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Halifax Regional Council
August 19th, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: *B. MacDonald*
for Betty MacDonald, Director of Governance & Strategic Initiatives

DATE: August 11th, 2003

SUBJECT: SPECIAL ELECTION - DISTRICTS 2, 3 AND 16

INFORMATION REPORT

ORIGIN

As a result of the Provincial Election held on August 5th, 2003, and once resignations are received from Councillors Hines and Whalen, two vacancies will be created on Regional Council in Districts 2 and 16. If the August 5th election day results in the Preston riding remain in Councillor Colwell's favour as a result of the recount scheduled for September 3rd, 2003, vacancy will also occur in District 3.

- District 2 - Waverley-Dutch Settlement (Councillor Hines elected as MLA)**
- District 3 - Preston-Porter's Lake (to be confirmed - recount scheduled for Sept. 3, 2003)**
- District 16 - Prince's Lodge-Clayton Park West (Councillor Whalen elected as MLA)**

BACKGROUND/DISCUSSION

The Municipal Elections Act provides that a Councillor who is elected to the Legislative Assembly shall resign his office as Councillor within thirty days of a Provincial Election. Once Council is in receipt of resignations from the Councillors who were successful in the recent Provincial Election, it will be in a position to set the date for the Special Election. The date selected must meet the requirement to hold the election not more than 11 weeks after Council meets to set the date. Given the myriad of tasks that have to be carried out in advance of the event, at least eight weeks are required to properly prepare for a Special Election.

A judicial recount has been scheduled for September 3rd, 2003, in the Provincial riding of Preston. Should the election of Councillor Colwell to the Legislative Assembly be confirmed as a result of the recount, a vacancy will be created on Regional Council in District 3.

Accordingly, with a judicial decision following the recount in the Preston riding and with the passing of the deadline for submission of resignations, Council will be in a position to address the Special Election at the September 9th meeting of Council. The earliest date the Special Election could take place would be November 8th, 2003. Once all of the resignations are in hand, Council will be provided with a report recommending dates for Ordinary Polling and Advance Poll days.

BUDGET IMPLICATIONS

Funding, at approximately \$55,000, will be drawn from the Election Reserve to conduct Special Elections in three Districts. Budget implications will be detailed in the report to be presented to Council on September 9th, 2003.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

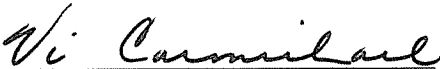
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

There are no alternatives. Pursuant to legislation, a Special Election must take place to fill the vacancies on Regional Council.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:


Vi Carmichael, Municipal Clerk

490-4234