certification issued by Bylaw Services to a person to operate a Vehicle For Hire.

“PLACE OF BUSINESS” means a physical premises located within Whitehorse where the books and records of the Vehicle for Hire Company are housed.

“PLATE” means the metal numbered placard issued by Bylaw Services to identify a Motor Vehicle For Hire which is affixed to a Motor Vehicle For Hire as contemplated by this bylaw.

“PLATE DECAL” means the current year decal required and issued under this bylaw, for a fee, to a Motor Vehicle For Hire which is affixed to the Plate of a Motor Vehicle For Hire which has met the conditions of this bylaw for operating a Motor Vehicle For Hire.

“PRIOR RESERVATION” means a recorded request for transportation in a Vehicle For Hire, which was made a minimum of eight hours in advance of the request for transportation.

“REVOCATION or REVOKE” means a permanent recall of any certificate, Permit or Plate issued under this bylaw.

“RIDE SHARE POOL VEHICLE” means a motor vehicle that is operated for the transportation of persons that:

- (1) operates under a transportation pooling arrangement for passengers which is sponsored and coordinated by an organization or agency working in conjunction with the Government of Canada, the Government of Yukon, the City, or a private non-profit charitable organization; and
- (2) where the compensation charged to passengers for such transportation does not exceed an amount required to pay operating costs and capital costs of the vehicle used for such transportation during the period of usage when the vehicle is providing such transportation.

“SEATING CAPACITY” means the rated passenger load assigned to a motor vehicle by the originating manufacturer.

Vehicle For Hire Bylaw 2024-10

“SECURITY CAMERA” means a fully operational security video camera as approved under and contemplated by this bylaw.

“SERVICE ANIMAL” means any dog trained by a recognized and accredited institution to provide assistance to persons with hearing or visual impairments, physical disabilities, developmental or intellectual disabilities, or to assist persons with other disabilities in the performance of daily activities.

“SHIFT” means a single period of time worked by a Driver in a 24-hour period.

“SMOKE” means the act of inhaling tobacco or other similar substance or cannabis or allowing tobacco or other similar substance or cannabis to burn or dispense smoke and includes the use of vaporizers and e-cigarettes.

“SUSPENSION or SUSPEND” means a temporary recall of any certificate, Permit or Plate issued under this bylaw.

“TAMPERED” means to have removed or damaged the Taximeter Seal and includes any change in the Taximeter which results in a Fare that differs from the Fares authorized by this bylaw.

“TARIFF CARD” means a placard required by this bylaw where the background is to be transparent (when placed on a rear passenger window) and the text is to be black in colour and not take up more than 33% of the surface area of the placard, and which shall contain:

- (1) the unit number of the Motor Vehicle For Hire;
- (2) the Fare schedule, including any taxes and discount rates;
- (3) wording that indicates that a Security Camera is installed in the Motor Vehicle For Hire and images of the passengers are being recorded;
- (4) the telephone number of the Vehicle for Hire Company;
- (5) the telephone number of Bylaw Services; and
- (6) a statement that any complaints about the Driver should be directed to those telephone numbers.

“TAXI CHARTER” means a charter establishing passenger and driver rights, passenger and driver obligations, terms of service and other information deemed necessary by the Manager of Bylaw Services.

“TAXIMETER” means a device approved by Bylaw Services installed in a Motor Vehicle For Hire that computes and shows the Fare payable for each trip calculated based on the distance travelled or on the time elapsed or both.

Vehicle For Hire Bylaw 2024-10

“TAXIMETER SEAL” means the seal which is affixed to the Taximeter by Bylaw Services upon successful completion of the General Inspection.

“TOUR BUS” means a motor vehicle capable of carrying more than ten passengers for sightseeing ventures or sporting activities, and while under hire, only travels over predetermined Fixed Routes that take on and discharge passengers only at bus depots, licensed hotels, motels, bed and breakfasts, or approved stops with a Fare set at a specified sum per passenger.

“TWO-WAY RADIO COMMUNICATION” means radio equipment licensed by Industry Canada pursuant to Radio Standards Specification-Gen, Issue 3, as may be amended and replaced from time to time.

“TRIP” means each transport of a person or persons or delivery of personal property of a person, by a Driver for a Fare.

“TRIP RECORD” means the written and recorded details of each Trip undertaken by a Driver during their Shift in the form adopted for use by the Manager from time to time.

“VEHICLE FOR HIRE” means all Accessible Vehicles For Hire, Motorized Vehicle For Hire and Non-Motorized Vehicle For Hire, and any vehicle in respect of which there is a valid and subsisting Plate and Vehicle For Hire Registration certificate.

“VEHICLE FOR HIRE BROKERAGE” means a person, partnership or corporation that holds a valid and subsisting Vehicle for Hire Brokerage Permit.

“VEHICLE FOR HIRE BROKERAGE PERMIT” has the same meaning as Brokerage Permit.

“VEHICLE FOR HIRE PERMIT” means the permit issued pursuant to the provisions of this bylaw for a Driver to operate a Vehicle For Hire.

“VEHICLE FOR HIRE COMPANY” means a business that operates one or more Vehicles For Hire and provides any of the following services:

- (1) administering Vehicle For Hire operations;
- (2) employing or contracting with one or more Drivers or Vehicle For Hire Permit holders; and
- (3) coordinating or accepting calls for services for Vehicle For Hire.

“VEHICLE FOR HIRE REGISTRATION CERTIFICATE” means the credential issued by Bylaw Services for a vehicle that has successfully met the requirements of this bylaw to operate as a Vehicle For Hire.

Vehicle For Hire Bylaw 2024-10

“VOLUNTARY FINE” means the dollar amount specified in a bylaw and on a ticket for a specified offence, payment of which may be made in lieu of a court appearance, and which admits guilt and registers a conviction for the charge.

APPLICATION OF BYLAW

3. This bylaw shall apply equally to all Vehicle For Hire Companies, Vehicle for Hire Company owners, Vehicle For Hire Brokerages, Vehicle For Hire Brokerage owners, Accessible Vehicles For Hire, Buses operated as Vehicles For Hire, Limousines, Vehicles for Hire, owners or drivers of any type of Vehicle For Hire, all of which shall be subject to all bylaw requirements save and except for those sections of this bylaw which expressly provide otherwise.

EXEMPTIONS

4. This bylaw shall not apply to the operation of any Ride Share Pool Vehicle.

VEHICLE FOR HIRE BROKERAGE PERMIT

Application Process

5. An Application for a Vehicle for Hire Brokerage Permit shall be made to the City on such forms and accompanied by such information as required by the Manager from time to time, for a fee.
6. In addition to the Vehicle for Hire Brokerage Permit, a Vehicle for Hire Company shall also obtain a Business Licence from the City only after all requirements of this bylaw are met.
7. At the request of a Vehicle for Hire Company, the Manager may designate for the exclusive use of the holder of a Vehicle for Hire Brokerage Permit:
 - (1) the type and colour of Vehicle For Hire roof lights;
 - (2) the exterior markings; and
 - (3) the exterior paint colour,
 - (4) the unit number of the vehicle for hire

Issuance of Brokerage Permit

8. Upon receipt of all documents required by this bylaw for an Application for a Vehicle For Hire Brokerage Permit or renewal thereof, together with the applicable fee, Bylaw Services shall, within 30 days, make one of the following decisions:
 - (1) approve the Application and issue a Vehicle For Hire Brokerage Permit;

Vehicle For Hire Bylaw 2024-10

- (2) approve the Application, and issue a Vehicle For Hire brokerage permit that is subject to conditions set by Bylaw Services; or
 - (3) refuse the application.
9. Bylaw Services may issue a Vehicle for Hire Brokerage Permit along with five Plates, to the Applicant if, among other things, they are satisfied that all information under section 5 of this bylaw has been provided, including that the applicant has provided proof of the following to Bylaw Services:
 - (1) the Place of Business for the Vehicle For Hire Company is equipped with properly functioning Two-Way Radio Communication equipment, and/or a Digital or Electronic Dispatching System, which in the opinion of the Manager is satisfactory to carry out the dispatch services for a Vehicle for Hire Company; or a system to maintain Dispatch and Trip Records in accordance with this Bylaw if a Digital or Electronic Dispatching System is used;
 - (2) the Vehicle for Hire Company has established a Place of Business that has been inspected and approved by Bylaw Services;
 - (3) Bylaw Services has been provided a list of all current Drivers, Vehicles For Hire, Permits for each of the Drivers, and a Vehicle For Hire fleet list;
 - (4) the Applicant can provide a minimum of five Vehicles For Hire and for the provision of twenty-four hour dispatch service;
 - (5) the Applicant meets the Accessible Vehicle For Hire requirements for Accessible Vehicles For Hire under this bylaw;
 - (6) the Applicant holds a valid and subsisting permit for operating Two-Way Radio Communication as outlined in this bylaw, if a Two-Way Radio Communication system is used under this Bylaw;
 - (7) the Applicant has worker's compensation coverage for all current employees of the Vehicle For Hire Company;
 - (8) the Applicant provides the name(s) and schedule(s) for dispatching for the Vehicle for Hire Company; and
10. any other information or documentation as may be reasonably required by Bylaw Services for the administration of this bylaw. A Vehicle for Hire Brokerage Permit issued under this Bylaw may be immediately cancelled by Bylaw Services if at any time a Vehicle For Hire Company cannot meet the minimum requirements under this bylaw, including without limitation the minimum requirements for issuance of a Vehicle for Hire Brokerage Permit under section 9 of this bylaw.
11. A Vehicle for Hire Brokerage Permit is non-transferable, except with written approval by the Manager, which approval may be denied for any reason by the Manager.

General Brokerage Permit Requirements

Vehicle For Hire Bylaw 2024-10

12. No person shall operate a Vehicle For Hire Company unless there is a valid and subsisting Vehicle For Hire Brokerage Permit issued pursuant to this bylaw.
13. Vehicle For Hire Companies shall comply, and ensure all of their Drivers comply, with all of the terms and conditions set out in this bylaw for operating a Vehicle For Hire.
14. An owner or operator of a Vehicle For Hire Company must have a valid and subsisting Business License from the City prior to operating the Vehicle For Hire Company.
15. No Vehicle For Hire shall be operated as a taxi except by a Driver employed by or contacted to a Vehicle for Hire Company.
16. No Vehicle for Hire Company shall advertise or offer a Vehicle For Hire unless that Vehicle For Hire has a valid and subsisting Plate or Company Plate issued to that Vehicle For Hire.
17. A Vehicle for Hire Company shall:
 - (1) maintain a Place of Business in the City where the Vehicle for Hire Company is operated;
 - (2) inform Bylaw Services, in writing, of all trade names used in connection with the company;
 - (3) immediately notify Bylaw Services when a Vehicle For Hire becomes associated or ceases to be associated with the company;
 - (4) maintain an up-to-date list of all Drivers that includes a photocopy of each Driver's Permit, and provide a copy of this list upon demand by a Designated Officer;
 - (5) ensure that every associated Vehicle For Hire has, at all times, the name, trade name or trademark of the Vehicle For Hire Company displayed on such vehicle in a form and manner approved by a Designated Officer;
 - (6) ensure the Plate displayed on any Vehicle For Hire is that which is referred to in the Vehicle For Hire Registration certificate for that Vehicle For Hire ;
 - (7) use, maintain and provide its customers and Drivers with a Dispatch Service that operates at all times when Vehicles For Hire are in service;
 - (8) maintain, and be available to provide a 24-hour service;
 - (9) have a minimum of five licenced Drivers;
 - (10) keep and safeguard all lost and found items for at least a period of 30 days, or less if the item is claimed, and maintain a complete electronic and written record of lost items, found items and the names and contact information for any persons who have claimed a found item or who have made inquiries about a lost item, and provide this record to a Designated Officer upon demand. This does not include perishable food items, which shall be retained as long as reasonable

Vehicle For Hire Bylaw 2024-10

under the circumstances to provide time for the passenger to claim the perishable food items, unless the food item requires disposal if it is unclaimed;

- (11) provide all Drivers associated with the Vehicle For Hire Company with training in the use of the Taximeter, Dispatch System and other equipment used in providing Vehicle For Hire services, including approved specialized equipment for Accessible Vehicles For Hire, along with any training requirements that may be required by a Designated Officer from time to time;
 - (12) provide to all passengers the Vehicle For Hire services requested, at the location and within the time specified to the passenger upon receiving the passenger's request for Vehicle For Hire services;
 - (13) have in place a system for giving priority for the use of Accessible Vehicles For Hire to customers who require the service;
 - (14) maintain a complaints process to promptly investigate and respond to service complaints registered by the public and make details of this process and records of all complaints received and the response of the Vehicle For Hire Company to these complaints available to a Designated Officer upon request;
 - (15) provide immediate written notice to Bylaw Services whenever there is a change of ownership or control of the Vehicle For Hire Company, including whenever there is a change to the directors, officers or shareholders of the Vehicle For Hire Company; and
 - (16) maintain in good working order electronic payment systems in all of its Vehicles For Hire.
18. No person shall operate a Vehicle for Hire Company without having and maintaining in good standing the following, original copies of which shall be provided to Bylaw Services upon request:
- (1) a valid and subsisting Business License;
 - (2) a radio license for Two-Way Radio Communication;
 - (3) a list of all Vehicles For Hire that have passed Inspection;
 - (4) proof of insurance for all Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle for Hire Company;
 - (5) a list of all Vehicle For Hire Drivers; and
 - (6) any additional requirements, including licenses, Permits or certificates, required under the terms of a Brokerage Permit.

Keeping Records

19. A Vehicle for Hire Company shall keep the following records at the Vehicle For Hire Company's Place of Business and retain them for a minimum of two calendar years and make them available on demand of a Designated Officer:

- (1) dispatch records;

Vehicle For Hire Bylaw 2024-10

- (2) Trip records;
 - (3) employment and all other contracts related to the supply of Vehicle For Hire services;
 - (4) all other records required under this Bylaw; and
 - (5) the agreement evidencing each Limousine Trip.
20. A Vehicle for Hire Company shall immediately notify Bylaw Services in writing and disclose any change in information which was provided as part of the Application or renewal of a Brokerage Licence, including but not limited to the following changes:
- (1) the Vehicle For Hire Company's Business License, or any requirement thereof pursuant to the Business Licence Bylaw;
 - (2) name or business name of the Vehicle For Hire Company;
 - (3) permit holder address or business location change of address;
 - (4) Yukon Government corporate registry information;
 - (5) registered owner information for all Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle For Hire Company;
 - (6) insurance coverage and certificates for all Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle For Hire Company;
 - (7) the number of licensed Vehicles For Hire owned, associated with, operated by or under the control of the Vehicle For Hire Company is less than five as required by this bylaw;
 - (8) the Vehicle For Hire Company can no longer provide 24-hour Vehicle For Hire services as required by this bylaw;
 - (9) when any licensed Vehicle For Hire ceases association with the holder of the Vehicle for Hire Brokerage Permit; and a change in Driver status.
21. A Vehicle for Hire Company shall ensure that each Vehicle For Hire associated with the Vehicle For Hire Company:
- (1) is clean, well maintained and in good repair;
 - (2) is consistent in color, and any damaged areas or replacement parts match the vehicle as closely as practicable;
 - (3) is not operated when it has been taken out of service;
 - (4) has a valid and subsisting Vehicle For Hire Registration certificate and Plate properly affixed to the Vehicle For Hire; and
 - (5) charges each Fare in accordance with Schedule "A" of this bylaw.

Receiving, Recording and Reporting Complaints.

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22. A Vehicle for Hire Company shall record the following details of all complaints received in electronic or written format and maintain a written and electronic record of such information:

- (1) the name, address and phone number of the complainant;
- (2) the date and time of the complaint;
- (3) the nature of the complaint;
- (4) the Driver of the Vehicle For Hire that is the subject of the complaint; and
- (5) the Company's response to the complaint, including any corrective actions taken by the Vehicle For Hire Company.

23. Complaints that appear to constitute a violation of any municipal, territorial or federal regulations, including without limitation, this bylaw, the *Motor Vehicle Act*, or the *Criminal Code of Canada* shall be immediately reported by a Vehicle For Hire Company to a Designated Officer, and the Vehicle for Hire Company shall provide sufficient detail as to the nature of the complaint, all relevant facts and answer any questions or provide any dispatch records, trip logs, documents, reports, or video a Designated Officer requests.

VEHICLE FOR HIRE PERMIT

Application Process-Drivers

24. Every Driver of a Vehicle For Hire shall apply for, and annually renew, a Vehicle For Hire Permit.

25. Upon renewal, the Vehicle For Hire Permit applicant shall surrender any expired or pre-existing Vehicle For Hire Permits to the City.

26. No Driver shall possess more than one copy of the same Vehicle For Hire Permit.

27. Where an applicant is working in Canada under a work visa, Vehicle For Hire Permit issued to such person shall not be issued for a term longer than the unexpired term of the work visa.

28. Prior to the issuance of a Vehicle For Hire Permit, an applicant shall declare in writing the name of the Vehicle for Hire Company or Vehicle For Hire Brokerage for which they will be working for or are contracted with.

29. An application or renewal of a Vehicle For Hire Permit by an applicant shall be made to Bylaw Services and shall include the following:

- (1) Vehicle For Hire Permit application;
- (2) consent to Release of Information;

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- (3) a fully completed RCMP GRC Consent for the Release of Police Information form, as may be amended or replaced from time to time, which shall be not be older than 90 days and Bylaw Services is listed as the organization that receives the results of record checks;
- (4) a negative search result for a completed RCMP GRC Consent for Check for a Sexual Offence for which a Record Suspension (Pardon) Has Been Granted or Issued (Vulnerable Sector Verification) form, as may be amended or replaced from time to time;
- (5) a fully completed RCMP GRC Declaration of Criminal Record, as may be amended or replaced from time to time;
- (6) the results of the applicant's completed RCMP GRC Fingerprint Identification form, as may be amended or replaced from time to time;
- (7) proof that the applicant is the holder of a valid Class 1, 2, 3, or 4 driver's license issued under the *Motor Vehicles Act*, including a photocopy of a valid Yukon driver's license;
- (8) the applicant's vehicle driving abstract, which shall not be older than 30 days, issued and validated by the Registrar of the Motor Vehicles Branch of Yukon and any other jurisdiction as may be required by the Designated Officer;
- (9) proof of legal entitlement to work in Canada including a Canadian birth certificate, Canadian passport, Canadian Citizenship/Permanent Resident Card and Canadian Work Visa;
- (10) such other information as may be reasonably required by Bylaw Services for the administration of this bylaw; and
- (11) a fee as prescribed in the Fees and Charges Bylaw.

Additional Requirements:

30. The Manager may:

- (1) require applicants to successfully complete training and/or coursework prior to the issuance of a Permit; and
- (2) specify the content and amount of training or number of courses and pass/fail criteria that an applicant must take as a prior to the issuance of a Permit, including in:
 - (a) customer service, diversity and human rights, gender-based violence;
 - (b) city geography, map reading and tourism;
 - (c) transportation of persons with disabilities;
 - (d) Yukon First Nation Cultural Awareness; and
 - (e) such further and other areas as may be determined by the Manager.

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31. Every applicant shall, with access to a copy of this bylaw, write a test to demonstrate that they have a working knowledge of this bylaw and any other criteria noted in this bylaw. A score of 80% or higher must be achieved by the applicant on all required tests or coursework prior to the issuance of any permit under this bylaw.
32. In the event that the applicant has satisfied all requirements of this bylaw for the renewal of a Vehicle For Hire permit, but is awaiting receipt of their RCMP record check, Bylaw Services may issue a 90-day interim Vehicle For Hire Permit provided that the applicant's most recent Vehicle For Hire Permit has not expired more than 12 months prior to the issuance of such interim permit and was otherwise in good standing at the time of the expiry of the Vehicle For Hire Permit.

Issuance of Vehicle for Hire Permit

33. Upon receipt of all documents and other information required by this bylaw for an application for a Vehicle For Hire Permit or renewal thereof, Bylaw Services shall, within 30 days, make one of the following decisions:
 - (1) approve the application and issue a Vehicle For Hire Permit;
 - (2) approve the application, and issue a Vehicle For Hire Permit that is subject to conditions set by Bylaw Services; or
 - (3) refuse the application.
34. Bylaw Services shall not issue a Vehicle For Hire Permit or a renewal thereof to a person who has been convicted under the *Criminal Code of Canada* for:
 - (1) any sexual offence;
 - (2) an offence relating to homicide, kidnapping, or abduction;
 - (3) an offence relating to robbery or extortion;
 - (4) an offence relating to the trafficking of drugs or narcotics under the federal *Controlled Drugs and Substances Act*; or
 - (5) any offence committed while on duty as a Driver.
35. Bylaw Services shall not issue a Vehicle For Hire Permit or a renewal thereof to a person who has:
 - (1) been convicted under the *Criminal Code of Canada* for any two or more offences within the ten-year period immediately preceding the date of the application;
 - (2) been convicted of an offence under the *Controlled Drugs and Substances Act*, within the ten-year period immediately preceding the date of application, other than a charge for possession of a narcotic or possession of an illegal drug;
 - (3) been convicted of an offence under the *Criminal Code of Canada* relating to the operation of a motor vehicle within the five-year period immediately preceding the date of application;

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- (4) been convicted of more than three offences under the *Motor Vehicles Act*, the *Liquor Act*, this bylaw or any City bylaw regulating traffic within a one-year period immediately preceding the date of application, other than offences relating solely to parking; or
- (5) received a 24-hour roadside suspension within the twelve-month period immediately preceding the date of application.

General Vehicle for Hire Permit Requirements

- 36. The owner of a Vehicle for Hire Company shall not allow any person, including themselves, to operate a Vehicle For Hire unless that person is the holder of a valid Vehicle For Hire Permit.
- 37. A Driver shall produce their valid and unexpired Vehicle For Hire Permit immediately upon demand of a Designated Officer.
- 38. A Driver shall notify Bylaw Services of any change to the information provided in the Driver's most recent application, within five business days of such change, by personal attendance at the offices of Bylaw Services.
- 39. If a Driver's valid and unexpired Vehicle For Hire Permit is damaged, lost, or stolen:
 - (1) the Driver shall immediately report such occurrence to Bylaw Services who shall reissue the Vehicle For Hire Permit to the Driver for a fee; and
 - (2) until the Vehicle For Hire Permit is reissued to the Driver under this bylaw, the Driver shall not offer any Vehicle For Hire services in the City.
- 40. Where an applicant or holder of a Vehicle For Hire Permit has been convicted of any offences listed under sections 33 and 34 of this bylaw after their most recent application was made and the Permit was issued, they shall immediately inform the Manager of Bylaw Services. The Manager may take any action, including but not limited to cancellation of the Permit or reissuing the Permit with conditions.

General Rules for Drivers

- 41. A Driver of a Vehicle For Hire shall:
 - (1) drive a Vehicle For Hire only for the Vehicle For Hire Company or Vehicle For Hire Brokerage indicated on their Permit;
 - (2) display their Vehicle For Hire Permit in a prominent place in the Vehicle For Hire, which must be at all times in clear and plain sight of passengers in the back seats of the Vehicle For Hire;

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- (3) when operating an Accessible Vehicle For Hire, give priority to calls received from persons with disabilities who require the services of the Accessible Vehicle For Hire;
- (4) display the Taxi Charter in a prominent place in the Vehicle For Hire and in a manner that is clear and visible to all passengers sitting in the back seats of the Vehicle For Hire;
- (5) display the taxi identification number provided by the City and name of the Vehicle for Hire Company along with contact information for the Vehicle For Hire Company in a prominent place in the Vehicle For Hire and in a manner that is clear and visible to all passengers sitting in the back seats of the Vehicle For Hire;
- (6) unless otherwise directed by a passenger, drive the most direct and available route from the point of engagement to the destination of the passenger;
- (7) when requested to do so, supply a passenger with a legible receipt showing:
 - i. the Fare charged;
 - ii. the name of the Vehicle For Hire Company with which the Vehicle For Hire is associated;
 - iii. the GST number assigned to the Vehicle For Hire; and
 - iv. the date when the service was provided.
- (8) deliver any personal property left in the Vehicle For Hire by a passenger after a Trip to the Place of Business for the Vehicle For Hire Company, after which the Vehicle For Hire Company or the Driver shall make every reasonable effort to return the personal property to the passenger within 24 hours and, if the personal property cannot be returned after reasonable efforts are made, keep the personal property as a lost and found item in accordance with this Bylaw.

42. A Driver of a Vehicle For Hire shall not:

- (1) operate a Vehicle For Hire unless it meets all the requirements of this bylaw;
- (2) take a Fare while the Vehicle For Hire is out of service;
- (3) operate a Vehicle For Hire that has been removed from service under an Out of Service Order;
- (4) Smoke in or within 5 metres of a Vehicle For Hire;
- (5) use obscene, offensive or abusive language, or insult, abuse or harass any passenger, pedestrian, roadway user, or other vehicle operator;
- (6) carry a number of passengers in excess of the Seating Capacity stipulated by the Vehicle For Hire's manufacturer in its specifications for that Vehicle For Hire while operating a Vehicle For Hire;
- (7) knowingly induce any person to hire the services of any Vehicle For Hire by false representation;
- (8) hand write anything while the Vehicle For Hire is in motion;

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- (9) levy any additional charge or Fare for assistance or additional service provided to a person with a disability;
- (10) set the Vehicle For Hire in motion while a passenger is entering or leaving the Vehicle For Hire;
- (11) collect Fares or give change to a passenger while the vehicle is in motion;
- (12) take on additional passengers after the Vehicle For Hire has departed except with the consent of the first passenger(s);
- (13) load, carry or transport any baggage on the exterior of the Vehicle For Hire except on racks properly constructed for that purpose; or
- (14) operate a Vehicle For Hire for more than 12 hours in a 24 hour period without an eight (8) hour continuous break.

Right to Refuse Service:

43. A Driver of a Vehicle For Hire shall accept all persons as passengers while the Vehicle For Hire is in service except when such person:

- (1) tries to consume alcohol in the Vehicle For Hire;
- (2) is indebted to the Driver or the Vehicle For Hire Company or Vehicle For Hire Brokerage;
- (3) requests that the Driver carry an animal other than a Service Animal in the Vehicle For Hire;
- (4) requests that the Driver carry baggage in the Vehicle For Hire which could reasonably be detrimental to the repair, cleanliness or sanitary condition of the Vehicle For Hire or the health and safety of the Driver;
- (5) requests the Driver to carry any passengers or baggage which the vehicle is incapable of carrying;
- (6) insists on Smoking or persists in Smoking in the Vehicle For Hire;
- (7) is disorderly, or verbally or physically abusive;
- (8) is someone who the Driver is incapable of or prohibited by law from conveying;
- (9) is exhibiting any behaviour or engaging in any activities that cause a safety concern to the Driver and such belief is reasonable in the circumstances; and
- (10) where a passenger refuses to pay a deposit in accordance with section 81(3) of this bylaw.

Trip Records Required

44. Every Driver of a Vehicle For Hire shall complete a Trip Record, written legibly in ink or in electronic format immediately at the start of the Driver's Shift before taking any Fares in the Vehicle For Hire, which shall contain the following information:

- (1) the date and time of the start of the Shift;

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- (2) the location of the Vehicle For Hire at start of the Shift;
 - (3) the time the Driver notified Dispatch Services identifying when they came on Shift into service;
 - (4) the Driver's full name as written on their driver's license;
 - (5) the Yukon license plate number for the Vehicle For Hire;
 - (6) the Vehicle For Hire Permit number; and
 - (7) the Vehicle For Hire Plate number.
45. Every driver of a Vehicle For Hire shall complete a Trip Record, written legibly in ink, or electronic format immediately after the completion of every Trip, before setting the vehicle in motion and before beginning any other Trip, which shall contain the following information:
- (1) the date and time that each Trip started and finished;
 - (2) the origin and destination of each Trip;
 - (3) any refusals for service and the reasons for refusal;
 - (4) any personal property found in the vehicle not belonging to the Driver;
 - (5) the start and end times of any periods that the Vehicle For Hire was not in service, including the date and time;
 - (6) the Driver's full name as written on their Yukon driver's license;
 - (7) the Yukon license plate number for the Vehicle For Hire;
 - (8) the Vehicle For Hire Permit number; and
 - (9) the Vehicle For Hire Plate number.
46. Every Driver of a Vehicle For Hire shall, no later than two hours after the completion of each Shift, sign and deposit the Trip Record that relates to that Shift at the Place of Business for the Vehicle For Hire Company or Vehicle For Hire Brokerage, and which may be completed by electronic means.
47. Before accepting the Shift Trip Record from the Driver, the owner of the Vehicle For Hire Company or Vehicle For Hire Brokerage, or their designate, shall ensure that each Trip Record is legible and includes all of the information required by this bylaw.
48. Within 24 hours of the Trip Record being deposited at the Place of Business for the Vehicle For Hire Company or Vehicle For Hire Brokerage, the owner of the Vehicle For Hire Company or Vehicle For Hire Brokerage, or their designate, and the Driver shall affix the date and their signatures to the Trip Record to confirm that the Trip Record meets the requirements of this bylaw.
49. The Trip Record shall be kept by the owner of the Vehicle For Hire Company or Vehicle For Hire Brokerage at the Place of Business for a period of two years, during which time the owner shall produce such Trip Record for inspection upon request of a Designated Officer.

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50. When a Designated Officer has reasonable and probable grounds to believe that a Driver has been operating a Vehicle For Hire for more than 12 consecutive hours, or has not had at least eight hours off between Shifts, the Designated Officer may prohibit the Driver from being on duty and providing Vehicle For Hire services for a maximum of eight consecutive hours.
51. The onus will be on the Driver to provide proof to the Designated Officer that the Driver has not been operating the Vehicle For Hire for longer than 12 consecutive hours, or without at least an eight-hour break between Shifts.

VEHICLE PLATE AND CERTIFICATE

Plate Allowances

52. There shall be no more than two Vehicle For Hire Plates issued per 1,000 residents of Whitehorse to be determined on an annual basis by the Yukon Bureau of Statistics for the preceding year.
53. Notwithstanding the allocation outlined in section 51 of this bylaw, each approved Brokerage License may be assigned up to five Company Plates, which are not included in the allocation limits under section 51 of this Bylaw, upon payment of the Brokerage Permit and Company Plate Fees and subject to the following conditions:
- (1) Company Plates may not be transferred to another Vehicle for Hire Companies or Drivers for use outside of the Brokerage Permit to which the Company Plate is assigned;
 - (2) Company Plates must be renewed on an annual basis subject to the application for renewal requirements under section 53 of this bylaw; and
54. Not including the assigned Company Plates, a Vehicle For Hire Company shall not own more than 50% of the total number of Vehicle For Hire Plates issued by the City under this bylaw unless the provisions of section 51 of this bylaw are not being met, in which case the Plates may be distributed by lottery, to be run by the Manager. In addition to this section, the City Manager or designate has the following powers in respect of Plates:
- (1) the City Manager or designate may approve Company Plate allocation increases or decreases including establishing a duration of the change in allocations in response to:
 - (a) seasonal demands;
 - (b) special events;
 - (c) emergencies; and
 - (d) such further and other events as may be determined by the City Manager.

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- (2) the City Manager or designate may impose additional conditions or exempt required conditions of this bylaw under this section.

Application Process

55. An application for a Vehicle For Hire Plate, Vehicle For Hire certificate or renewal thereof shall be made to Bylaw Services and shall include, but is not limited to, the following as it relates to the Vehicle For Hire which is the subject of the application:

- (1) written confirmation of the Vehicle for Hire Company that will operate the Vehicle For Hire;
- (2) the original Mechanical Inspection Report validated by the Inspector which shall not be older than 30 days from the date that the Inspection was completed;
- (3) proof of a valid and current liability insurance policy in the amount of three million (\$3,000,000.00) dollars for the commercial operation of the Vehicle For Hire;
- (4) a Consent to Release of Information Vehicle For Hire liability insurance policy;
- (5) proof of valid and current commercial motor vehicle registration for the Vehicle For Hire;
- (6) a Fare Schedule which shall be in accordance with Schedule "A" of this Bylaw;
- (7) the Fee as prescribed in the Fees and Charges Bylaw; and
- (8) such further and other information or documentation as may be required by Bylaw Services.

56. Upon receipt of a new Application for a Vehicle For Hire Plate and Vehicle For Hire Registration Certificate, Bylaw Services shall make one of the following decisions:

- (1) approve the Application and issue a Vehicle For Hire Registration Certificate, and a Vehicle for Hire Plate and a Plate Decal which shall be affixed by to the front bumper of the Vehicle For Hire; or
- (2) refuse the Application.

57. In the event the Application is refused, Bylaw Services shall provide written reasons of such refusal to the Applicant by letter to the Applicant's last known address or by personal service.

58. Bylaw Services shall not approve a motor vehicle as a Vehicle For Hire unless it:

- (1) has at least three passenger doors; and
- (2) has a Seating Capacity for a minimum of five adults including the Driver with all seats being constructed by the manufacturer and unaltered.

General Vehicle Plate Requirements

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59. The holder of any Vehicle For Hire Plate must ensure that the Vehicle For Hire assigned to the Vehicle For Hire Plate is providing Vehicle For Hire services for a minimum of 250 days with a minimum of an eight hour shift per day in the 12-month period preceding the date of renewing the Vehicle For Hire Plate for the next year.
60. The Vehicle for Hire Company or Vehicle For Hire Plate holder shall supply Trip Records to the Designated Officer on demand proving the Vehicle For Hire was in service for the minimum time period specified in section 59 of this bylaw.
61. In the event that the Vehicle For Hire for which a Vehicle For Hire Plate and Vehicle For Hire Registration Certificate have been issued is no longer operational, the holder of the Vehicle For Hire Plate and Vehicle For Hire Registration Certificate shall immediately advise Bylaw Services of such occurrence and shall return the Vehicle For Hire Plate and Vehicle For Hire Registration Certificate to Bylaw Services within five calendar days.
62. Any Vehicle For Hire Plate, or Company Plate and Vehicle For Hire Registration Certificate issued under this bylaw remains at all times the sole property of the City and, if so requested by Bylaw Services, a Licensee, or person in possession of a License, shall return a Vehicle For Hire Plate or Company Plate to the City within five days of the request from Bylaw Services.
63. No person shall advertise, offer or operate a vehicle as a Vehicle For Hire unless it has a Vehicle For Hire Plate, which shall be annually renewed, affixed to the Vehicle For Hire, and which is not transferable to any other Vehicle For Hire except upon surrendering the Vehicle For Hire Plate to Bylaw Services for redistribution and upon paying a Fee.
64. No owner or Driver of a Vehicle For Hire shall allow any person, including themselves, to operate a Vehicle For Hire unless the Vehicle For Hire has a valid Vehicle For Hire Plate.
65. No Driver shall operate a Vehicle For Hire unless a valid Vehicle For Hire Registration Certificate is in that Driver's possession.
66. In the event that the Plate, Plate Decal or certificate becomes damaged, lost or stolen, the Owner or Driver of the Vehicle For Hire shall immediately report such occurrence to Bylaw Services who shall cancel such Plate, Plate Decal or certificate and reissue a new Plate, Plate Decal or certificate to the owner of the Vehicle For Hire or Driver upon the owner of the Vehicle For Hire or the Driver paying a fee.
67. If the holder of a Plate and Certificate ceases to own or operate a Vehicle For Hire, they shall immediately surrender the Plate and Certificate to Bylaw Services and immediately remove all markings, decals and equipment installed in or on the Vehicle For Hire pursuant to this Bylaw, and return the Vehicle For Hire registration to Bylaw Services.

OWNER LIABLE

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68. The registered owner of a Vehicle For Hire Plate shall be responsible for any and all offences under this bylaw and the City's *Traffic Bylaw* as amended or replaced from time to time in respect of the Vehicle For Hire, and for any action of any person who operates the Vehicle For Hire to which the Vehicle For Hire Plate is attached in the same manner as though the act or acts were done by the person registered as the owner of the Vehicle For Hire Plate.

ACCESSIBLE VEHICLES FOR HIRE

69. Every Vehicle for Hire Company shall have a minimum of one Accessible Vehicle For Hire available for hire during all hours that the Vehicle For Hire Company is in operation.

- (1) If an accessible Vehicle for Hire becomes temporarily inoperable, Bylaw Services may allow a temporary agreement with another Vehicle for Hire Company for the use of an accessible vehicle to ensure prioritization of service as per 17(13) and 41(3).

70. Bylaw Services shall not approve an Accessible Vehicle For Hire unless it:

- (1) meets all of the requirements of a Vehicle For Hire as contemplated by this bylaw;
- (2) has a Seating Capacity for a minimum of three adults including the Driver with all seats being constructed by the manufacturer and unaltered; and
- (3) meets Canadian Motor Vehicle Safety Standards and Canadian Association Standards D409-02 for Motor Vehicles for the Transportation of Persons with Physical Disabilities as may be varied or amended or replaced from time to time.

71. Bylaw Services shall, if a motor vehicle is approved as an Accessible Vehicle For Hire under this bylaw, endorse the Vehicle For Hire Registration Certificate and such endorsement shall be proof of Bylaw Services' approval.

72. Every Accessible Vehicle For Hire shall:

- (1) post the symbol of accessibility for persons with disabilities that is a minimum of 150 mm by 150 mm in the format specified by the Manager on each side of the Accessible Vehicle For Hire; and
- (2) display a Tariff Card in a position on each side of the Accessible Vehicle For Hire so as to be easily seen and identifiable by a person seated inside the Accessible Vehicle For Hire in a wheelchair or scooter.

BUSES AND LIMOUSINES

73. Except as modified by sections 73 to 77 of this bylaw, all other provisions of this bylaw shall apply to Limousines and Buses operating as Vehicles For Hire.

74. A Bus operating as a Vehicle For Hire shall conform to the Fare provisions of this bylaw, and each Fare shall be charged in accordance with Schedule "A" of this bylaw.

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75. For Limousines that solely take Charter requests, the Accessible Vehicle For Hire, Dispatch Service, and Taximeter provisions of this bylaw do not apply.
76. The following provisions apply to Limousines that solely take Charter requests:
- (1) Charter Fares must be arranged by reservation in advance of the Trip, and the details must be recorded in the Trip Record and at the Place of Business of the Vehicle For Hire Company operating the Limousine prior to the service being provided and shall include:
 - (a) when the request for transportation was made;
 - (b) the time and address of the location where the transportation is to commence;
 - (c) the name of the person who requested the Limousine Charter;
 - (d) the number of passengers;
 - (e) any associated liquor permit details if applicable; and
 - (f) the duration of the Trip.
 - (2) Limousine fares shall be calculated in accordance with the Charter Fares set out in Schedule “A” of this bylaw; and
 - (3) no Limousine Driver shall offer any form of Fare discount for the hire of a Limousine except as provided in this bylaw.
77. A Vehicle For Hire Company with a valid liquor license from Yukon Government and a Retail Services – Restricted Business License from the City will be permitted to have open liquor within Limousines or a chartered Bus. Copies of the liquor license will be carried by the Driver during the Trip and a copy filed with the Trip Record.

RATES AND FARES

78. A Fare Schedule must be submitted to and approved by Bylaw Services. Bylaw Services shall review the submitted Fare Schedule to ensure its compliance with this bylaw, including the Fares set out in Schedule “A” of this bylaw. If the submitted Fare Schedule is in compliance with this bylaw, Bylaw Services shall approve the Fare Schedule which shall be in effect as long as the Vehicle For Hire Company remains permitted and licensed to provide Vehicle For Hire services under this bylaw and until another Fare Schedule is approved by Bylaw Services under this bylaw.
79. A Vehicle For Hire Company shall not operate any Vehicle For Hire until such time that a Fare Schedule is approved by Bylaw Services in accordance with this bylaw.
80. Upon approval of the Fare Schedule by Bylaw Services, the owner and/or Driver of a Vehicle For Hire shall prepare and display on the passenger rear windows of the vehicle a Tariff Card, in a prominent location in clear and plain sight of passengers in the back seats of the Vehicle For Hire and in such a manner as not to obstruct the Driver’s view.
81. A Vehicle For Hire driver may:

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- (1) accept gratuities;
 - (2) charge a passenger a fee of up to \$100.00 for soiling the interior of the Vehicle For Hire with vomit or other bodily fluids, which shall be photographed and the photograph shall be attached to the Trip Record;
 - (3) require that a passenger provide a deposit of not more than \$30.00 to be applied toward the Taximeter fare and shall provide a receipt to the passenger for such deposit; and
 - (4) accept advanced payment directly or electronically for Charter Fares and Flat Rates applied in and between Fare Zones.
82. Each Vehicle For Hire shall at all times be equipped with an electronic payment system that is maintained in good working order, and upon request from a passenger, every Driver shall accept payment from a valid credit or debit card for a Fare; and
- (1) no driver shall charge any additional fee for the use of a credit or debit or card as payment for a Fare.
83. Except as provided in this bylaw, an Owner or Driver of a Vehicle For Hire shall not charge, demand, collect, or receive a Fare except at the approved rate under this Bylaw.
84. A Vehicle for Hire Company may set a rate for the transportation of a person that shows proof of being 60 years of age or older, at a discounted rate not exceeding 20% of the Fare, and
- (1) when such a discounted Fare has been established, the rate shall be posted on the Tariff Card; and
 - (2) when such a discounted Fare is provided the Driver shall record such discount in the Trip Records.
85. An Owner of a Vehicle For Hire shall not publish, use, permit to be published or used, any Fare other than at the approved rate or discounted rate approved under this bylaw.
86. No person, including the Owner or Driver of a Vehicle For Hire shall remove, mutilate, deface, or otherwise dispose of a Tariff Card, unless in accordance with the provisions of this bylaw.

PERSONAL USE PROHIBITED

87. Personal use of a Vehicle For Hire is prohibited unless such personal use is either by the Owner of the Vehicle for Hire Company or a Driver and the Vehicle For Hire is not in service.
88. The burden of proving that a Vehicle For Hire was not in service rests with the person relying on the defence.

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89. In addition to any other provision set out in this bylaw, to prove that a Vehicle For Hire was not in service, the person relying on the defence must show that at the time that the offence was alleged to have taken place:
- (1) a Not for Hire Sign was:
 - (a) visible and prominently displayed on the front dash of the Vehicle For Hire; and
 - (b) visible and prominently displayed in the back window of the Vehicle For Hire; or, where the back window of the Vehicle For Hire is legally tinted, the Not for Hire Sign was a magnet of the same size, lettering and colour and was placed on the rear of the Vehicle For Hire in a clear and visible state;
 - (2) a Vehicle For Hire roof light cover was attached and clearly stated on the front and back of the cover, "NOT FOR HIRE"; and
 - (3) there were no other occupants in the vehicle other than Immediate Family, and
 - (a) if there was Immediate Family in the Vehicle For Hire, upon request of a Designated Officer, such person or persons shall provide proof of identification to the satisfaction of the Designated Officer;
 - (4) the Vehicle For Hire Trip Record shows that the Vehicle For Hire was not in service, and the Trip Record reflects the date and time period when the Vehicle For Hire was not in service.
90. The Owner or Driver of a Vehicle For Hire that is not in service shall not stop or park the Vehicle For Hire in a taxi stand or any other place set aside for Vehicles For Hire that are in service.

PLACE OF BUSINESS, SECURITY CAMERAS, GLOBAL POSITIONING SYSTEMS AND TAXIMETERS

91. Every Vehicle for Hire Company shall maintain a Place of Business and provide a Dispatch System or a dispatcher with a means to communicate digitally, electronically, by Hands-Free Cellular Telephone or Two-Way Radio in each of its Vehicle For Hire, as approved under this bylaw, when there are any Vehicles For Hire in service.
92. The Dispatch System shall be capable of receiving requests from hearing impaired individuals, either through a web-based system, email, or via text messaging, or other similar format.
93. A dispatcher or Dispatch System shall not dispatch any calls for service to any Vehicle For Hire Driver who does not have a valid and subsisting Vehicle For Hire Permit.

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94. A dispatcher or Dispatch System shall only dispatch calls for service to a Vehicle For Hire with a valid Plate.
95. A Driver shall not operate a Vehicle For Hire unless such vehicle is equipped with:
 - (1) a means of digital or electronic communication with the dispatcher or Dispatch System that is hands-free or Two-Way Radio Communication, maintained in good working order, that connects with a dispatcher or Dispatch System; and
 - (2) a Taximeter which is of a type, make or model approved at the time of Inspection, and has been inspected and sealed with an approved Taximeter Seal pursuant to this bylaw.
96. On an annual basis, or at the request of a Designated Officer, the Owner of a Vehicle for Hire Company shall submit the Dispatch System installed in each Vehicle For Hire, and any Place of Business used, for inspection.
97. Save and except for a pedestrian hailing a Vehicle For Hire while it is in service, all requests for service shall be made through a Dispatch System and dispatched to the Driver.
98. The Owner of a Vehicle For Hire may equip a Vehicle For Hire with a Hands-Free Cellular Telephone system which may be used by the driver to communicate with the dispatcher, but at no time does exercising this option waive the requirement to have a place of business as required by this bylaw.
99. All Vehicles For Hire shall at all times be equipped with a fully operational Security Camera.
100. A legible placard on display that is clear and visible to all passengers in the Vehicle For Hire, with wording that indicates that a Security Camera is installed and images and audio of the passengers are being recorded.
101. Except as otherwise provided for under this bylaw, images and audio captured by a security camera shall be accessed only by a Designated Officer, for the purpose of law enforcement, including municipal bylaw enforcement, insurance purposes, or as otherwise determined by the Designated Officer or as required by law.
102. Security cameras must be:
 - (1) approved by Bylaw Services, including as to any type, brand, installation requirement, or other specification directed by Bylaw Services;
 - (2) mounted on the inside of the windshield, or in another approved suitable position in the front of the passenger compartment of the Vehicle For Hire, facing rearward

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to clearly capture images and audio of all occupants of the Vehicle For Hire at all times;

- (3) incapable of being obstructed by a sun visor or any other object, or of having the audio interfered with by any external noise, including any sound system in the Vehicle For Hire;
 - (4) able to record both images and audio at all times there is a passenger in the Vehicle For Hire; and
 - (5) hardwired into the Vehicle For Hire as to ensure the camera continues to capture images, and the audio recorder captures sound, for at least 30 minutes after the motor of the Vehicle For Hire has been shut off.
103. The Owner of a Vehicle for Hire Company shall retain and store images captured by the Security Camera for a period of 168 hours, and shall immediately produce any images and audio, if still available in accordance with this bylaw, upon request of a Designated Officer.
104. The Security Camera must be kept in good working condition at all times by the Vehicle for Hire Company and every Vehicle For Hire Driver and a Vehicle For Hire shall not be operated for any reason when the Security Camera is not working or is defective in any way.
105. On an annual basis, or at the request of a Designated Officer, the Owner of a Vehicle for Hire Company shall submit Security Cameras installed in each Vehicle For Hire for inspection.
106. No Driver shall operate a Vehicle For Hire, and no Vehicle For Hire Company shall permit the operation of a Vehicle For Hire, that does not have a Security Camera that clearly captures images and audio for every Shift worked by a Driver of a Vehicle For Hire and for the duration of each Trip taken by the Vehicle For Hire.
107. No person shall remove or temporarily shut off the image capturing or audio recording functions of a Security Camera during a Fare, or permanently delete or remove images or audio captured by the Security Camera except as permitted under this Bylaw.
108. No person shall provide images and audio captured by the Security Camera in a Vehicle For Hire to any person other than a Designated Officer, for insurance purposes, City legal purposes, or as otherwise required by law. Notwithstanding the foregoing, it is not an offence for a Vehicle For Hire Company to review images and audio captured by a Security Camera in a Vehicle For Hire for the purpose of responding to a public complaint, provided those images are not shared or otherwise provided to any person except as permitted under this bylaw.
109. Notwithstanding any other provision of this bylaw, every Vehicle For Hire shall have installed in it a global positioning system (GPS) which is kept in good working order at all times. A Vehicle For Hire shall not be operated for any reason when the global positioning system is not working or is defective in any way.

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110. The Taximeter in the Vehicle For Hire shall automatically calculate the Fare at the metered rate when that Vehicle For Hire is in motion as well as when the Vehicle For Hire is standing under hire.
111. Once a year, or earlier if at the request of a Designated Officer, the Owner of a Motor Vehicle For Hire shall submit the Taximeter installed in the Motor Vehicle For Hire for Inspection, which shall include testing the Taximeter over a measured distance.
112. No person, including the Owner or Driver of a Motor Vehicle For Hire, shall remove a Taximeter Seal unless such removal is for the purpose of recalibration and is done five or less business days prior to the scheduled annual Inspection under this bylaw.
113. The Owner or Driver of a Motor Vehicle For Hire shall return all used Taximeter Seals to Bylaw Services during the Inspection of the Taximeter after recalibration.
114. The Designated Officer may issue an Out of Service Order to the Driver or Owner of a Motor Vehicle For Hire if the Inspection finds that a Taximeter calculates a Fare inaccurately or the Taximeter fails to meet other requirements of this bylaw, at which time the Motor Vehicle For Hire may not be driven for any purpose until approved by Bylaw Services.
115. An Owner or Driver of a Motor Vehicle For Hire shall ensure that the Taximeter is:
 - (1) not tampered with in any way;
 - (2) adequately illuminated at all times;
 - (3) installed and placed on the right side of the Driver in such a position that the Fare being displayed on the Taximeter is clear and visible to any passenger in the rear seats;
 - (4) used only when the Taximeter Seal is fully intact and not broken or otherwise compromised; and
 - (5) kept in good working condition at all times and not used when defective in any way.
116. Every Owner of a Motor Vehicle For Hire shall connect the Taximeter to a light which shall be situated on the roof of the Motor Vehicle For Hire which includes the word "Taxi" or "Cab".
117. The Driver of a Motor Vehicle For Hire shall ensure that the exterior roof light is illuminated when the Motor Vehicle For Hire is available for hire and turned off when it is not available for hire.
118. The Driver of a Motor Vehicle For Hire shall call the passenger's attention to the amount of the Fare registered on the Taximeter at the termination of the Trip.
119. A Driver of a Motor Vehicle For Hire may accept a voucher as payment from a passenger if:
 - (1) the voucher is from a federal, First Nation, territorial or municipal government, or approved affiliate, including a healthcare facility, which has obtained prior written approval from Bylaw Services to issue a vouchering system;

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- (2) the voucher is for a special event, and the Vehicle For Hire Company owner has obtained prior written approval from Bylaw Services to issue a vouchering system for that event; or
- (3) otherwise with the written approval of the Manager.

CONDITION OF MOTOR VEHICLES FOR HIRE

120. An Owner or Driver of a Motor Vehicle For Hire shall not operate, cause or allow the operation of the Motor Vehicle For Hire unless the Motor Vehicle For Hire's installed equipment and markings fully comply with this bylaw.
121. The Owner of a Motor Vehicle For Hire shall paint on or otherwise affix the following information to the Motor Vehicle For Hire, and the Owner or Driver of the Motor Vehicle For Hire shall keep such information clear, clean and distinguishable at all times:
- (1) the Motor Vehicle for Hire Company name with which the Vehicle For Hire is associated, in lettering not less than five cm high which shall be placed on either the rear doors or front doors on each side of the Motor Vehicle For Hire; and
 - (2) a number which uniquely identifies the Motor Vehicle For Hire as being one of the Motor Vehicles For Hire associated with the Vehicle For Hire Company, in figures not less than five cm high which shall be placed on both sides of the Motor Vehicle For Hire near the front and on the back of the Motor Vehicle For Hire so that it is visible to anyone driving or standing behind the Motor Vehicle For Hire.
122. The Owner of a Vehicle For Hire shall be allowed to advertise on or in a Vehicle For Hire, but no advertising material shall be placed or attached on any Vehicle For Hire in a manner that may obstruct the Driver's view in any direction.
123. The Owner and/or Driver of a Motor Vehicle For Hire shall keep such Motor Vehicle For Hire in a state of repair which is free from any deficiency, including but not limited to, body damage, paint damage, dents, interior damage or disrepair, and windshield cracks that are within the line of sight of the Driver. The body paint colour of the Motor Vehicle For Hire shall be consistent throughout the exterior of the Motor Vehicle For Hire.
124. The Owner of a Motor Vehicle For Hire that has been involved in an accident which causes any body damage to the Motor Vehicle For Hire shall, within 24 hours of the accident, notify Bylaw Services, in writing, of the details of the accident, and the nature of the damage to the Vehicle For Hire.

CONDITIONS AND ROUTES FOR NON-MOTORIZED VEHICLES

125. The Owner or Driver of a Non-Motorized Vehicle For Hire shall ensure that every Non-Motorized Vehicle For Hire is put into service only after it has been approved by Bylaw Services as being in compliance with this bylaw.

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126. When required by the Manager, the Owner or Driver of a Non-Motorized Vehicle For Hire shall obtain approval of the Fixed Route of the Non-Motorized Vehicle For Hire from Bylaw Services and once approved shall only operate a Non-Motorized Vehicle For Hire on the approved Fixed Route.

RULES RELATING TO INSPECTIONS OF MOTOR VEHICLES

127. No Driver shall operate a vehicle as a Motor Vehicle For Hire, and no Owner shall allow a Motor Vehicle For Hire to be operated for any purpose including personal use, unless that Motor Vehicle For Hire:

- (1) has undergone and passed the required Mechanical Inspections and the Mechanical Inspection Report has been signed off by an Inspector;
- (2) has undergone and passed the required General Inspections and the General Inspection Report has been signed off by an Inspector;
- (3) has valid liability insurance in the amount of three million dollars (\$3,000,000.00) for the operation of Motor Vehicle For Hire, proof of which shall be produced immediately on demand from a Designated Officer; and
- (4) has valid commercial motor vehicle registration, proof of which shall be produced immediately on demand from a Designated Officer.

128. A Mechanical Inspection and General Inspection shall be conducted on every Motor Vehicle For Hire at an appointed time once every calendar year for Motor Vehicle For Hire seven (7) years or newer and with recorded mileage not exceeding 125,000 km and twice every calendar year for vehicles older than seven (7) years of age or with recorded mileage over 125,000 km, or on such further occasions as directed by the Designated Officer, the full cost of which shall be borne by the Owner of the Motor Vehicle For Hire.

129. For the purpose of Mechanical Inspections and General Inspections the Owner or Driver of a Motor Vehicle For Hire shall:

- (1) promptly comply with any request of a Designated Officer or Inspector made pursuant this bylaw; and
- (2) at any time produce, upon request for inspection by the Designated Officer or Inspector, a record or document required to be kept under this bylaw.

GENERAL AND MECHANICAL INSPECTION

130. A Mechanical Inspection of every Motor Vehicle For Hire shall be conducted by an Inspector at a Periodic Motor Vehicle Inspection Facility.

131. In the event that a Motor Vehicle For Hire does not pass an Inspection, the Designated Officer shall issue an Out of Service Order, which shall remain in effect until the Motor Vehicle For Hire passes the required Inspection.

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132. The General Inspection of a Motor Vehicle For Hire shall be conducted by a Designated Officer at a location and time specified by Bylaw Services, and shall be conducted pursuant to this bylaw and the guidelines established by the Manager in the General Inspection Report from time to time.
133. Upon completion of the General Inspection Report that indicates that the Inspection has been passed, Bylaw Services shall, upon payment of a fee by the Owner of the Motor Vehicle For Hire, and on compliance with all other provisions of this bylaw, issue a Vehicle For Hire Plate, Plate Decal and a Vehicle For Hire Registration Certificate.
134. If Bylaw Services is not satisfied that a Motor Vehicle For Hire meets all of the requirements of the General Inspection Report, Bylaw Services shall give the owner a copy of the General Inspection Report and shall issue a notice outlining the deficiencies.
135. A Plate, Plate Decal or Vehicle For Hire Registration Certificate shall not be issued or renewed in respect of any Motor Vehicle For Hire where in the opinion of the Designated Officer the Motor Vehicle For Hire is unsuitable for use by reason of:
- (1) failing to meet any General Inspection or Mechanical Inspection requirements; or
 - (2) being unclean, damaged or dilapidated in appearance.
136. The Designated Officer may at any time inspect a Motor Vehicle For Hire to determine the following:
- (1) the validity of the Plate and Vehicle For Hire Registration Certificate;
 - (2) the validity of the Vehicle For Hire Permit;
 - (3) the accuracy of the Taximeter;
 - (4) the mechanical condition of the Vehicle For Hire;
 - (5) standards of repair and cleanliness of the Vehicle For Hire; or
 - (6) to ensure compliance with any provision of this bylaw, in the discretion of the Designated Officer.
137. If the Manager has reasonable grounds to believe that an Periodic Motor Vehicle Inspector has improperly approved and passed a Mechanical Inspection Report, the Manager may refuse to accept the Mechanical Inspection Report and may require a new Mechanical Inspection to be conducted for the Motor Vehicle For Hire and at the expense of the Owner of the Motor Vehicle For Hire.

NOTICES

138. Upon issuance of a Notice by a Designated Officer, the Owner of a Vehicle For Hire shall remedy any deficiency or non-compliance with this bylaw as detailed in the Notice and shall do so within the time specified in the Notice.

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139. Once an Owner has remedied any deficiency outlined in a Notice, the Owner shall report to Bylaw Services as required for a follow up inspection to determine if the deficiency has been remedied to the satisfaction of a Designated Officer.
140. The Owner is guilty of an offence for failing to comply with a Notice by the date specified in the Notice, unless an extension has been provided by the Designated Officer.

OUT OF SERVICE ORDERS

141. If, in the opinion of a Designated Officer there is a safety concern with a Vehicle For Hire, a Designated Officer may order that the Vehicle For Hire be removed from service immediately with an Out of Service Order. When a Designated Officer has issued an Out of Service Order for a Vehicle For Hire, the Owner of that Vehicle For Hire shall immediately take that Vehicle For Hire out of service, and shall not allow it to be in service until the Owner has written approval from the Designated Officer that:
- (1) the deficiency or non-compliance has been remedied; and
 - (2) all other requirements of this bylaw have been met to the satisfaction of the Designated Officer.
142. Where an Out of Service Order has been issued by a Designated Officer, the Designated Officer shall immediately provide the Owner of the Vehicle For Hire with a copy of the Out of Service Order and any Inspection Report which outlines the reasons the Vehicle For Hire is being taken out of service.
143. An Owner shall not permit a Vehicle For Hire to be operated or driven for any purpose if it is the subject of an Out of Service Order, and no person shall operate or drive a Vehicle For Hire that is the subject of an Out of Service Order.
144. A Designated Officer may seize and impound a Vehicle For Hire:
- (1) if an Owner or Driver fails or refuses to produce identification, a Permit, the Vehicle For Hire Registration Certificate, or any other document required by this bylaw, upon demand by a Designated Officer;
 - (2) where, in the opinion of the Designated Officer, there are safety concerns with the Vehicle For Hire or a Driver of a Vehicle For Hire arising out of a contravention of this bylaw; or
 - (3) where, in the opinion of the Designated Officer there is a continuation of a contravention of this bylaw by a Driver or a Vehicle For Hire Company.
145. Where a Designated Officer has seized a Vehicle For Hire pursuant to the provisions of this bylaw, the Vehicle For Hire may be held for up to a maximum of 48 hours and stored at a location deemed appropriate by the Designated Officer.
146. The costs of seizure and storage of a Vehicle For Hire shall be borne solely by the Owner of the Vehicle For Hire.

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147. The Designated Officer shall immediately notify the dispatcher of the Vehicle for Hire Company of the reason for the seizure, the length of time the Vehicle For Hire may be held, and the storage location.
148. The Designated Officer shall, within 24 hours of the seizure of a Vehicle For Hire, deliver to the Place of Business of the Vehicle for Hire Company, and to the Manager a written report outlining the breach of the bylaw and the details of the seizure.

ADMINISTRATION OF THIS BYLAW

149. The Manager may establish the form, including the contents and duration, of any documents issued or required pursuant to this bylaw, including certificates, Notices, orders, reports, consents, Permits, Plates and Tariff Cards, which may be amended from time to time.
150. The Manager may, specify or prohibit safety equipment or devices which may be placed in a Vehicle For Hire, which may be amended from time to time.
151. The Manager may, specify the type, content of, format for, and placement within or on a Vehicle For Hire of items including: promotional material, brochures, cards, certificates, stickers, signs, decals, Permits, placards, Plates, Tariff Cards or other similar materials which may be carried in or on a Vehicle For Hire, which may be amended from time to time.
152. No person to whom a certificate, Permit, placard, Plate, or sticker is granted pursuant to this bylaw shall sell, trade, give away or otherwise dispose of the item in any manner except as directed in writing by Bylaw Services.
153. Where a certificate, Permit, placard, Plate, sticker or Tariff Card is issued, or an approval is made under this bylaw, a person shall comply with all associated conditions.
154. Where a Designated Officer believes that a certificate, Business License, Permit, placard, Plate, or sticker is being used contrary to this bylaw, or where the Designated Officer is otherwise attempting to determine the validity of any such document, the Designated Officer may ask any Driver to produce any document and answer any question that will assist the Designated Officer in making such a determination, and the Driver shall comply with any and all such requests.
155. Where a Driver refuses to comply with a Designated Officer's request for information or to produce identification, it shall be deemed an offence under this bylaw, and in addition to charging the Driver for failing to comply, an Officer may seize the certificate, Permit, placard, Plate, or sticker until a determination can be made by the Designated Officer as to its legitimate use or validity.
156. The Owner to whom a Plate has been registered under this bylaw shall be responsible for all actions of any Driver or person who operates the associated Vehicle For Hire, as though the act or acts were done by the Owner.

DENIAL, SUSPENSION, REVOCATION OR CONDITIONS OF A PERMIT

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157. The Manager may deny, suspend, or revoke a permit if, in the opinion of the Manager:

- (1) the person seeking to hold the Permit or the holder of a Permit fails to meet the requirements, tests, terms or conditions established under this bylaw;
- (2) an Applicant or Permit holder is carrying on activities that are in contravention of this bylaw;
- (3) there are reasonable grounds to believe that an Application or other document provided to Bylaw Services by or on behalf of the Applicant contains a false statement;
- (4) any information contained in the original Application form or any other information provided to Bylaw Services has ceased to be accurate;
- (5) the person seeking to hold the Permit or the holder of a Permit is currently subject to an order issued in any Court of competent jurisdiction that prohibits the operation of a motor vehicle; or
- (6) the Manager has the reasonable belief that granting, renewing or continuing to allow a Permit holder to have an existing permit would pose a danger to the safety, health or welfare of the public.

158. Where there is a breach of this bylaw and the bylaw allows Bylaw Services to deny, revoke, or suspend a Permit, the Manager shall notify the Applicant or Permit holder within five days of such decision by mail to their last known address or personal service of the Owner or the Driver.

159. In the event that the Manager determines that a Vehicle For Hire Permit requires conditions, the Manager shall provide written details of the conditions to the Applicant or Permit Holder.

160. In the event Bylaw Services refuses an Application, the Manager shall provide written reasons of such refusal to the Applicant by mail to their last known address or by personal service within seven (7) days.

APPEAL

161. Where a decision has been made by the Manager to apply conditions to a Permit, or to deny, revoke, or suspend a License, Permit, certificate or Plate under this bylaw, the Owner or Driver may appeal such decision in writing within 14 calendar days after the decision was rendered, save and except where the Permit is denied under sections 34 and 35 of this bylaw, in which case there is no right of appeal.

162. The written appeal shall be submitted to the Manager, Bylaw Services, who will provide notice of the appeal to the Director, Community Services within three (3) business days. The Director, Community Services will provide a written decision on the appeal within 30 days.

163. The right of appeal shall be barred and extinguished if not received in writing within the 14 calendar days required under this bylaw.

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164. No refund will be granted for any Fee or other charge under this bylaw, in whole or in part, where a License, Permit, certificate or Plate has been surrendered, denied, suspended or revoked under this bylaw.

EFFECT OF NON-COMPLIANCE AND PENALTIES

165. Every person who makes any false statement in any application or pursuant to a request for information under any provision of this bylaw is guilty of an offence.

166. Every person who contravenes any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, shall be guilty of an offence.

167. Any person who commits an offence under this bylaw is, in addition to any other punishment, liable upon summary conviction to:

(1) a voluntary fine, under section 20 of the *Summary Convictions Act*, RSY 2002 c 210 issued in respect of an offence specified in Schedule "B" attached hereto and forming part of this bylaw; or

(2) a fine not exceeding ten thousand (\$10,000.00) dollars, plus a fine of up to \$2,500 for each day that the offence continues, pursuant to 343 of the *Municipal Act* RSY 2002 c 154.

168. Notwithstanding the prescribed penalties set out in Schedule "B" of this bylaw:

(1) If a person is convicted of a breach of the same provision or provisions of this bylaw more than once within a 24-month period, the minimum penalty for the second and subsequent convictions shall be a minimum of twice the amount of the penalty imposed for the first offence.

169. Where a person is convicted of an offence under this bylaw the court may, in addition to any other penalty imposed on the offender, order that the offender pay restitution pursuant to 738 of the *Criminal Code of Canada*, as amended.

170. Where an offence is committed or continues on more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.

171. Where fees or fines remain unpaid, the City may attach such fees or fines to the owner's or driver's Vehicle For Hire Permit or Business License to operate a Vehicle for Hire Company, and in any event, no Business License, Permit, certificate or Plate shall be issued under this bylaw until such fees or fines are paid in full.

172. Where, in the opinion of a Designated Officer, an offence committed under this Bylaw is administrative in nature, the Designated Officer may impose a penalty as outlined in the Fees and Charges Bylaw.

173. Where a penalty is issued under section 172 of this bylaw, it shall not be considered as a violation for the purposes of section 34(4) of this bylaw.

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174. Section 172 of this bylaw shall not be used for any offences relating to public safety.

175. Appeals to administrative penalties shall be made to the Manager in writing within 14 calendar days of the issuance of the penalty. The Manager will provide written reasons on the appeal within 30 days of receipt of the appeal.

BYLAW REPEAL

176. Bylaw 2018-26, including all amendments thereto, is hereby repealed effective January 1, 2025.

COMING INTO FORCE

177. This bylaw shall come into full force and effect on January 1, 2025.

FIRST and SECOND READING:
THIRD READING and ADOPTION:

June 11, 2024

Laura Cabott, Mayor

Corporate Services

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SCHEDULE "A"

FARE SCHEDULE

1. **Taximeter Fare** Maximum Flag Rate \$4.50; and
 - (1) Effective January 1, 2025 to December 31, 2025 - \$0.30 Maximum charge for each 1/9th kilometre or 12 seconds
 - (2) Effective January 1, 2026 and beyond - \$0.35 Maximum charge for each 1/9th kilometre or 12 seconds
2. **Charter Fare** \$30.00 Minimum charter fare of \$30.00 for the first 30 minutes and pro-rated for every 10 minutes based on the same charter fare thereafter
3. **Maximum flat rate** \$22.00 per trip for transport of hotel guests in the Fare Zone to or from the Downtown Area and Whitehorse International Airport.

GST Included in all above rates

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SCHEDULE "B" VOLUNTARY FINES

Section	Description of Offence	Penalty
12	Owner operate without valid Brokerage Permit	\$2,500.00
14	Operate without valid business license	\$500.00
15	Operate a taxi without being employed by company	\$2,500.00
17(1)	Fail to maintain a place of business	\$2,500.00
17(2)	Fail to notify of trade names or change to trade names	\$250.00
17(3)	Fail to notify of change in fleet status	\$250.00
17(4)	Fail to provide list of drivers	\$250.00
17(5)	Fail to display company name on vehicle	\$250.00
17(6)	Improper use of vehicle for hire registration plate	\$1,000.00
17(8)	Fail to provide 24 hour service	\$250.00
17(10)	Fail to keep and safeguard lost and found property	\$100.00
17(11)	Fail to provide training in the use of equipment	\$100.00
17(12)	Fail to provide passenger with services requested	\$100.00
17(13)	Fail to provide priority service for clients requiring accessible vehicle	\$500.00
17(14)	Fail to maintain system for public complaints	\$250.00
17 (15)	Fail to notify change in ownership	\$500.00
17 (16)	Fail to provide electronic payment option	\$100.00
18	Company fail to produce documents	\$100.00
19	Company fail to keep/produce records	\$100.00
20	Fail to disclose change in information	\$500.00
21(1)	Vehicle not clean and in good repair	\$250.00
21(1)	Vehicle not clean and in good repair (2 nd offence)	\$500.00
21(2)	Vehicle colour/vehicle body parts does not match	\$250.00
21(3)	Operate vehicle when it has been taken out of service	\$500.00
21(4)	Operate vehicle without valid registration certificate and plate	\$500.00
21(5)	Fail to charge fares pursuant to Schedule "A"	\$100.00
22(1 – 5)	Fail to properly record details of customer complaints	\$100.00
24	Driver fail to apply for or renew permit	\$1,000.00
25	Fail to surrender expired permit	\$1,000.00
26	Possess more than one copy of permit	\$100.00
36	Owner allows a person to operate without a permit	\$100.00

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Section	Description of Offence	Penalty
36	Owner allows a person to operate without a permit (2 nd offence)	\$250.00
37	Fail to produce permit upon demand	\$100.00
38	Driver fail to notify Bylaw Services of change in information	\$500.00
39(1-2)	Fail to report to Bylaw Services damaged/lost/stolen permit	\$100.00
40	Fail to notify Bylaw Services of convictions	\$1,000.00
41(1)	Driver operate vehicle contrary to permit	\$250.00
41(2)	Fail to display vehicle for hire permit	\$250.00
41(3)	Driver fail to provide priority services for accessible vehicle for hire	\$500.00
41(4)	Fail to display Taxi Charter in the back seats	\$100.00
41(6)	Fail to take direct route	\$100.00
41(7)	Driver fail to provide passenger with a completed receipt	\$100.00
41(8)	Fail to deliver personal property left in the vehicle	\$250.00
42(1)	Operate vehicle that does not meet requirement of the bylaw	\$1,000.00
42(2)	Take fare while vehicle is out of service	\$250.00
42(3)	Use vehicle after out of service order issued	\$250.00
42(4)	Driver smoking within 5 metres of vehicle for hire.	\$250.00
42(5)	Driver use abusive language/insult to others	\$250.00
42(6)	Carry more than vehicle seating capacity	\$100.00
42(7)	Make a false statement to induce vehicle for hire services	\$250.00
42(8)	Hand writing while vehicle in motion	\$500.00
42(9)	Collect additional charges for fares or services	\$100.00
42(10)	Set vehicle in motion while loading or unloading	\$500.00
42(11)	Collect fare while in motion	\$500.00
42(12)	Take additional passengers without consent of current passengers	\$100.00
42(13)	Transport baggage outside of vehicle	\$100.00
42(14)	Driver operate vehicle for hire more than 12 consecutive hours	\$250.00
43	Driver fail to accept passenger	\$100.00
44-45	Driver fail to keep trip records as required	\$250.00
46	Driver fail to deposit trip records at place of business	\$100.00
49	Owner fail to keep or produce trip records	\$100.00
59	Fail to ensure the plate in service meets requirements	\$250.00
60	Fail to supply trip logs on demand	\$250.00
63	Operate vehicle without valid vehicle for hire plate	\$250.00

Vehicle For Hire Bylaw 2024-10

Section	Description of Offence	Penalty
64	Owner allow operation of a vehicle for hire without plate	\$250.00
65	Fail to possess vehicle for hire registration certificate	\$100.00
66	Fail to report damaged, lost or stolen plate/decal/certificate	\$100.00
67	Fail to surrender plate and certificate to Bylaw Services	\$250.00
69	Fail to provide accessible vehicle for hire services	\$1,000.00
72	Fail to post accessibility symbol	\$100.00
74	Fail to conform to the rates and fares provisions of this bylaw	\$100.00
76(1)	Fail to record charter in accordance with this bylaw	\$250.00
76(2)	Fail to charge charter fare in accordance with fare schedule	\$100.00
76(3)	Driver offer fare discount not in accordance with this bylaw	\$100.00
77	Fail to possess copy of passenger liquor permit	\$250.00
79	Operate vehicle for hire without approved fare schedule	\$250.00
80	Fail to prepare and display tariff card	\$100.00
82	Fail to provide an electronic payment system	\$100.00
83	Collect unapproved fare	\$100.00
85	Publish or use unapproved fare	\$100.00
86	Remove, mutilate, deface, or dispose of tariff card	\$100.00
87	Personal use of vehicle for hire violation	\$100.00
90	Not in service vehicle parked in taxi stand	\$100.00
91	Fail to maintain and provide a base station/dispatch system	\$250.00
92	Base station not equipped to receive hearing impaired calls	\$250.00
93	Dispatch call for service to driver without a permit	\$250.00
94	Dispatch call for service to vehicle without valid plate	\$250.00
95(1)	Operate vehicle without two-way radio communication	\$250.00
95(2)	Operate vehicle without taximeter	\$250.00
96	Fail to submit radio equipment and base station for inspection	\$250.00
99	Security camera not installed (1 st offence)	\$100.00
99	Security camera not installed (2 nd offence)	\$250.00
99	Security camera not installed (3 rd offence)	\$2,500.00
100	Fail to display Security Camera notification placard	\$100.00
102(1)	Security camera not approved	\$500.00
102(2)(3)	Security camera not properly mounted	\$500.00

Vehicle For Hire Bylaw 2024-10

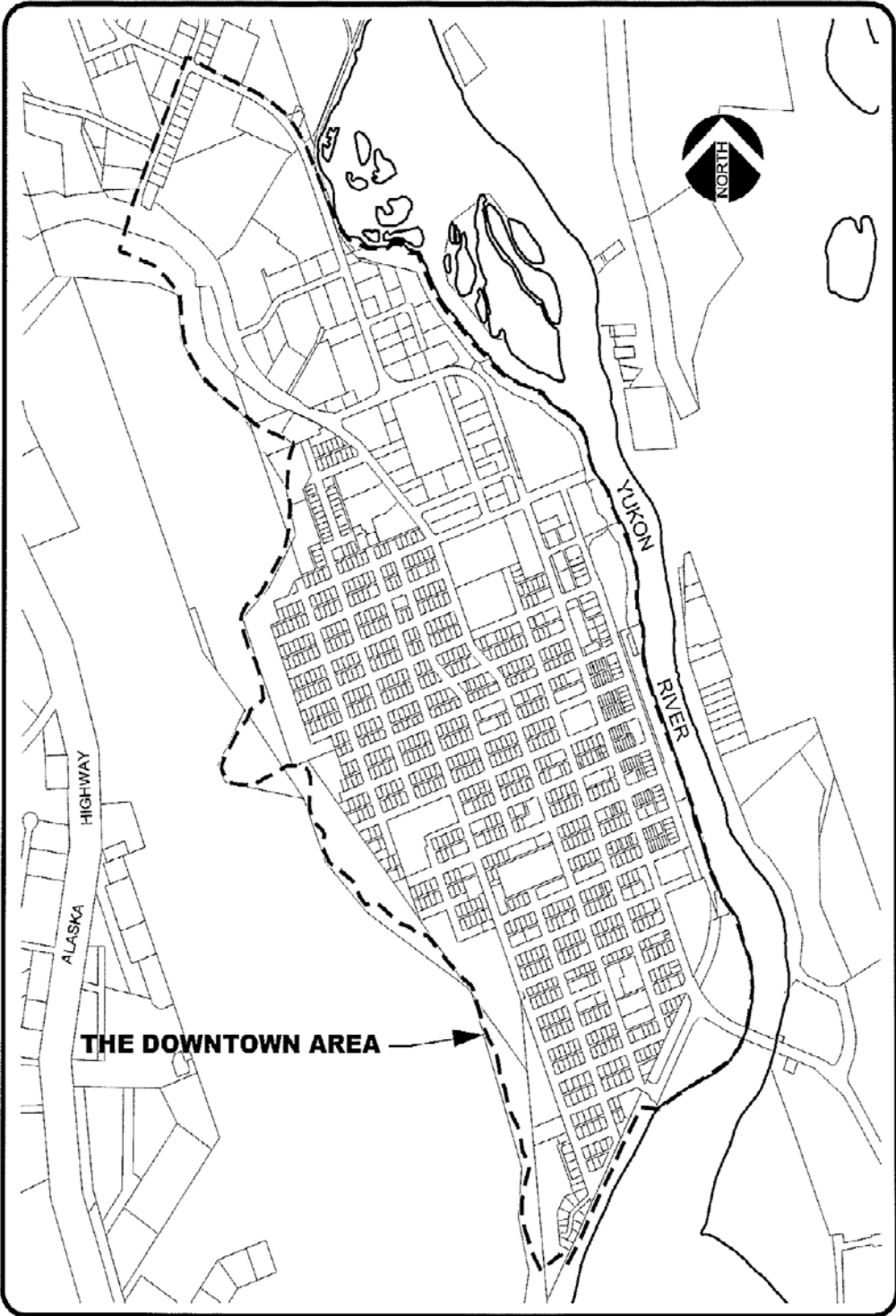
Section	Description of Offence	Penalty
102(4)	Security camera not recording images and audio at all times fare in the vehicle (1 st offence)	\$2,500.00
102(4)	Security camera not recording images and audio at all times fare in the vehicle (2 nd offence)	\$5000.00
102(5)	Security camera not hardwired into a vehicle (1 st offence)	\$2,500.00
102(5)	Security camera not hardwired into a vehicle (2 nd offence)	\$5,000.00
103	Fail to retain or produce security camera images (1 st offence)	\$2,500.00
103	Fail to retain or produce security camera images (2 nd offence)	\$5,000.00
106	Fail to capture images with security camera (1 st offence)	\$2,500.00
106	Fail to capture images with security camera (2 nd offence)	\$5,000.00
107	Fail to record images or audio or remove or delete images or audio with security camera (1 st offence)	\$2500.00
107	Fail to record images or audio or remove or delete images or audio with security camera (2 nd offence)	\$5,000.00
108	Provide images or audio from Security Camera to unapproved designate (1 st offence)	\$2,500.00
108	Provide images or audio from Security Camera to unapproved designate (2 nd offence)	\$5,000.00
109	Fail to equip with a global positioning system (GPS)	\$2,500.00
110	Owner fail to equip vehicle with operational taximeter	\$250.00
111	Fail to submit taximeter for inspection	\$100.00
112	Remove taximeter seal	\$100.00
113	Fail to return used taximeter seal	\$100.00
115(1 – 5)	Taximeter violation	\$100.00
116	Roof light violation	\$100.00
117	Fail to illuminate or turn off roof sign as appropriate	\$100.00
119	Accept unauthorized voucher	\$100.00
120	Vehicle equipment and markings in non-compliance	\$100.00
121	Fail to have business name /vehicle numbers on vehicle	\$100.00
122	Advertising obstructs driver's view	\$250.00
123	Vehicle interior/exterior body or paint damage or windshield cracks	\$500.00
125	Fail to notify Bylaw Services of accident that damages vehicle	\$100.00
126	Operate non-motorized vehicle without authorization	\$100.00
126	Non-motorized vehicle fail to obtain and travel on approved route	\$100.00
127(1)	Operate vehicle that has not passed mechanical inspection	\$500.00
127(2)	Operate vehicle that has not passed general inspection	\$500.00

Vehicle For Hire Bylaw 2024-10

Section	Description of Offence	Penalty
127(3)	Operate vehicle without valid liability insurance	\$500.00
127(4)	Operate vehicle without valid commercial registration	\$500.00
128	Fail to comply with inspection requirements	\$250.00
129(1)	Fail to comply with Designated officer or inspector	\$250.00
129(2)	Fail to produce records or documents	\$250.00
138	Fail to remedy deficiency or non-compliance	\$250.00
140	Fail to report for follow-up inspection	\$100.00
141	Fail to comply with notice by date specified	\$250.00
143	Use vehicle after out of service order issued	\$250.00
165	Make a false statement	\$250.00

Vehicle For Hire Bylaw 2024-10

SCHEDULE "C"
MAP OF DOWNTOWN AREA



CITY OF WHITEHORSE

BYLAW 2024-35

A bylaw to provide for community service grants and grants for property taxes and other municipal charges for the year 2024

WHEREAS section 245 of the *Municipal Act* (R.S.Y. 2002) provides that council may by bylaw make grants to any person or association of persons; and

WHEREAS council adopted a policy to provide grants with respect to municipal taxes or rent paid in lieu of taxes to charitable, non-profit, recreational and religious Whitehorse organizations that are primarily concerned with providing services to disadvantaged members of the community; and

WHEREAS the policy also provides for grants with respect to municipal taxes or rent paid in lieu of taxes to eligible Whitehorse organizations that provide general services to the community, including but not limited to animal shelter facilities, museums, and organizations that lease municipally-owned property; and

WHEREAS council has established a policy of granting other specific municipal charges to non-profit charitable and recreational organizations that lease municipally-owned property;

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

1. Grants for property taxes and other municipal charges of \$209,298.45 are hereby authorized as detailed in Appendix "A" attached hereto 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 June 11, 2024

THIRD READING and ADOPTION:

Laura Cabott, Mayor

Corporate Services

Community Service & Municipal Charges Grants Bylaw 2024-35
Appendix "A"

Roll Number	Applicant	Eligible Grant
3701011150	Biathlon Yukon	\$ 4,268.45
3011351100	Canadian Mental Health Association, Yukon Division	3,672.00
3011450400	Downtown Urban Gardener's Society (DUGS)	501.95
3011000300	Food Bank Society of the Yukon	5,145.35
3015060202	Golden Age Society	5,425.85
3100169300	Guild Society	18,535.10
3010380800	Hospice Yukon Society	1,909.65
3015051300	Kaushee's Place Housing Society	13,570.55
3010301400	La Societe des Immeubles Franco-Yukonnais (SIFY)	26,624.20
3460007500	Learning Disabilities Association of Yukon (LDAY)	1,376.55
3010071800	MacBride Museum Society	46,688.90
3011230200	Maryhouse	2,775.00
3010461100	Royal Canadian Legion - Branch 254	10,785.15
3110110800	Softball Yukon	28,658.90
3180523100	Softball Yukon: Ball Diamond Robert Service	751.30
3901174000	Tennis Yukon	227.90
3900010090	Valleyview Community Association	100.00
3013050700	Whitehorse Aboriginal Women's Circle	9,624.15
3701011140	Whitehorse Rifle and Pistol Club	6,157.40
3010270700	Yukon Artist at Work Society	4,347.45
3114041200	Yukon Broomball Association	5,182.40
3908000000	Yukon Film Society	202.50
3010490800	Yukon Fish and Game Association	3,751.65
3015050600	Yukon Women's Transition Home Society	9,016.10
Total:		\$ 209,298.45

CITY OF WHITEHORSE
BYLAW 2024-11

A bylaw to establish regulations and procedures for the 2024 municipal election.

WHEREAS section 53 of the *Municipal Act* provides that Council may by bylaw regulate the conduct of an election;

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

- (a) appoint a returning officer to be responsible for the administration of the election or public vote;
- (b) establish the place for making nominations;
- (c) establish places that are reasonably accessible to electors who are physically incapacitated at which polls will be held if a poll is required and, subject to section 85, set hours during which polls shall be open;
- (d) appoint deputy returning officers as required, or delegate to the returning officer the power to appoint deputy returning officers; and
- (e) otherwise arrange for the holding of the election or public vote.

AND WHEREAS in accordance with sections 53 and 56 of the *Municipal Act*, the City will in each election year bring forward an elections procedures bylaw to otherwise regulate the conduct of the municipal election with procedures and precautions to ensure that each elector votes only once in the Election;

AND WHEREAS voter information obtained from Elections Yukon pursuant to sections 60(1) and (2) of the *Municipal Act* is sufficient to meet the needs of the 2024 municipal election in the City of Whitehorse, and negates the need for a Board of Revision;

AND WHEREAS section 58 of the *Municipal Act* provides that Council may by bylaw provide for special ballots and provide the method by which a person may request a special ballot;

AND WHEREAS section 104(1) of the *Municipal Act* provides that Council may by bylaw provide for the taking of votes of the electors by voting machines, vote recorders or automated voting systems, or other devices; **and**

~~AND WHEREAS section 146.01 of the *Municipal Act* provides that Council shall set a time to fill vacancies on Council through a by-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 Procedures Bylaw**".

Election Procedures Bylaw 2024-11

INTERPRETATION

2. In this bylaw,

~~“BY-ELECTION” means an election, other than a general election, that must be conducted upon the arising of a vacancy on Council.~~

“CANDIDATE” means a person running for office in an Election.

“CITY” means the Corporation of the City of Whitehorse.

“COUNCIL” means the elected Council of the City.

“ELECTION” means the 2024 municipal ~~election and any By-elections that may occur during the 2024-2028 term of Council.~~

“ELECTION OFFICIALS” means the Returning Officer and Alternate Returning Officer appointed pursuant to this bylaw, and also includes Senior Deputy Returning Officers, Deputy Returning Officers, Poll Clerks, Poll Attendants, Revision Officers, Tabulator Operators and Standby Election Officers appointed and sworn in by the Returning Officer to assist with the conduct of the election, all as further described under section 8 of this bylaw.

“ELECTOR” means a person qualified to vote in the Election pursuant to section 48 of the *Municipal Act*.

~~“ELECTOR INFORMATION” means the necessary information for internet voting in the municipal election sent by the Returning Officer to registered Electors in accordance with this bylaw.~~

“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. Such identification shall include the birthdate of the Elector and a current residential address.

~~“INTERNET BALLOT” means an image of a ballot on a screen of a personal computing device, including all the choices available to an Elector and the spaces in which an Elector marks their vote.~~

~~“INTERNET VOTING PROVIDER” means the vendor retained on behalf of the City to provide the Internet Voting System.~~

~~“INTERNET VOTING SYSTEM” means the entire system including, but not limited to, hardware, programming, and processes, provided by the Internet Voting Provider that allows an Elector to remotely mark an Internet Ballot and vote online in the 2024 municipal election and By-Elections.~~

“LIST OF ELECTORS” means the list of registered Electors being used by the City in the Election.

“MOBILE INSTITUTIONAL POLL” means a poll that has been established under this bylaw in order that Electors may cast their votes while residing in a hospital or extended care facility.

Election Procedures Bylaw 2024-11

“MOBILE SPECIAL BALLOT POLL” means a poll that has been established under this bylaw in order that Electors may cast their votes by special ballot if they are incapable of attending at a poll by reason of physical incapacity or their attendance at Whitehorse Correctional Centre.

“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.

3. Except as otherwise provided in this bylaw the Election shall be conducted in accordance with the provisions of Part 3 of the *Municipal Act*.

AUTHORIZATION

4. The City Manager, Returning Officer, or designate is hereby authorized to enter into agreements with various agencies or service providers for assistance in the conduct of the Election.

ELECTION OFFICIALS

5. The City Manager is hereby delegated the responsibility for appointing a Returning Officer for the 2024 municipal election ~~and any By-elections that may occur during the 2024-2028 term of Council.~~
6. The City Manager is hereby delegated the responsibility to appoint an Alternate Returning Officer who is authorized to act in the absence of the Returning Officer or as otherwise required by the Returning Officer in their sole discretion.
7. 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, without limitation, Senior Deputy Returning Officers, Deputy Returning Officers, Revision Officers, Poll Clerks, Poll Attendants, Tabulator Operators and Standby Election Officers.
8. The role of the following election officials are defined as follows:
 - (1) “ALTERNATE RETURNING OFFICER” means the person appointed under this bylaw to assist the Returning Officer in the administration of the Election.
 - (2) “DEPUTY RETURNING OFFICER” means a person who has been appointed and sworn in by the Returning Officer to oversee a polling station during the Election and ensure that rules and procedures are followed at that polling station. The Deputy Returning Officer will also ensure that registration tasks including verification of eligibility, form completion, and entry into the List of Electors are completed.
 - (3) “POLL ATTENDANT” means a person who has been appointed to provide information and support at a polling place.

Election Procedures Bylaw 2024-11

- (4) "POLL CLERK" means a person who has been appointed and sworn in by the Returning Officer or Deputy Returning Officer to support the administration of the voting at each polling station.
 - (5) "RETURNING OFFICER" means the person appointed under this bylaw to be responsible for the administration of the Election. The Returning Officer will be delegated the responsibility to modify voting procedures, as long as the integrity of the vote is maintained.
 - (6) "REVISION OFFICER" means a person who has been appointed and sworn in by the Returning Officer to support the administration of the voting at a polling place by completing registration tasks including verification of eligibility, form completion, and entry into the list of Electors. Revision Officers may be employed at registration kiosks prior to normal polling dates if such kiosks are established by the Returning Officer.
 - (7) "SENIOR DEPUTY RETURNING OFFICER" means a person appointed and sworn in by the Returning Officer to oversee a polling place at which more than one Deputy Returning Officer is working.
 - (8) "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 days. Persons hired as standby election officers shall be sworn in by the Returning Officer and employed as required for partial or full periods when polls are open for advance polls and on polling day.
 - (9) "TABULATOR OPERATOR" means a person who has been appointed and sworn in by the Returning Officer to operate the tabulator at a polling place.
9. During their employment for the Election, Election Officials shall refrain from any active or public support for, or criticism of, any candidate running in the Election.
10. Senior Deputy Returning Officers will be appointed for 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;
 - (6) Overseeing the closing of the polling place and the secure return of the ballot box, results card and Tabulator to the Returning Officer; and
 - (7) Such further and other duties as may be assigned to them by the Returning Officer or their designate.

Election Procedures Bylaw 2024-11

11. Standby Election Officers will be hired to provide continuity in the event of no-shows, relief or additional capacity requirements. Standby Election 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;
 - (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; and
 - (6) Such further and other duties as may be assigned to them by the Returning Officer or their designate.
12. The following honorariums shall be paid to persons acting as Election Officials on polling day and advance polls:

Position	Per day	Notes
Senior Deputy Returning Officer (SDRO)	\$400.00	
Deputy Returning Officer (DRO)	\$315.00	
Poll Clerk (PC)	\$275.00	
Revision Officer (RevO)	\$275.00	
Tabulator Operator (TA)	\$275.00	
Poll Attendant (PA)	\$260.00	
DRO (Institution Poll)	\$23.00 per hour	Paid for a minimum of 4 hours
PC (Institution Poll)	\$21.00 per hour	Paid for a minimum of 4 hours
Standby Election Officers (SEO)	\$75.00	Based on 3 hours at the polling place; if the SEO covers another position, pay is adjusted to reflect that position's pay.

13. In addition to the honorarium above, Election Officials will receive a \$70.00 honorarium for time spent in training based on a maximum of four hours.
14. Election Officials appointed pursuant to section 6 of this bylaw may be employed on more than one polling day, and therefore are eligible to work at advance polls as well as at a regular poll on polling day.

Election Procedures Bylaw 2024-11

NOMINATION PLACE AND TIME

15. Tuesday, 10th of September 2024 is hereby established as the designated date when nominations will open to prospective candidates for the 2024 municipal election. Candidate packages will be available at City Hall.
16. Thursday, 26th of September 2024, 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 for the 2024 municipal election. ~~The Returning Officer shall have the delegated power to determine a designated date to receive the candidates' nomination papers for any By-election.~~
17. Council Chambers in City Hall, located at 2121 Second Avenue, or alternate location as determined by the Returning Officer is hereby designated as the place where the Returning Officer shall receive the candidates' nomination papers.
18. Notwithstanding sections 15 and 16 of this bylaw, candidates may arrange an appointment with the Returning Officer to file nomination papers between the date of the nomination notice issued under the *Municipal Act* and 10:00 a.m. on the nomination day designated under this bylaw.

~~Notwithstanding sections 15 and 16 of this bylaw, candidates for a By-election may arrange an appointment with the Returning Officer to file nomination papers between the date of the By-election nomination notice issued under the *Municipal Act* and 10:00 a.m. on the nomination day determined by the Returning Officer for the By-election.~~

POLLING DAY

19. Polling day for the 2024 municipal election shall be Thursday, October 17, 2024.

~~20. Subsequent By-elections may be held as authorized by Council resolution in accordance with section 146.01 of the *Municipal Act*.~~

ELECTRONIC LIST OF ELECTORS

~~21.~~20. The City will use an electronic List of Electors for the 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 2024 for use by the City in the 2024 municipal election.

- (1) The electronic List of Electors 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;

Election Procedures Bylaw 2024-11

- (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;
- (4) In the event of a power failure, some polls may be temporarily closed until power is restored; and
- (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.

~~22.~~21. Pursuant to the provisions of section 60(2) of the *Municipal Act*, and section 21 above, the requirement for a Board of Revision is dispensed of.

IDENTIFICATION OF ELECTORS

~~23.~~22. Electors will be required to produce identification at the poll, and when applying for a special ballot ~~and when requesting Elector Information for Internet Voting~~ to verify that they are the person whose name appears on the List of Electors.

~~24.~~23. If the elector does not have photo ID such as a driver's license or general identification card, 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 residency in the City.

~~25.~~24. 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.

- (1) In the event that an Elector does not have documentation to show that they have a residential address in the City, an Elector may still be issued a ballot provided that they sign a solemn declaration of their residential address and their qualification as an Elector in accordance with the *Municipal Act*.

~~26.~~25. For the purposes of this bylaw,

- (1) For proof of identity and/or date of birth, the following documents will be deemed acceptable if it is valid and not expired:
 - (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.

Election Procedures Bylaw 2024-11

- (2) For proof of Whitehorse residency, any one of the following current documents will be deemed acceptable as long as it shows the full residential address of the Elector:
- (a) A banking statement or a stamped banking profile from a bank with a physical branch located within the City;
 - (b) A bill showing a service location address (for example, a City utilities bill, an ATCO Electric bill or a Northwestel bill);
 - (c) A City 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 from the Canada Revenue Services (for the current year or within 2 years);
 - (g) Mortgage documentation;
 - (h) A signed residential tenancy agreement; or
 - (i) Social assistance benefit confirmation.

~~27.~~26. If an Elector's birth certificate, valid passport or other such identification document does not reflect the Elector's name as shown on the List of Electors, additional documentation will be required for proof of identity. In most instances, and subject to the discretion of the Election Officials, the proof of residency documents permitted under this bylaw in conjunction with one or more of the identity documents permitted under this bylaw will be sufficient to establish identification under the Bylaw. For greater certainty:

- (1) Minor discrepancies in spelling, as determined by Election Officials in their sole discretion, between documents will not invalidate an elector's documentation.
- (2) In the event that proof of identity or residency documents are deemed invalid by Election Officials, electors may still be issued a ballot provided that they sign a solemn declaration that they qualify as an Elector.

~~28.~~27. Electors whose names do not appear on the List of Electors may be sworn in at the poll, as follows:

- (1) Electors who do not have the required identification and whose name does not appear on the List of Electors may be issued a ballot provided that:
 - (a) they sign a solemn declaration that they are an Elector, and
 - (b) they are accompanied by an Elector whose name appears on the list of electors and who:
 - (i) provides the required identification; and
 - (ii) vouches for the Elector by signing a solemn declaration that the said Elector is eligible to vote in accordance with this bylaw and the *Municipal Act*.

Election Procedures Bylaw 2024-11

- (2) A registered Elector may vouch for the eligibility of no more than one unregistered Elector in each Election.

MEANS OF VOTING

- ~~29.~~ 28. Electors will be able to vote through paper ballots ~~and internet voting~~ subject to procedures established by the Returning Officer for the municipal ~~election and By-elections.~~
- ~~30.~~ 29. ~~Internet Ballots shall be an electronic ballot accessed by an Elector using the Internet Voting System that shall include the names of each Candidate listed in the order determined at the close of the nomination period.~~
- ~~31.~~ 30. Paper ~~and~~; Special ~~Ballots and Internet Ballots~~ shall include a designated voting space next to each Candidate's name.

POLLING PLACES

- ~~32.~~ 31. The Returning Officer shall establish, in their sole discretion, polling places in various areas of the City suitable for public assembly.
- ~~33.~~ 32. Polling places established in accordance with this bylaw shall be in premises of convenient access, including access for persons with disabilities.
- ~~34.~~ 33. A sign identifying the polling place shall be maintained in place outside each polling place during the time that the poll is open.
- ~~35.~~ 34. Private voting compartments shall be provided for the use of Electors in marking their ballots, along with a writing surface and a pen.

HOURS OF THE POLLS

- ~~36.~~ 35. Except as otherwise provided in this bylaw, regular polls shall be open on polling day between the hours of eight o'clock in the morning and eight o'clock in the afternoon (8:00 a.m. to 8:00 p.m.). However, for greater certainty hours of other polls may vary:
- (1) If a poll is established under this bylaw at the Whitehorse General Hospital, it shall be open for some period between the hours of 8:30 a.m. and 5:30 p.m.
 - (2) Polls established at care homes, and other similar institutions, shall be open for limited hours in accordance with a schedule arranged in advance by the Returning Officer, in their sole discretion, in consultation with staff at such institutions.
- ~~37.~~ 36. Election staff attending at polls established under sections 36(1) and 36(2) 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.

Election Procedures Bylaw 2024-11

SPECIAL BALLOTS

- ~~38.~~37. _____ Electors may apply for a special ballot, which shall be available from the office of the Returning Officer as of the 27th day of September 2024. The Returning Officer has sole discretion to determine whether an Elector meets the eligibility requirements for a special ballot in accordance with section 58 of the *Municipal Act*.
- ~~39.~~38. _____ A special ballot poll shall be established by the Returning Officer and located on City controlled premises. This special ballot poll will be open from 8:30 a.m. to 4:30 p.m. every business day from September 27th to and including October 16th, 2024.
- ~~40.~~39. _____ The special ballot poll established under this section of the Bylaw shall be open on polling day, October 17th, 2024, 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.
- ~~41.~~40. _____ Special ballots issued by the Returning Officer to Electors must be returned to the Returning Officer by no later than 2:00 p.m. on polling day in order to be counted.
- ~~42.~~41. _____ 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.
- ~~43.~~42. _____ An Elector who applies for and receives a special ballot shall 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 the polling day for the Election. 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, and the Returning Officer retains the discretion not to count any special ballot so used.
- ~~44.~~43. _____ Secure drop boxes shall be put in place at designated City controlled premises 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.
- ~~45.~~44. _____ Electors who have received a special ballot may return their ballot by depositing it in one of these designated special drop boxes.
- ~~46.~~45. _____ Special ballots may be mailed to Electors who 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 the polling day for the Election.
- ~~47.~~46. _____ Mobile Special Ballot Polls, as determined by the Returning Officer in their sole discretion, will be available to Electors incapable of attending a poll by reason

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of physical incapacity or to those in correctional facilities. Mobile Special Ballot Polls will not be available on the polling day for the Election.

~~48.47.~~ Electors applying for Mobile Special Ballot Polls because of physical incapacity will be subject to approval by the Returning Officer in their sole discretion.

ADVANCE POLL

~~49.48.~~ Any Elector may vote at an advance poll.

~~50.49.~~ Advance polls shall be established by the Returning Officer at City controlled premises on Thursday, October 10th, 2024, between the hours of 8:00 a.m. and 8:00 p.m.

INTERNET VOTING INFORMATION

~~51. Data from the electronic List of Electors will be utilized to provide the Internet Voting Provider with necessary Elector data.~~

~~52. The Internet Voting Provider will prepare the Elector Information according to instructions from the Returning Officer.~~

~~53. The Elector Information will include all of the information Electors require to cast their vote using the Internet Voting System, including, without limitation, the Uniform Resource Locator (URL) for the voting site, an Elector ID number, a voting PIN for use by an Elector to access the Internet Voting System, and any other information deemed necessary by the Returning Officer.~~

~~54. Elector Information will be emailed by Elections Yukon to eligible Electors who request Elector Information for the purpose of internet voting.~~

INTERNET VOTING PROCEDURE

~~55. Electors will be able to cast their Internet Ballot using the Internet Voting System from September 27th until Election day. Approval of applications for internet voting will be suspended from 7:59 AM until 8:01 PM during the advance poll on October 10th, and receipt of applications will end at 7:59 AM on polling day, October 17th.~~

~~56. The voting website shall be hosted by the Internet Voting Provider and will be accessible through the URL provided to Electors in the Elector Information.~~

~~57. At the opening of the voting period, the Returning Officer shall ensure that the total votes for all Candidates are zero in the Internet Voting System and open the vote.~~

~~58. Voters entering the voting website will be required to:~~

- ~~(1) — enter their Elector ID number;~~
- ~~(2) — enter their voting PIN;~~
- ~~(3) — enter their date of birth in the format indicated by the Returning Officer;~~
- ~~(4) — complete a captcha challenge;~~

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- ~~(5) — read and accept the mandatory declaration and offences statements;~~
- ~~(6) — complete their ballot according to the instructions provided by the Internet Voting System;~~
- ~~(7) — prior to casting their ballot, Electors will be provided an opportunity to review their vote and/or modify their selection; and~~
- ~~(8) — cast their ballot.~~

~~59. An Elector will not be able to cast more than one ballot.~~

~~60. Once an Elector has selected to cast their ballot according to the Internet Voting System instructions, they will no longer be able to make any further changes to their vote. All ballots, once cast, shall be encrypted and stored according to the Internet Voting System's design and protocols. The Internet Voting System will provide the Elector with notification that voting is complete and their ballot was successfully cast.~~

~~61. Electors who have cast their ballot will not be able to re-enter the Internet Voting System. With the successful casting of their ballot, the Elector ID and voting PIN shall be disabled and the Elector will be recorded as having voted.~~

MOBILE INSTITUTIONAL POLLS

~~62.~~50. Mobile Institutional Polls may be established to attend at care homes, including without limitation Copper Ridge Place and Whistle Bend Place, at which electors who reside in the said institutions may cast their vote.

- (1) 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) If care homes are closed to the public during the election period, the Returning Officer is delegated the authority to arrange with the individual care homes to 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.

~~63.~~51. Except as provided in section 62 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.

~~64.~~52. 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.

VOTING SECRECY AND INTERFERENCE

~~65.~~53. The Returning Officer will be responsible for maintaining the secrecy of paper ballots and special ballots. ~~The Returning Officer and the Internet Voting Provider will be responsible for maintaining the secrecy of internet voting.~~

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~~66. The Internet Voting Provider shall ensure that the Internet Voting System maintains the secrecy of voting.~~

~~67.~~54. No person shall interfere or attempt to interfere in a municipal election by obtaining or attempting to obtain:

- (1) a paper or special ballot that belongs to another Elector;
- ~~(2) an Elector ID number and/or voting PIN that belongs to another Elector; or~~
- ~~(3) an Elector ID number and/or voting PIN when not eligible to do so because they are not an Elector or they have already voted.~~

~~68.~~55. No person shall interfere or attempt to interfere with an Elector while in the process of voting unless expressly requested and authorized by the Elector.

~~69.~~56. No person shall obtain or attempt to obtain information about how an Elector intends to vote or has voted.

~~70.~~57. Any Election Official requested by an Elector to assist them with voting is required to maintain the secrecy of the vote cast by the Elector and shall vote according to the instructions and wishes of the Elector.

TABULATOR SYSTEM

~~71.~~58. The City will use a poll-based ballot scanning and tabulation system for the 2024 municipal Election ~~and for future Elections and By-elections.~~

~~72.~~59. A paper ballot will be marked by the Elector and then scanned by a Tabulator.

~~73.~~60. One ballot will be used for the Election of one Mayor and up to six Councillors. In the event that Council opts to include referendum or plebiscite questions at the time of the Election, such questions may be included on that same ballot.

~~74.~~61. At each poll, Electors will mark their selections on a paper ballot by filling in the voting targets next to their choices.

~~75.~~62. The Elector will insert the completed paper ballot into a secrecy folder and return the folder with the ballot inside to the Tabulator Operator.

- (1) In the presence of the Elector (if desired) the Tabulator Operator will insert the ballot into the Tabulator. The secrecy folder ensures the security of the ballot. The Tabulator will:
 - (a) Scan the ballot;
 - (b) Indicate that the ballot was read correctly, and may, if desired, also indicate if the ballot is valid;
 - (c) Redundantly store and tally the results; and
 - (d) After the polls have closed, print cumulative totals of all votes cast.

COUNTING PROCEDURES

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~~76.63.~~ 63. A results tally and reporting module will be installed on computer at City Hall. This module will integrate Election results, including:

- (1) Results for each contest at each poll; and
- (2) Contest overview results.

~~77.64.~~ 64. Reports from the results tally and reporting module will be generated based on filter fields including:

- (1) Contest (Mayor, Councillor, plebiscite, etc.);
- (2) Tabulator identifier;
- (3) Polling location; and
- (4) Counting group (the number of polls at the polling location).

~~78.65.~~ 65. Following the close of the polls, the Senior Deputy Returning Officer at each polling location will direct the Tabulator Operator to print a paper tape from the Tabulator showing the preliminary results. The paper tape will be printed in the presence of, and immediately delivered to, the Senior Deputy Returning Officer.

~~79.66.~~ 66. Following the close of the polls, each Tabulator's memory card will be physically delivered to City Hall. Thereafter each memory card will be inserted into a memory card reader attached to the results tally computer.

- (1) The results files will be loaded into the results tally module and consolidated results will be verified, tabulated and published; and
- (2) Consolidated results will be published for public review via results reports in PDF format or an internet-based real-time graphical report display.

RECOUNT PROCEDURES

~~80.67.~~ 67. In the event of a recount, the Tabulators will be used to speed up the process, but the paper ballots will be available to be counted and examined.

BY-ELECTIONS

~~81.~~ Council shall pass a resolution for the scheduling of a By-election no earlier than 30 days and no later than 45 days after any event that results in a vacancy on Council, such as:

- ~~(1) resignation of the Mayor or one or more Councillors;~~
- ~~(2) upon the death of the Mayor or a Councillor; or~~
- ~~(3) if the Mayor or a Councillor is disqualified for a violation of one of sections 193.04 or 195(1)(a) of the *Municipal Act*.~~

~~82.~~ A resolution for the scheduling of a By-election will not be required if the vacancy of the Mayor or one more Councillors occurs after the first day of February in an election year.

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~~83.68.~~ If Council is not able to meet quorum as a result of vacancies after the month of February in an election year, Council shall pass a resolution for the scheduling of a By-election.

USE OF CITY ADVERTISING SPACE DURING AN ELECTION

~~84.69.~~ During an election, a limited number of advertising spaces may be available in City facilities and on City transit buses for fees as established in the Fees & Charges Bylaw. Space for advertisements may be purchased on a first-come, first-served basis 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;
- (3) Clearly and visibly state "This advertisement was paid for by (name of candidate or sponsor)"; and
- (4) Clearly and visibly state, "*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*".

BYLAW REPEAL

~~85.70.~~ Bylaw 2018-01, including all amendments thereto, is hereby repealed.

COMING INTO FORCE

~~86.71.~~ This bylaw shall come into full force and effect on and from the final passing thereof.

FIRST and SECOND READING: April 22, 2024

THIRD READING and ADOPTION:

ORIGINAL BYLAW SIGNED BY:

Laura Cabott, Mayor

Corporate Services