**Minute No. 715**
**Report – Executive Policy Committee – October 20, 2021**

**Item No. 1 Council Policy for Conducting Plebiscites**

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the City of Winnipeg Plebiscite Policy, attached as Appendix A, be approved.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

**Report – Executive Policy Committee – October 20, 2021**

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2021, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

COUNCIL DECISION:

On March 25, 2021, Council concurred in the March 17, 2021, recommendation of the Executive Policy Committee.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 17, 2021, the Executive Policy Committee passed the following motion:

1. That the Winnipeg Public Service be directed to conduct a cross jurisdictional analysis and report back to Council within 180 days with recommendations on a policy to guide the use of referendums/plebiscites, and the report also include the following:

    A. Criteria for when a referendum/plebiscite should be triggered.

    B. What types of matters should or can appear as a referendum/plebiscite.

    C. Rules related to advertising, promotion, messaging, and spending limits for respective positions.

    D. Determination of the effective/correct wording of the referendum/plebiscite question to ensure a fair and accurate answer.

    E. Whether the results are binding.

    F. Whether 50 percent plus one is a sufficient score to deem the result the decisive will of the people.

**Report – Executive Policy Committee – October 20, 2021**

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

and submitted the matter to Council.

COUNCIL DECISION:

On February 25, 2021, Council ruled automatic referral of the following motion to the Executive Policy Committee:

Moved by Councillor Nason,
Seconded by Councillor Gillingham,

WHEREAS placing referendum and plebiscite questions on the ballot provide the public an opportunity to have a direct say on policy matters important to the community;

AND WHEREAS the City of Winnipeg does not have established policy to guide the use of referendum/plebiscite question(s);

AND WHEREAS Winnipeg City Council and the residents of Winnipeg could benefit from a policy surrounding the use of these democratic tools;

THEREFORE BE IT RESOLVED that the Winnipeg Public Service conduct a cross jurisdictional analysis and report back to Council within 180 days with recommendations on a policy to guide the use of referendums/plebiscites, and the report also include the following:

1. Criteria for when a referendum/plebiscite should be triggered;

2. What types of matters should or can appear as a referendum/plebiscite;

3. Rules related to advertising, promotion, messaging, and spending limits for respective positions;

**Report – Executive Policy Committee – October 20, 2021**

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

4. Determination of the effective/correct wording of the referendum/plebiscite question to ensure a fair and accurate answer;

5. Whether the results are binding;

6. Whether 50 percent plus one is a sufficient score to deem the result the decisive will of the people.

# ADMINISTRATIVE REPORT

**Title:** Council Policy for Conducting Plebiscites

**Critical Path:** Executive Policy Committee - Council

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| S. Armbruster | M. Lemoine | N/A | M. Jack |

## EXECUTIVE SUMMARY

On March 25, 2021, City Council directed the Winnipeg Public Service to conduct a cross jurisdictional analysis and report back with recommendations on a policy to guide the use of referendums / plebiscites.

A cross jurisdictional analysis of seven major Canadian cities was conducted. A summary of legislation and municipal by-laws which govern the use of referendums / plebiscites in these Canadian cities is provided.

A policy for future plebiscites at the City of Winnipeg is also attached.

## RECOMMENDATIONS

1. That the City of Winnipeg Plebiscite Policy, attached as Appendix A, be approved.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

## REASON FOR THE REPORT

On March 25, 2021 Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Winnipeg Public Service be directed to conduct a cross jurisdictional analysis and report back to Council within 180 days with recommendations on a policy to guide the use of referendums/plebiscites, and the report also include the following:

A. Criteria for when a referendum/plebiscite should be triggered.
B. What types of matters should or can appear as a referendum/plebiscite.
C. Rules related to advertising, promotion, messaging, and spending limits for respective positions.
D. Determination of the effective/correct wording of the referendum/plebiscite question to ensure a fair and accurate answer.
E. Whether the results are binding.
F. Whether 50 percent plus one is a sufficient score to deem the result the decisive will of the people.

## IMPLICATIONS OF THE RECOMMENDATIONS

Acceptance of the recommendations contained in this report will provide Council and the Public Service with guidance and direction on the provision of ballot questions to the citizens of Winnipeg during civic elections.

## HISTORY/DISCUSSION

### Ballot Questions in Winnipeg

There have been three Civic Elections in Winnipeg which have included ballot questions.

First, on November 22, 1940, Winnipeggers were given a referendum question on adult suffrage as follows:

> "Are you in favour of the right to vote being given to every British subject by birth or naturalization, 21 years of age or over, who has resided in Winnipeg for at least one year prior to the election?"
>
> 22,171 voted in favour of extending the franchise, while 11,081 voted against.

Second, on October 26th, 1983, Winnipeggers were asked to vote on two questions as follows:

1. Do you support nuclear disarmament by all nations on a gradual basis with the ultimate goal of a world free from nuclear weapons and mandate your federal government to negotiate and implement with other governments steps that would lead to the earliest possible achievement of this goal?"

154,686 electors voted "Yes" and 46,444 electors voted "No".

2. Should the Provincial Government withdraw its proposed constitutional amendment and allow the Bilodeau case to proceed to be heard and decided by the Supreme Court of Canada on the validity of the English only laws passed by the Legislature of Manitoba since 1890?

155,408 electors voted "Yes" and 47,771 electors voted "No".

Third, on July 19, 2018, City Council directed the City Clerk to place the following question on the ballot of the 2018 Municipal Election:

> "Do you support the opening of Portage and Main to pedestrian crossings? YES/NO"

On October 24, 2018, the question was placed on the Winnipeg Municipal Election ballot with 72,300 citizens voting "Yes" and 134,203 citizens voting "No".

## Manitoba Election Legislation and Plebiscites

*The Municipal Councils and School Boards Elections Act* governs municipal election voting in the Province of Manitoba. Current provincial election legislation in Manitoba does not provide for the general use of municipal plebiscites and referendums. However, section 2 of *The Act* does provide authority and direction for a vote on a question in two specific scenarios.

In the first scenario, *The Municipal Councils and School Boards Elections Act* applies to a plebiscite under *The Liquor, Gaming and Cannabis Control Act*. *The Liquor, Gaming and Cannabis Control Act* and establishes that a plebiscite may be held in a municipality to restrict or prohibit the sale of liquor or to prohibit video lottery terminal gaming or cannabis sales in the municipality. It establishes that a plebiscite may be initiated by resolution of the council of the municipality and that the wording must be approved by the executive director. The Act further sets out conditions and criteria, such as the requirement that the council resolution be made no earlier than one year before the next voting day and no later than 90 days before the next voting day. It is also possible for plebiscites to be initiated by way of petition if they meet requirements of the Act.

In the second scenario, *The Municipal Councils and School Boards Elections Act* applies to a vote held under Part 2 of *The Municipal Act.* Part 2 of *The Municipal Act* establishes via section 10 (1) (c) that a proposal to form or dissolve a municipality may be initiated by at least 30% of the persons (i) who would be voters of the municipality proposed to be formed, or (ii) who are voters of the municipality to be dissolved. *The Act* further sets out detailed compliance requirements for petition sufficiency.

## Cross Jurisdictional Analysis

A cross jurisdictional analysis of 7 major Canadian cities show a variety of practices, legislation and by-laws in the use of referendums and plebiscites in Canada. A discussion of the different cities examined is contained in Appendix B. A summary table of findings is contained in Appendix C.

## Analysis

An analysis of the various issues requested by City Council on March 25, 2021 is as follows. The terms referendum and plebiscite were not defined in the request made to the Public Service. Various definitions can be found, however in general referendum is typically defined to

mean a vote of citizens on an issue that is binding versus a plebiscite being a vote of citizens on an issue that is non-binding or for information only.

In all cases examined, binding results only existed in cities when specified in Provincial legislation. As there is no Provincial legislation affecting the City of Winnipeg that deals with this issue (other than for those issues dealt with in *The Liquor, Gaming and Cannabis Control Act*) and there is no mechanism for City Council to bind itself or future Councils, the policy provided will deal only with plebiscites or non-binding votes.

Criteria for when a plebiscite should be triggered would be upon the resolution of City Council. A timeline for such resolutions would be no more than 1 year prior to a general election and no less than 90 days prior to a general election. Should there be a desire to rescind a previous resolution, this must be done no less than 90 days prior to a general election.

There are a number of areas where City Council has imposed upon itself the requirement for a super majority vote in order to pass certain items of greater importance or that are out of the ordinary. Adding a question to a ballot is seen as fitting into these categories, as it is a very unique occurrence and one that potentially takes away from other aspects of concern in the election and focusing the attention of voters on this one issue. As such, it is recommended that a 2/3rds majority of Council members present for the vote be required in order to pass a resolution to add a question to a ballot.

Few municipalities had requirements in regards to what types of matter could be considered. However it should be a matter that clearly falls under the jurisdiction of the City of Winnipeg. This will be similar to section 38(2) of the Procedure by-law which states matters outside the jurisdiction of the City of Winnipeg shall be out of order.

In terms of advertising & promotion, most municipalities surveyed had Provincial legislation dealing with spending in regards to question on a ballot. No such Provincial legislation exists here. In the most recent question dealing with Portage & Main, the Senior Election Official included on the Election website a link to an existing website regarding Portage & Main. See https://winnipeg.ca/clerks/election/election2018/QuestionOnTheBallot.stm

The website was already in the public domain and much of the information had already been discussed in public forums when the question was added to the ballot. The information was seen as factual, so no issue was seen as including the link on the website. Despite this, the Senior Election Official did receive some concerns from media and some candidates at the start of the campaign that the link was biased and should not be on the election website. However, as the campaign continued, many more concerns were raised by citizens over the lack of information regarding this issue and looking for information on which to base their decision.

It is not recommended that any regulations be put in place regarding advertising on future plebiscites. Rather, it is recommended that the Senior Election Official be authorized to add and / or remove links to factual information on the plebiscite to the election website at his / her sole discretion. This would be similar to including links to information about candidates on the website, something that is already done.

In terms of the question wording, it is recommended that the question be worded as in the resolution of City Council. It is recommended that questions be limited to 50 words or less and that all questions be in the form of a YES / NO type question. No multiple choice or write in

responses would be allowed. As well, it is recommended that the number of questions be limited to a maximum of two per ballot. Multiple questions would require printing of the reverse side of the ballot, which would add greatly both to cost of printing the ½ million ballots as well as significant extra processing time by the voting machines at the poll, slowing down the voting process.

**FINANCIAL IMPACT**

## Financial Impact Statement

**Date:** September 7, 2021

## Project Name:
## Cross Jurisdictional Analysis - Plebiscites

**COMMENTS:**

There are no financial implications associated with the recommendations in this report.

*Electronically signed by J. Peters*
Jocelyn Peters, CPA, CGA
Manager of Finance (Campus)
Corporate Finance Department

**CONSULTATION**

This Report has been prepared in consultation with: Legal Services

**OURWINNIPEG POLICY ALIGNMENT**

The recommendations contained in this report align with OurWinnipeg Direction 1: Provide efficient and focused civic administration and governance.

**WINNIPEG CLIMATE ACTION PLAN ALIGNMENT**

N/A

**SUBMITTED BY**

Department: City Clerks
Division:
Prepared by: S. Armbruster
Date: September 9, 2021
File No:

Attachments:

Appendix A - City of Winnipeg Plebiscites Policy
Appendix B - Manitoba Election Legislation and Plebiscites and Cross Jurisdictional Analysis
Appendix C - Cross Jurisdictional Summary

APPENDIX A

Winnipeg

**CITY OF WINNIPEG POLICY NO. XXX-XXX**

| **POLICY TITLE**<br>*City of Winnipeg Plebiscites* | **ADOPTED BY**<br>*City Council* | **EFFECTIVE DATE**<br>*XXXXXXXX* |
|---|---|---|
| **ORIGIN / AUTHORITY**<br>*Executive Policy Committee* | **CITY POLICY NO** | **MOST RECENT CONSOLIDATION**<br>*XXX-XXX* |

**1. Purpose:**
To guide the use of ballot questions in the City of Winnipeg.

**2. Definitions:**

***2.1*** **"question"** means a vote on a plebiscite as approved by Council

***2.2*** **"election"** means a vote held under *The City of Winnipeg Charter*

***2.3*** **"voter"** means a voter under the definition of eligibility under *The Municipal Councils and School Boards Elections Act*

***2.4*** **"third parties"** means individuals, corporations or unions that incur expenses for advertisements in relation to a ballot question

**3. Policies:**

**3.1** All questions added to the ballot are for information only and are non-binding.

**3.2** Questions to be added to or removed from the ballot will occur upon resolution by City Council, with a 2/3rds vote of members present required.

**3.3** Resolutions adding questions to the ballot for a General Election must be adopted no more than 1 year prior to the date of the election and no less than 90 days prior to the date of the election.

**3.4** Removal of a question from the ballot must occur no less than 90 days prior to the date of the election.

**3.5** A question to be voted on by the voters must be on a matter over which the City of Winnipeg has jurisdiction.

**3.6** The Senior Election Official will create a section of the election website containing information regarding the election question. Factual information and links to factual information will be posted on the election website at the sole discretion of the Senior Election Official.

APPENDIX A

**3.7** A question must request a clear “yes” or “no” answer and be neutral so as not to influence the voter in regard to ballot choices.

**3.8** A question will be worded as per the resolution of City Council.

**3.9** Questions shall be less than 50 words in length.

**3.10** A maximum of two (2) questions will be allowed on the ballot of any 1 general election.

**3.11** All voting rules and procedures for the question shall be in accordance with *The Municipal Councils and School Boards Elections Act.*

## 4. Responsibilities

**4.1** Prior to approval of any question, Council shall consult with the City Clerk and request a report for advice related to:

a) Potential costs associated with adding the ballot question;
b) Wording of the ballot question; and
c) Other considerations related to the ballot question.

APPENDIX B

## Manitoba Election Legislation and Plebiscites

*The Municipal Councils and School Boards Elections Act* governs municipal election voting in the Province of Manitoba. Current provincial election legislation in Manitoba does not provide for the general use of municipal plebiscites and referendums. However, section 2 of *The Act* does provide authority and direction for a vote on a question in two specific scenarios.

In the first scenario, *The Municipal Councils and School Boards Elections Act* applies to a plebiscite under *The Liquor, Gaming and Cannabis Control Act*. *The Liquor, Gaming and Cannabis Control Act* establishes that a plebiscite may be held in a municipality to restrict or prohibit the sale of liquor or to prohibit video lottery terminal gaming or cannabis sales in the municipality. It establishes that a plebiscite may be initiated by resolution of the council of the municipality and that the wording must be approved by the executive director. The Act further sets out conditions and criteria, such as the requirement that the council resolution be made no earlier than one year before the next voting day and no later than 90 days before the next voting day. It is also possible for plebiscites to be initiated by way of petition if they meet requirements of the Act.

In the second scenario, *The Municipal Councils and School Boards Elections Act* applies to a vote held under Part 2 of *The Municipal Act.* Part 2 of *The Municipal Act* establishes via section 10 (1) (c) that a proposal to form or dissolve a municipality may be initiated by at least 30% of the persons (i) who would be voters of the municipality proposed to be formed, or (ii) who are voters of the municipality to be dissolved. *The Act* further sets out detailed compliance requirements for petition sufficiency.

## Cross Jurisdictional Analysis

A cross jurisdictional analysis of 7 major Canadian cities show a variety of practices, legislation and by-laws in the use of referendums and plebiscites in Canada.

## City of Vancouver

The *Vancouver Charter* provides that “Council, for its own information, may submit for the opinion of the electors any question with which the Council has or desires to have the power to deal”. Council is delegated the authority to approve questions and there are no criteria for what subject matter qualifies. The threshold is 51% and results are non-binding.

Vancouver held a plebiscite in 2003 to gauge elector support for hosting the 2010 Olympic Winter and Paralympic games. 64 percent of Vancouver voters were in favour. On October 16, 2004, Vancouver City Council held a plebiscite on abolishing an at-large system and replacing it with a Ward system for electing members of City Council. 54% of voters chose to oppose the Ward system and retain the citywide system.

APPENDIX B

In addition, The *Vancouver Charter* requires that the issue of borrowing be submitted to electors. Specifically, it says "Council shall not contract any debt, the full payment of which is not provided for in the estimates adopted for the current year, unless a by-law authorizing it has been passed with the assent of the electors". Rules to govern Assent Voting, including spending, are provided for under the *Location Elections Campaign Financing Act*. The results of Assent Voting are binding.

**City of Victoria**

The City of Victoria follows the provisions of Assent Voting under *The Province of British Columbia Local Government Act.* Assent voting is to be conducted in the same manner as Elections and applies to voting on a by-law or other matters for which the assent of electors is required. A yes or no question must be used and notice must be provided by the chief election officer for assent voting. The City of Victoria *Elections Procedures By-Law No. 02-013* provides rules for elections and other voting, including assent voting ballot questions.

In the City of Victoria 2018 General Election a community opinion question regarding municipal amalgamation was added as follows: "Are you in favour of spending up to $250,000 for establishing a Citizens' Assembly to explore the costs, benefits, and disadvantages of the amalgamation between the District of Saanich and the City of Victoria?" On October 20, 2018, 66.47% of City of Victoria electors voted "Yes".

On November 20, 2010, in a By-Election, City of Victoria voters were also asked to vote in a referendum on borrowing for the building of a new bridge. 60.57% of eligible voters voted in favour of authorizing Council to borrow the funds to decommission the old bridge and construct a new one.

**City of Edmonton**

*The Municipal Government Act* in the Province of Alberta provides for municipal ballot questions on issues under municipal jurisdiction by way of petition or by Council decision.

If a question is submitted by way of petition if it meets sufficiency requirements, including the signatures of 10 percent of the population. Under section 235 of *The Municipal Government Act*, the results of a vote that originated by way of petition is binding.

Under section 236 of *The Municipal Government Act*, Council may provide for the submission of a question on any matter over which the municipality has jurisdiction. A vote of the electors under this section is not binding.

Any vote on questions put to the electors must be performed in accordance with *The Local Authority Elections Act*. For example, section 44 (1) of the Act establishes that if there is to be a vote on a bylaw or question, the elected authority determines the wording to be used on the

ballot, and may determine the form of the ballot. If the elected authority does not determine the form of the ballot, the returning officer must do so.

APPENDIX B

In the October 16, 1995 Edmonton municipal election, voters were given two plebiscite questions. The first question was regarding the location of the Edmonton airport. 76.81% of voters supported moving scheduled air passenger service from the Edmonton Municipal Airport to the Edmonton International Airport.

The second question asked voter's to direct Council on whether to "leave Keillor Road open to traffic". 56.33% of eligible Edmonton electors voted "No".

The Province of Alberta also holds a *Referendum Act* which provides that if the Lieutenant Governor in Council considers that an expression of public opinion is desirable on any matter of public interest or concern, a referendum may be ordered in conjunction with municipal elections.

Recently, the Premier of Alberta announced that there will be several referendum questions added to October 2021 municipal election ballots, including voter preferences on time change, electing Senators and the fairness of equalization payments.

**City of Calgary**

Ballot questions in Calgary are governed by the same legislation and provisions as the City of Edmonton, namely, *The Municipal Government* Act and *The Local Authorities Elections Act*.

As well, the City of Calgary has the *Elections By-Law 35M2018* which makes provision for ballot questions, but does not add specific direction or requirements.

Historically, in considering the addition of a ballot question, Council has requested a budget estimate from the Returning Officer and provided direction on where the funding should come from. Questions plebiscites are approved by Council. As a matter of practice Council has requested that the Returning Officer provide recommended wording of the questions and an independent communications consultant has been retained to develop the wording.

In November, 2018, the City of Calgary held a plebiscite to determine support for a bid for the 2026 Winter Olympic and Paralympic Games. 54.6% of Calgary electors voted "No" in the non-binding plebiscite which was held independent from a General Election.

In the upcoming 2021 Calgary Municipal Election, City Council has directed that electors vote on at least two ballot questions. One question is related to re-introducing fluoride into the municipal water system and the other is about advocating the Provincial Government for a fair deal for Calgary taxpayers. These ballot questions will be in addition to the ballot questions being added by the Province under the *Referendum Act*, as referenced above

APPENDIX B

**City of Toronto**

The City of Toronto is governed by the *Municipal Elections Act*. which allows for a question to be put on the ballot.

A municipal council may pass a bylaw to put a question on the ballot by March 1 in the year of a regular election. The Act specifies ca number of conditions, including that the question must:

- be a matter that the municipality has authority for and can implement
- not be a matter of Provincial interest
- contain clear, concise and neutral wording
- require a “yes” and “no”, not multiple choice, answer.
- multiple choice or multi-part questions are not permitted

Any person may appeal the wording of the question to the Chief Electoral Officer of Elections Ontario. This appeal must be filed with the municipal clerk within 20 days of the bylaw being passed.

The Minister of Municipal Affairs may also place a question on the ballot. The question may be about any matter. The results of a minister’s question can provide advice to the minister or to the government, but the results are not binding.

If more than 50% of the eligible voters in a municipality vote on the question, the result is binding on the municipal council. If more than 50% of the votes cast vote in favour, the municipality must do everything in its power to implement the results of the question in a timely manner. If more than 50% of the votes cast vote “no”, the municipality cannot implement the matter in question until 4 years have passed since voting day. However, Council is not required nor prevented from taking any action to implement the results if a subsequent question authorizes such action or inaction; or if Council is of the opinion, reasonably held, that there has been a material change in circumstances since the time it passed the by-law to submit a question to the electors.

If less than 50% of the eligible voters in the municipality vote on the question, the results are not binding. Council may consider the results, but it is not required to act or not act on whatever the question was about.

Municipalities are not mandated by spending rules. Ontario residents, corporations and trade unions that incur expenses for third party advertisements to promote, support or oppose a candidate in the election, or, a "yes" or "no" answer to a question on the ballot must register as a third-party advertiser with the Clerk before they can begin advertising. Registered third parties are subject to spending limits.

There have been no ballot questions added by the City of Toronto under the present legislation.

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**City of Ottawa**

The City of Ottawa is governed by the *Municipal Elections Act*. Ottawa does not have any existing policies or by-laws on referendums or plebiscites.

The process and requirements for submitting ballot questions to electors are the same as for the City of Toronto as noted above.

There have been no questions submitted to electors in the City of Ottawa since amalgamation occurred in 2001.

**City of Saskatoon**

The Cities Act governs plebiscites and referendums in the Province of Saskatchewan. Under the *Cities Act*, there are several ways in which a referendum or plebiscite may occur:

Under the first option, a Council may submit to a plebiscite vote any question on any matter that the council determines affects the residents of the city. The results are not binding.

A second option is that Council may submit any proposed bylaw or resolution, or alternative proposed bylaws or resolutions, to a referendum. The results are binding for a period of one year.

In a third scenario, if a Council receives a petition signed by the number of voters equal to 10% of the population of the City requesting a referendum for a bylaw or resolution on any matter within the jurisdiction of the council, the Council shall submit the request to a vote of the voters. Voters may petition a bylaw or resolution on any matter within the jurisdiction of the Council except for the adoption of an operating or capital budget or the annual general property taxation bylaw.

Voting rules under the Cities Act are prescribed by *The Local Government Election Act*.

Saskatoon has campaign expenditure limits for elections, but not for referendums.

By way of process, the City Clerk is delegated to receive all petitions for referendums. For questions about petitions or to obtain clarity following receipt of a petition for referendum the Court of Queen's Bench has the authority to make changes.

The last referendum was held in Saskatoon in October, 2003. Saskatoon voters rejected locating a downtown casino by a vote of 55.33% to 44.67%. Electors also voted against a second resolution supporting casino expansion in the city in general by just 52.19% to 47.81%.

APPENDIX C

| | Enabling Legislation | Spending Rules | Approval of Question | Binding | Approval Threshold | Subject Matter & Other Criteria | Other |
|---|---|---|---|---|---|---|---|
| **Vancouver** | Vancouver Charter | Per the Local Elections Campaign Financing Act | Council | Only for capital plan borrowing | 50% plus 1 | Any question with which the Council has or desires to have the power to deal. | |
| **Calgary** | Municipal Government Act Local Authorities Elections Act Referendum Act and Elections Bylaw 35M2018 | Per the Local Authority Elections Act and Referendum Act | Council, Lieutenant Governor or Petitioner | Questions that originate by petition are binding. Questions that originate by Council or Lieutenant Governor are not binding. | Petition must have a number of voters equal to 10% of population in order to require a vote. | A question submitted by Petition or Council decision must be on a matter within Council jurisdiction. A question submitted by the Lieutenant Governor may be on any matter of public interest or concern. | Historically Council requests a budget estimate from the Returning Officer and gives direction on a funding source. The Returning Officer has provided recommended wording of the questions and has hired an independent communications consultant to develop the wording. |
| **Edmonton** | Municipal Government Act Local Authorities Elections Act and Referendum Act | Per the Local Authority Elections Act and Referendum Act | Council, Lieutenant Governor or Petitioner | Questions that originate by petition are binding. Questions that originate by Council or Lieutenant Governor are not binding. | Petition must have a number of voters equal to 10% of population in order to require a vote. | A question submitted by Petition or Council decision must be on a matter within Council jurisdiction. A question submitted by the Lieutenant Governor may be on any matter of public interest or concern. | One year moratorium on similar subject matter (if a vote of the electors is conducted on a by-law or resolution). |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Saskatoon** | The Cities Act | None provincially. Ability to be set via by-law. | Council may initiate a plebiscite or a referendum. A public petition may initiate a referendum. | Results of a referendum are binding. Results of a plebiscite are not. | Petition must have a number of voters equal to 10% of population in order to require a vote. | For anything aside from adoption of operating or capital budget or the annual general property taxation by-law. | No referendum since 2003. |
| **Toronto** | Ontario Municipal Elections Act | The Act requires registration of third party advertisers and provides rules for contributions | Question may be submitted by Council of a municipality, local board or electors. Wording is appealable. | If more than 50% of eligible voters vote on the question, the result is binding to Council. If less than 50% of voters respond, results are not | 50% plus 1 | Must be a matter within municipal authority. Cannot be of provincial interest. Must be clear, concise and neutral. Must be a yes or no answer. | If Council wishes to put a question on the ballot for regular election, it must pass a bylaw by March 1 in the year of the election. |
| **Ottawa** | Ontario Municipal Elections Act | The Act requires registration of third party advertisers and provides rules for contributions | Question may be submitted by Council of a municipality, local board or electors. Wording is appealable. | If more than 50% of eligible voters vote on the question, the result is binding to Council. If less than 50% of voters respond, results are not | 50% plus 1 | Must concern a matter within municipality jurisdiction. Most be clear, concise and neutral. Must be yes or no question. | If Council wishes to put a question on the ballot for regular election, it must pass a bylaw by March 1 in the year of the election. |
| **Victoria** | British Columbia Local Government Act and City of Victoria Elections Procedures By-Law No. 02/013. | Per the Local Elections Campaign Financing Act | Council | Community opinion questions are not binding. Assent voting rules apply to questions such as capital borrowing and boundary changes. | 50% plus 1 | Must be in a question form to which the elector may indicate assent or dissent by making the appropriate mark opposite the word "Yes" or the word "No". | |