



*City of*  
**Saskatoon**  
Office of the City Clerk

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April 6, 2011

His Worship Mayor D. Atchison  
Councillor C. Clark  
Councillor R. Donauer  
Councillor B. Dubois  
Councillor M. Heidt  
Councillor D. Hill  
Councillor M. Loewen  
Councillor P. Lorje  
Councillor M. Neault  
Councillor T. Paulsen  
Councillor G. Penner

Dear Committee Members:

***NOTICE OF MEETING  
EXECUTIVE COMMITTEE***

Please take note of the following meeting of the above-noted Committee:

**DATE:**        MONDAY, APRIL 11, 2011  
**TIME:**        1:00 P.M.  
**PLACE:**       COMMITTEE ROOM "A"

A copy of the agenda is attached.

**Please notify the City Clerk's Office in advance of the meeting if you are unable to attend.**

Yours truly,

*Janice Mann*  
**Janice Mann**  
City Clerk

JM:smm

Attachment

cc: City Manager	General Manager, Community Services Department
City Solicitor (3)	General Manager, Corporate Services Department
Government and Aboriginal Relations Manager	General Manager, Fire & Protective Services Department
Director of Human Resources	General Manager, Infrastructure Services Department
Special Projects Manager	General Manager, Utility Services Department
Communications Manager	Strategic & Business Planning Manager

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**A G E N D A**

**(OPEN TO THE PUBLIC)**

**EXECUTIVE COMMITTEE**

**MONDAY, APRIL 11, 2011, AT 1:00 P.M., COMMITTEE ROOM "A"**

1. Minutes - of meeting held on March 28, 2011.
  
2. Accessibility Ramps – Implementation Plan  
(File No. CK. 6220-1)

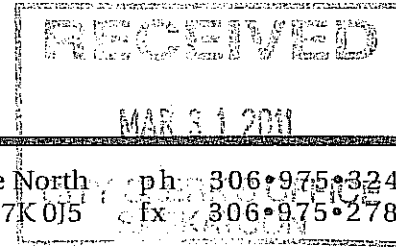
Attached is a letter dated March 31, 2011, from the Secretary of the Saskatoon Accessibility Advisory Committee regarding the above matter.

3. Review of Bylaw No. 8491 –  
The Campaign Disclosure and Spending Limits Bylaw, 2006  
(File No. CK. 255-5-1)

Attached is a report of the City Clerk dated March 25, 2011, regarding the above matter.



City of  
**Saskatoon**  
Office of the City Clerk



2.

March 31, 2011

Executive Committee

Dear Mayor and Members of City Council:

**Re: Accessibility Ramps – Implementation Plan  
(File No. CK. 6220-1)**

Attached is a copy of a report of the General Manager, Infrastructure Services dated November 12, 2010 regarding the above matter which was sent to Planning and Operations and then on to Budget Committee as information in December 2010.

The Accessibility Advisory Committee, at its meeting held on March 25, 2011, considered the matter and resolved that the Committee send a letter to the Executive Committee requesting reconsideration of the accelerated project as a post-budget item and if that is not an option, if extra funds come available, it be put towards the accelerated curb cut project.

Yours truly,

Shellie Mitchener, Secretary  
Saskatoon Accessibility Advisory Committee

:smm

Attachment

cc: General Manager, Infrastructure Services

**TO:** Secretary, Planning and Operations Committee  
**FROM:** General Manager, Infrastructure Services  
**DATE:** November 12, 2010  
**SUBJECT:** Accessibility Ramps – Implementation Plan  
**FILE:** IS 6150-1 and CK 5200-1

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**RECOMMENDATION:** that the following report be submitted to the Budget Committee for its information.

### **BACKGROUND**

At its meeting held on May 10, 2010, City Council considered a report of the Planning and Operations Committee in response to an enquiry from Councillor Wyant regarding curb cuts on Lenore Drive; and from Councillor Dubois regarding accessibility on Rever Road and Central Avenue at Attridge Drive. Council approved the recommendation that the Administration submit a report to the Budget Committee with an implementation plan for accessibility ramp locations.

### **REPORT**

The City's goal is to provide well-maintained and modern pedestrian facilities throughout all communities, and to encourage walking as a viable mode of transportation. Sidewalks, like roadways, should be designed to serve all users, including children, the elderly, strollers, people with vision impairments, and wheelchairs and other assisted devices. In order for users to travel unrestricted throughout the city, accessibility ramps are required.

In order to develop an implementation plan for the 4,000 outstanding ramps throughout the City, a process to prioritize the locations was created. Neighbourhoods were ranked as per the Final Report on the Implementation of Accessibility Action Plan (2008) which was based on several criteria including resident requests and proximity to senior housing, schools, commercial development, parks and arterial roads (Attachment 1).

Attached is a preliminary list of outstanding requests from residents, which were compiled and categorized as Priority 1 (Attachment 2), due to special user needs, and will be constructed first. All other outstanding locations were considered Priority 2 and 3. The timing of construction will depend on the availability of funding.

In order to address the backlog of locations requiring accessibility ramps, the Administration has developed an Accessibility Ramp Budget - 10-Year Plan (Attachment 3), which addresses the Priority 1 and 2 locations, at an estimated cost of \$2,842,500. This plan includes approximately 1,140 ramps. Priority 3 locations would be reviewed after the 10-year plan is completed. Any future requests from residents would be considered as Priority 1, and would be added to the construction list.

**ENVIORNMENTAL IMPACT**

There is no environmental impact.

**FINANCIAL IMPACT**

Funding for the installation of accessibility ramps has been primarily allocated from two different capital projects in the past, Capital Project 631- Traffic Safety; and Capital Project 1963- Corporate Accessibility Policy. Capital Project 631 – Traffic Safety, funded from the Traffic Safety Reserve, currently does not have adequate funding to dedicate to the installation of these ramps in 2011 or in future years.

The total cost to construct all outstanding locations is currently estimated at \$10,167,500. The 10-year plan to address Priority 1 and 2 locations is estimated at \$2,842,500, with \$217,500 required in 2011. Capital Project 1963 – Corporate Accessibility Policy already includes an allocation of \$90,000 in 2011, which will permit the construction of approximately 40 ramps, at an estimated cost of \$2,500 per ramp. Therefore, an additional \$127,500 would be required to fund the 2011 portion of the 10-year plan.

**PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**ATTACHMENTS**

1. Overall Neighbourhood Priority List; and
2. Priority 1 Ramp Requests;
3. Disability Ramp Budget - 10 Year Plan.

Written by: Jamison Gillert  
Transportation Branch

Approved by: Angela Gardiner, Manager  
Transportation Branch

Approved by:           "Mike Gutek"            
Mike Gutek, General Manager  
Infrastructure Services  
Dated:           "November 22, 2010"          

Approved by:           "Murray Totland"            
Murray Totland  
City Manager  
Dated:           "November 23, 2010"          

PO JG Accessibility Ramp Report

## Overall Neighborhood Priority List

#	Neighbourhood	Priority 1	Priority 2	Priority 3	Total
1	Nutana S.C.	4	8	2	14
2	Central Business District	2	0	0	2
3	Wildwood	0	50	26	76
4	Mount Royal	0	42	113	155
5	Lawson Heights S.C.	0	1	0	1
6	City Park	0	26	55	81
7	Hudson Bay Park	0	4	43	47
8	College Park	0	18	43	61
9	Nutana	13	35	123	171
10	Buena Vista	0	49	70	119
11	Eastview	4	12	77	93
12	Haultain	0	45	114	159
13	Richmond Heights	0	8	14	22
14	Silverwood Heights	0	56	81	137
15	Meadowgreen	0	15	69	84
16	Varsity View	3	47	117	167
17	Parkridge	0	13	68	81
18	Pleasant Hill	8	12	55	75
19	Sutherland	4	36	72	112
20	Greystone Heights	0	7	48	55
21	Fairhaven	0	3	70	73
22	Adelaide/Churchill	0	26	82	108
23	Exhibition	0	13	67	80
24	Queen Elizabeth	0	62	98	160
25	Confederation Park	12	21	67	100
26	Caswell Hill	8	18	123	149
27	Avalon	0	30	84	114
28	Brevoort Park	0	18	67	85
29	Nutana Park	0	25	58	83
30	Lawson Heights	13	42	57	112
31	University Heights S.C.	0	1	0	1
32	Holliston	1	40	98	139
33	Holiday Park	0	8	38	46
34	Lakeview	0	33	83	116
35	Riversdale	3	2	46	51
36	Massey Place	1	4	58	63
37	North Park	0	23	37	60
38	River Heights	0	56	66	122
39	Grosvenor Park	0	5	16	21
40	Forest Grove	0	15	32	47
41	Briarwood	0	0	0	0
42	Confederation S.C.	0	0	0	0
43	Mayfair	0	13	118	131

#	Neighbourhood	Priority 1	Priority 2	Priority 3	Total
44	Montgomery Place	0	0	6	6
45	King George	0	11	96	107
46	Westview	0	0	0	0
47	College Park East	0	45	46	91
48	Pacific Heights	0	12	28	40
49	Erindale	0	1	0	1
50	Silverspring	0	0	0	0
51	Westmount	0	5	115	120
52	U of S Lands - South Management Area	0	0	0	0
53	Dundonald	9	11	56	76
54	Kelsey-Woodlawn	0	5	0	5
55	Airport Business Area	0	0	0	0
56	Lakeridge	0	4	0	4
57	Arbor Creek	2	1	0	3
58	Willowgrove	0	0	0	0
59	North Industrial	0	0	0	0
60	Central Industrial	0	0	0	0
61	Sutherland Industrial	0	0	0	0
62	Hampton Village	0	0	0	0
63	South West Industrial	0	0	0	0
64	University of Saskatchewan Management Area	0	0	0	0
65	Marquis Industrial	0	0	0	0
<b>Totals</b>		<b>87</b>	<b>1037</b>	<b>2902</b>	<b>4026</b>



## Attachment #1: Priority 1 Ramp Requests

No.	Location	Amount	Neighbourhood	Priority
1	Arlington Ave & Porter Street	3	Nutana S.C.	1
2	McEown Ave & Porter St	1	Nutana S.C.	1
3	Idylwyld Drive & 23rd Street	1	CBD	1
4	24th St & Ontario Ave	1	CBD	1
5	Main Street & Eastlake Ave	7	Nutana	1
6	13th Street & Albert Ave	6	Nutana	1
7	Arlington Ave & 3100 Eastview Ave	2	Eastview	1
8	Arlington Ave & 2700 Eastview Ave	2	Eastview	1
9	10th St & Munroe Ave	3	Varsity View	1
10	22nd St & Ave G	1	Pleasant Hill	1
11	22nd St & Ave H	2	Pleasant Hill	1
12	22nd St & Ave K	2	Pleasant Hill	1
13	22nd St & Ave M	2	Pleasant Hill	1
14	22nd St & Ave R	1	Pleasant Hill	1
15	116th Street & Central Avenue	1	Sutherland	1
16	112th Street & Central Avenue	1	Sutherland	1
17	Central Avenue & 111th Street	2	Sutherland	1
18	Confederation Dr & Confederation Cres S	2	Confederation Park	1
19	Confederation Dr & Confederation Cres N	2	Confederation Park	1
20	Confederation Dr & Chandler Pl	1	Confederation Park	1
21	Confederation Dr & Borden Pl	2	Confederation Park	1
22	Confederation Dr & Confederation Pl	1	Confederation Park	1
23	Confederation Dr & John A MacDonald Rd	2	Confederation Park	1
24	Confederation Dr & Galt Cr	2	Confederation Park	1
25	22nd Street & Avenue C	1	Caswell Hill	1
26	22nd Street & Avenue D	1	Caswell Hill	1
27	22nd Street & Avenue F	1	Caswell Hill	1
28	22nd Street & Avenue G	2	Caswell Hill	1
29	22nd Street & Avenue H	1	Caswell Hill	1
30	33rd Street & Idylwyld Dr	2	Caswell Hill	1
31	La Loche Rd & Lenore Dr, Median	2	Lawson Heights	1
32	La Loche Rd & Chitek Cres - South	2	Lawson Heights	1
33	Redberry Rd & Manitou Cr	2	Lawson Heights	1
34	Lenore Dr & Whiteswan Dr	1	Lawson Heights	1
35	Lenore Dr & Redberry Rd - East	2	Lawson Heights	1
36	Lenore Dr & Cypress Cr	2	Lawson Heights	1

37	Lenore Dr & La Loche Rd	2	Lawson Heights	1
38	Taylor Street & Preston Avenue	1	Holliston	1
39	22nd Street & Avenue D	2	Riversdale	1
40	22nd Street & Avenue G	1	Riversdale	1
41	Massey Dr & Confederation Dr	1	Massey Place	1
42	Wedge Rd & Manning Cres W	2	Dundonald	1
43	Wedge Rd & Manning Cres E	2	Dundonald	1
44	Wedge Rd & Bowing Cres W	2	Dundonald	1
45	Wedge Rd & Bowing Cres E	2	Dundonald	1
46	Wedge Rd & George Rd	1	Dundonald	1
47	McOrmond Rd & Kerr Rd	2	Arbor Creek	1

Total 87

## Disability Ramp Budget - 10 Year Plan

	Priority #1	Priority #2	Priority #3	Total	Cost
2011	87	0	0	87	\$217,500
2012	0	200	0	200	\$500,000
2013	0	200	0	200	\$500,000
2014	0	200	0	200	\$500,000
2015	0	200	0	200	\$500,000
2016	0	50	0	50	\$125,000
2017	0	50	0	50	\$125,000
2018	0	50	0	50	\$125,000
2019	0	50	0	50	\$125,000
2020	0	50	0	50	\$125,000
				<b>Total</b>	<b>\$2,842,500</b>

TO: Executive Committee  
FROM: City Clerk  
DATE: March 25, 2011  
SUBJECT: Review of Bylaw No. 8491 – The Campaign Disclosure and Spending Limits Bylaw, 2006  
FILE NO: CK. 255-5-1

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RECOMMENDATION: that the direction of the Committee issue.

REPORT

Attached is a copy of *Bylaw No. 8491, The Campaign Disclosure and Spending Limits Bylaw, 2006*. The *Bylaw* has been in place for two regular elections (2006 and 2009) and two by-elections (November 29, 2010 and February 9, 2011). The purpose of this report is to propose amendments to the *Bylaw* based on issues that have arisen from previous elections as well as to clarify certain provisions of the *Bylaw*.

Limit on Campaign Expenses

The current limit for campaign expenses for Mayor is \$100,000 and for Councillor is \$10,000. It has been suggested that these amounts may be too low in light of the rapid growth of the City and the cost for printing and distributing signs and brochures.

In order to eliminate the need to increase the limits periodically, it is recommended that the limit for campaign expenses be established at \$.75 per citizen for the Mayor, with the limit for Councillor being one-tenth of the Mayor’s limit. The population figure used for the Mayor would be that which was used for the establishment of the ward boundaries. Thus, in 2009, the limit would have been \$152,902 for Mayor (based on a population of 203,870) and \$15,290 for Councillors. Whenever the population used for ward boundary purposes increases, the limit would automatically increase.

Reimbursement of Auditor’s Fees

Section 6 states that mayoralty candidates must have their Statement of Campaign Revenues and Campaign Expenses audited by a professional accountant authorized to perform audits in Saskatchewan. Candidates are reimbursed the cost of the audit, up to a maximum of \$788. It has been determined that this amount is too low in some cases, depending upon the complexity of the material being audited.

There are generally two types of Mayoralty campaigns – ones where there are little or no contributions or expenditures, and those where contributions and expenditures are in the tens of thousands. Discussions were held with two local Chartered Accountants, who advised that the current level of reimbursement is not adequate for campaigns where there are high levels of contributions and expenditures.

The following is recommended:

- For all campaigns where less than \$5,000 was spent, decrease the maximum amount to be reimbursed to \$750.00 (i.e. candidates would be reimbursed the lesser of the actual cost or \$750.00).
- For all campaigns where more than \$5,000 was spent, increase the maximum amount to be reimbursed to \$2,000 (i.e. candidates would be reimbursed the lesser of the actual cost or \$2,000).
- Prior to each election, increase the maximum amounts by the cumulative rate of inflation since the previous election.
- For greater clarity and to eliminate potential for abuse, specify that audits must be performed by a Chartered Accountant under the rules of professional conduct of the Institute of Chartered Accountants of Saskatchewan.
- Specify that the maximum costs do not include taxes (i.e. candidates would be reimbursed the actual cost or \$2,000 plus GST).

#### **Reporting of Contributions/Expenditures to City Council**

The disclosure forms submitted by candidates are public documents and may be viewed in the City Clerk's Office. These forms do not contain any personal information of contributors. Section 10(3) states that the City Clerk shall submit to City Council a report summarizing the campaign contributions and expenses of each candidate. For greater transparency it is suggested that copies of the actual forms be posted on the City's website.

#### **Surplus Donations**

Many candidates raise funds that are in excess of expenditures. There is no rule as to what a candidate can do with these funds – the only provision relating to surplus funds is Section 9.1 which states that candidates must indicate on their disclosure forms what they intend to do with any surplus funds they raise.

It is suggested that, in order for greater transparency and to ensure as much as possible that contributions are used for the purpose intended, Council tighten the rules regarding surplus funds as follows:

- If a candidate wishes to use surplus donations to fund a future campaign, the funds are deposited with the City Clerk and returned to the candidate at the start of the next campaign period. If the candidate does not run again, the funds are either donated to a charitable organization of the candidate's choice or kept by the City.
- Surplus donations that are less than a certain amount (say \$2,000) may be used for general purposes such as an appreciation event or ward communications, but all

donations in excess of that amount must either be donated to a charitable organization or deposited with the City for use in a future campaign. This would apply both to successful and unsuccessful candidates.

- If a candidate decides to make a charitable donation the candidate must provide the City Clerk with either a statutory declaration that the donation has been made or a copy of the receipt from the charitable organization.

### **Deadline to File Statements**

Section 5 provides candidates approximately six months to file their Statements of Election Expenses/Contributions. The experience to date is that most all candidates require at least one reminder to file, and several forget entirely. The generous filing period was put in place for mayoralty candidates, who need to provide an audited statement.

While all candidates require a certain period of time for all of the invoices to be received, and Mayoralty candidates require more time to have their statements audited, the generous filing period likely leads to a certain amount of procrastination. It is suggested that the deadline for filing be reduced to two months for Councillor candidates and to three months for Mayor candidates.

### **Clarification of Rules**

Confirmation of Council's intent is requested on the following:

- Candidates can self-fund their campaigns up to the maximum expenses allowed.
- If a candidate saves material such as signs from one election and re-uses them for the next election they are not counted as an expense of the second campaign. Would they, however, be considered to be a donation-in-kind to the second campaign?
- If a candidate keeps excess funds from one election and uses them for a future election, it is assumed that they would then be considered to be self-funded contributions to the second campaign.

### **COMMUNICATION PLAN**

Any changes to *The Campaign Disclosure and Spending Limits Bylaw, 2006* will be advertised to candidates during the usual election advertising process.

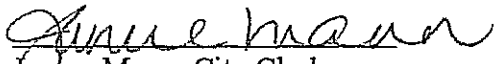
### **PUBLIC NOTICE**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Bylaw No. 8491, The Campaign Disclosure and Spending Limits Bylaw, 2006.

Written and Approved by:

  
Janice Mann, City Clerk

Dated: March 29/11

cc: His Worship the Mayor  
City Manager  
City Solicitor  
Returning Officer  
Communications Manager

Review of Bylaw 8491.doc

**Bylaw No. 8491**

**The Campaign Disclosure and  
Spending Limits Bylaw, 2006**

**Codified to Bylaw No. 8909  
December 20, 2010**



## **Bylaw No. 8491**

### **The Campaign Disclosure and Spending Limits Bylaw, 2006**

Whereas *The Local Government Election Act*, S.S. 1982-83, c. L-30.1, provides that a council may, by bylaw, establish disclosure requirements respecting campaign contributions and expenses, and establish campaign spending limits;

And Whereas the Council of The City of Saskatoon is desirous of enacting such a bylaw;

Now Therefore The Council of The City of Saskatoon enacts:

#### **Part I Short Title and Interpretation**

##### **Short Title**

1. This Bylaw may be cited as The Campaign Disclosure and Spending Limits Bylaw, 2006.

##### **Definitions**

2. In this Bylaw:
  - (a) "campaign contribution" means any money paid, or any donation in kind provided, to or for the benefit of a candidate during the election contribution period for the purpose of financing an election campaign, including revenue raised from a fund-raising event by the sale of tickets or otherwise, but does not include volunteer labour or services;
  - (b) "campaign expense" means the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate's election campaign, regardless of whether those costs are incurred, or the donation in kind provided, before, during or after the election expenses period, but does not include audit fees, volunteer labour or services;

- (c) "candidate" means a person nominated in accordance with *The Local Government Election Act* for election to Council;
- (d) "City" means The City of Saskatoon;
- (e) "Clerk" means the City Clerk of The City of Saskatoon appointed pursuant to Section 85 of *The Cities Act*;
- (f) "contributor" means an individual, organization or corporation providing a campaign contribution;
- (g) "Council" means the Council of The City of Saskatoon;
- (h) "donation in kind" means the fair market value of goods and services donated or provided by or on behalf of a candidate for the purpose of an election but does not include volunteer labour or services;
- (i) "election contribution period" means:
  - (i) in the case of the general election to be held on October 25, 2006, the period beginning April 1, 2006 and ending on December 31, 2006;
  - (ii) in the case of all subsequent general elections, the period between January 1st of the year following the preceding general election and ending on December 31st of the year of the next general election; and
  - (iii) in the case of a by-election to fill a vacancy on Council, the period beginning on the day following the meeting at which Council decides to hold the by-election and ending 60 days following election day;
- (j) "election expenses period" means:
  - (i) in the case of a general election, the period beginning on August 1 of an election year and ending on October 31st of an election year; and
  - (ii) in the case of a by-election to fill a vacancy on Council, the period beginning on the day following the meeting at which Council decides to hold the by-election and ending 10 days following election day;
- (k) "fund-raising event" means events or activities held for the purpose of raising funds for an election campaign of the person by whom or on whose behalf the function is held;

- (l) "registered charity" means a registered charity within the meaning of the *Income Tax Act*;
- (m) "Returning Officer" means the returning officer within the meaning of *The Local Government Election Act*; and
- (n) "volunteer labour or services" means labour or services provided for no remuneration but does not include labour or services provided by an individual:
  - (i) if the individual is self-employed and the labour or services provided are normally sold or otherwise charged for by that individual; or
  - (ii) if the individual is being paid by an employer, individual or organization for providing the labour or services.

## Part II Election Expenses and Contributions

### Limitation on Campaign Expenses

- 3. (1) The total campaign expenses of a candidate for Mayor shall not exceed \$100,000.00 for any election campaign.
- (2) The total campaign expenses of a candidate for Councillor shall not exceed \$10,000.00 for any election campaign.

### Candidate to Keep Records

- 4. (1) A candidate for election to Council shall keep complete and proper accounting records of all campaign contributions and all campaign expenses.
- (2) Without limiting the generality of subsection (1), the candidate is responsible to ensure that:
  - (a) proper records are kept of receipts and expenses;

- (b) a record is kept of the value of every campaign contribution, whether in the form of money, goods or services, and of the name and address of the contributor; and
- (c) all records kept in accordance with this Section remain in the possession and under the control of the candidate at all times.

### **Candidate's Statement of Election Expenses and Contributions**

- 5. (1) A candidate shall disclose his or her campaign contributions and expenses in accordance with this Section.
- (2) A candidate shall file a Statement of Election Expenses/Contributions with the Returning Officer:
  - (a) in the case of a general election, on or before the first working day of May in the year immediately following the year in which an election is held; or
  - (b) in the case of a by-election, within 180 days following election day.
- (3) A Statement of Election Expenses/Contributions shall include:
  - (a) in the case of all candidates for election to Council:
    - (i) a Statutory Declaration in writing in the form prescribed in Schedule "A" to this Bylaw providing a statement of the total campaign contributions and the total campaign expenses of the candidate for that election campaign;
    - (ii) a list in writing in the form prescribed in Schedule "B" to this Bylaw that shall include the following information in relation to election contributions:
      - (A) the name of each contributor whose cumulative campaign contribution exceeded \$250.00;
      - (B) the cumulative amount that each of the named contributors has given to the candidate; and
      - (C) if no contributor's cumulative campaign contribution exceeded \$250.00, a notation to that effect; and

- (b) in the case of all candidates for mayor, in addition to the documents referred to in clause (a), a statement in writing in the form prescribed in Schedule "C" to this Bylaw, properly attested by the candidate, providing details of the campaign revenues and campaign expenses incurred by the candidate during the election expenses period.

### **Auditing**

- 6. (1) A candidate for mayor shall have the Statement of Campaign Revenues and Campaign Expenses (Schedule "C") audited by a professional accountant authorized to perform audits in Saskatchewan.
- (2) The auditor shall complete the Statement of Auditor on the Statement of Campaign Revenues and Campaign Expenses (Schedule "C") prior to the candidate filing the statement with the Returning Officer.
- (3) Upon receipt of a properly audited Statement of Campaign Revenues and Campaign Expenses (Schedule "C"), the City shall pay to the candidate the lesser of:
  - (a) \$788.00; or
  - (b) the actual cost of the audit.

### **False or Misleading Statement**

- 7. No candidate shall file with the Returning Officer a false, misleading or incomplete Statement of Campaign Expenses/Contributions.

### **Contributions from Fund-Raising Events**

- 8. (1) The net proceeds from a fund-raising event shall be considered a campaign contribution and shall be reported by a candidate to the Returning Officer as a campaign contribution in the candidate's Statement of Campaign Expenses/Contributions.
- (2) Expenses incurred in holding a fund-raising event shall not be considered a campaign expense for the purposes of this Bylaw.

- (3) If money is given in response to a general collection or money is solicited from persons in attendance at a fund-raising event, the gross amount collected shall be recorded and reported by the candidate to the Returning Officer as a campaign contribution in the candidate's Statement of Campaign Expenses/Contributions.
- (4) Money paid to attend a fund-raising event, or money given in response to a general collection or money solicited from a person in attendance at a fund-raising event shall not be included in the contributor's cumulative campaign contribution to a candidate.

### **Anonymous Contributions**

9. (1) No candidate shall accept an anonymous campaign contribution except those received at a fund-raising event.
- (2) If a candidate receives an anonymous campaign contribution, except those received at a fund-raising event, the candidate shall ensure that the contribution shall not be used or spent, but shall be donated to a registered charity of the candidate's choice within 30 days of the receipt of the contribution.

### **Campaign Surplus**

- 9.1 If a Candidate's Statement of Election Expenses/Contributions, filed with the Returning Officer in accordance with Section 5, discloses a surplus for the candidate's campaign, the candidate shall disclose how the surplus funds will be used by providing the appropriate details in the Statutory Declaration attached hereto and marked as Schedule "A".

### **Publication of Disclosure Statements**

10. (1) All documents filed with the Returning Officer pursuant to this Bylaw are public documents and, upon the expiration of the time prescribed by this Bylaw for filing the documents, may, on request, be inspected at the office of the Clerk during regular office hours.
- (2) The Clerk shall retain the documents referred to in subsection (1) in accordance with the City's records retention and disposal schedule established pursuant to Section 90 of *The Cities Act*.

- (3) The Returning Officer shall forward to Council for its information, a report summarizing the campaign contributions and campaign expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 3, and the names of any candidates who fail to file the required disclosure statements pursuant to Sections 5 and 6.
- (4) The Clerk shall post in a conspicuous place a summary of the campaign contributions and expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 3, and the names of any candidates who fail to file the required disclosure statements pursuant to Sections 5 and 6.

### **Deposits**

- 10.1 A deposit submitted by a candidate for the office of councillor or mayor pursuant to section 46.1 of *The Local Government Election Act* shall not be returned to the candidate unless the candidate and the candidate's business manager have complied with the provisions of this Bylaw.

### **Retention of Records by Candidate**

11. All records of a candidate shall be retained by that candidate for a period of two years following the date on which the candidate's Statement of Campaign Expenses/Contributions was required to be filed.

## **Part III Election Disclosure Complaints Officer**

### **Election Disclosure Complaints Officer Designated**

12. Council hereby designates the Election Disclosure Complaints Officer as the person to investigate complaints pursuant to this Bylaw.

**Appointment and Eligibility to Hold Appointment**

13. (1) A person appointed as the Election Disclosure Complaints Officer pursuant to Section 12 shall be appointed for a term of two years or until a successor is appointed.
- (2) A person who is appointed as the Election Disclosure Complaints Officer shall:
  - (a) be a Canadian citizen;
  - (b) be over the age of 18 years; and
  - (c) have a general knowledge of this Bylaw.
- (3) No person who is a member of Council or any employee of the City or the City's controlled corporations is eligible to be appointed as the Election Disclosure Complaints Officer.

**Remuneration**

14. The Election Disclosure Complaints Officer shall be paid remuneration and reimbursement for expenses in accordance with the rates established from time to time by Council.

**Duties**

15. (1) The Election Disclosure Complaints Officer shall be responsible to investigate any complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses.
- (2) For the purposes of carrying out an investigation pursuant to subsection (1), the Election Disclosure Complaints Officer may retain the services of any person that the Election Disclosure Complaints Officer considers necessary to assist him or her to carry out the investigation of the complaint, and the cost of the services shall be considered an expense to be reimbursed pursuant to Section 14.



## **Complaint**

16. (1) A complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses shall be in writing and shall contain:
  - (a) the name, mailing address and telephone number of the complainant;
  - (b) the name of the candidate who is the subject of the complaint;
  - (c) the nature of the complaint and the material facts upon which the complaint is made; and
  - (d) the name, address and telephone number of any person that may have information that will assist in the investigation of the complaint.
- (2) A complaint pursuant to subsection (1) shall be filed with the Clerk.
- (3) Upon receipt of a complaint, the Clerk shall forward the complaint to the Election Disclosure Complaints Officer.

## **Referral from Returning Officer**

17. If, in the opinion of the Returning Officer, a candidate's disclosure of election contributions and expenses is, on its face, irregular or suspicious, the Returning Officer may refer the matter to the Election Disclosure Complaints Officer for investigation notwithstanding that no formal complaint has been filed with the Clerk.

## **Investigation**

18. (1) Upon receipt of a complaint, the Election Disclosure Complaints Officer shall:
  - (a) contact the complainant and acknowledge receipt of the complaint;
  - (b) advise the complainant about the procedures that will be followed in investigating the complaint; and
  - (c) obtain from the complainant any information required to investigate the complaint.

- (2) In addition to the requirements of subsection (1), the Election Disclosure Complaints Officer shall notify the candidate that is the subject of the complaint that a complaint has been received and shall provide the candidate with a copy of the complaint.
- (3) The Election Disclosure Complaints Officer shall obtain from the candidate any information required to investigate the complaint.
- (4) In carrying out an investigation, the Election Disclosure Complaints Officer may inspect, at all reasonable times, all books, documents and accounting records of the candidate.
- (5) The Election Disclosure Complaints Officer may make copies of anything referred to in subsection (4).
- (6) Every candidate that is the subject of an investigation by the Election Disclosure Complaints Officer shall cause all books, documents and accounting records pertaining to the candidate's election campaign to be available for inspection by the Election Disclosure Complaints Officer at all reasonable times.
- (7) If a person refuses to allow or interferes with an inspection described in subsection (4), the Election Disclosure Complaints Officer may apply to a justice of the peace or a provincial court judge for a warrant authorizing a person named in the warrant to:
  - (a) enter the property and carry out the inspection authorized by this Bylaw; and
  - (b) search for and seize anything relevant to the subject matter of the warrant.
- (8) No candidate or person acting on behalf of a candidate shall:
  - (a) fail to comply with any reasonable request of the Election Disclosure Complaints Officer;
  - (b) knowingly make any false or misleading statement to the Election Disclosure Complaints Officer; or
  - (c) obstruct or interfere with the Election Disclosure Complaints Officer.
- (9) No complainant pursuant to this Bylaw shall:
  - (a) fail to comply with any reasonable request of the Election Disclosure Complaints Officer;

- (b) knowingly make a false or misleading complaint to the Election Disclosure Complaints Officer; or
- (c) obstruct or interfere with the Election Disclosure Complaints Officer.

### **Decisions**

19. (1) After completion of the investigation, the Election Disclosure Complaints Officer may:
- (a) dismiss the complaint; or
  - (b) uphold the complaint.
- (2) After a decision is made pursuant to subsection (1), the Election Disclosure Complaints Officer shall send to the complainant and the candidate a copy of the decision together with any written reasons for the decision.
- (3) The decision of the Election Disclosure Complaints Officer shall be final.
- (4) If the complaint is upheld, the Election Disclosure Complaints Officer shall send a copy of the decision to the Clerk with a recommendation that the matter be referred for review as to whether a prosecution is warranted.

### **Refusal to Investigate**

20. (1) The Election Disclosure Complaints Officer may refuse to investigate any complaint or may terminate an investigation of a complaint if:
- (a) the complaint is received more than six months after the date for the filing of the Statement of Election Expenses/Contributions pursuant to subsection 5(2);
  - (b) in the opinion of the Election Disclosure Complaints Officer, the complaint is frivolous, vexatious, trivial or is made in bad faith; or
  - (c) in the opinion of the Election Disclosure Complaints Officer, the circumstances of the complaint do not warrant investigation.

- (2) The decision of the Election Disclosure Complaints Officer to refuse to investigate any complaint or to terminate an investigation of a complaint is final.

### **Report to Council**

21. Upon completing the investigation of all complaints arising out of a general election or a by-election, the Election Disclosure Complaints Officer shall submit a report to Council setting out:
  - (a) the number of complaints received;
  - (b) the general nature of the complaints received; and
  - (c) the disposition or resolution of the complaints.

### **Confidentiality of Information**

22. (1) The report submitted by the Election Disclosure Complaints Officer pursuant to Section 21 shall be a matter of public record.
- (2) The particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall be confidential unless the release of that information is required in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.

### **Records**

23. The particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall become part of the records of the City and shall be kept in the office of the Clerk.

## **Part IV Enforcement**

### **Offences and Penalties**

24. (1) Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than \$5,000.00 and, in the case of a continuing offence, to a further fine of not more than \$5,000.00 for each day during which the offence continues.
- (2) A conviction for an offence under this Bylaw does not relieve the person convicted from complying with the Bylaw and the convicting judge may, in addition to any fine imposed, order the person to do any act or work, within the time specified by the judge in the order, to comply with the provisions of this Bylaw.
- (3) A person to whom an order is directed pursuant to subsection (2), who fails to comply with that order within the time specified by the judge, is guilty of any offence and liable on summary conviction to a fine of not more than \$5,000.00 for each day during which the non-compliance continues.
- (4) If a candidate is the subject of an investigation pursuant to this Bylaw and the candidate is convicted of an offence against this Bylaw based on information obtained pursuant to the investigation, the convicting court may order, in addition to any penalty imposed pursuant to this Bylaw, that the candidate pay all or any costs of the investigation.

### **Disqualification from Office**

25. (1) In addition to the penalties set out in Section 24, if a candidate who is elected contravenes any provision of this Bylaw, the candidate is disqualified from Council and shall resign immediately.
- (2) Notwithstanding subsection (1), where on application a judge of the Court of Queen's Bench is of the opinion that the disqualification of the candidate arose through inadvertence or by reason of an honest mistake, the candidate shall not be required to resign.

**Part V**  
**Miscellaneous**

**Coming Into Force**

26. This Bylaw shall come into force on the day of its final passing.

Read a first time this 27<sup>th</sup> day of March, 2006.

Read a second time this 27<sup>th</sup> day of March, 2006.

Read a third time and passed this 27<sup>th</sup> day of March, 2006.

\_\_\_\_\_  
"Donald J. Atchison"

Mayor

\_\_\_\_\_  
"Janice Mann"

City Clerk

"SEAL"

## Schedule "A"

### Statutory Declaration of Candidates for Municipal Office within the City of Saskatoon with Campaign Expenses and Campaign Contributions

I, \_\_\_\_\_ of \_\_\_\_\_  
(name) (address)

in the Province of Saskatchewan, do solemnly declare:

1. That I was a candidate for the position of Mayor/Councillor for The City of Saskatoon in the election held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

2. That the following is a true account of all the campaign expenses and campaign contributions of my election campaign in respect of the aforesaid election:

(a)	Campaign Contributions:	\$ _____
(b)	Campaign Expenses:	\$ _____
(c)	Total Surplus (Deficit):	\$ _____

3. That I intend to use the surplus as follows:

- Personal Use
- Charitable Donation - Specify: \_\_\_\_\_
- Other - Specify: \_\_\_\_\_
- N/A

4. That I have no reason to believe that any campaign expenses other than those listed above have been expended by me or with my authority and consent or by any person for the purpose of assisting me in the election.

5. That I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at Saskatoon, in  
the Province of Saskatchewan  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature of Candidate)

\_\_\_\_\_  
(to be declared before a Justice of the Peace,  
Notary Public, or a Commissioner of Oaths, etc.)

## Schedule "B"

### Listing of Cumulative Campaign Contributions from Contributors in Excess of \$250.00

I have accepted campaign contributions in excess of \$250.00 towards my campaign expenses from the following contributors and in the following cumulative amounts:

Contributor	Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I have no reason to believe that any cumulative campaign contributions from any contributor in excess of \$250.00 have been received or expended for the purpose of assisting me in the election other than those listed above.

Signature: \_\_\_\_\_  
(Signature of Candidate)

Date: \_\_\_\_\_



**Schedule "C"**  
**Statement of Campaign Revenues and Campaign Expenses**  
**for Candidates for Mayor with the City of Saskatoon**

Candidate Name: \_\_\_\_\_

Campaign Period: From \_\_\_\_\_ to \_\_\_\_\_

**Campaign Period Revenues:**

**Campaign Contributions:**

Fundraising Functions \_\_\_\_\_

Cash Donations \_\_\_\_\_

Donations in Kind \_\_\_\_\_

Other (detail) \_\_\_\_\_

Total Contributions (to Schedule "A"): \_\_\_\_\_

Other Revenues (including interest & self contributions): \_\_\_\_\_

Total Campaign Period Revenues: \_\_\_\_\_

**Campaign Period Expenses:**

Nomination Deposit \_\_\_\_\_

Fundraising Costs \_\_\_\_\_

Advertising/Printing \_\_\_\_\_

Office/Facility Space Rental \_\_\_\_\_

Office Administration \_\_\_\_\_

Office Supplies & Equipment \_\_\_\_\_

Electoral Materials (maps, list of Electors, etc.) \_\_\_\_\_

Food & Beverages/Entertainment \_\_\_\_\_

Telephone/Communications/Utilities \_\_\_\_\_

Insurance \_\_\_\_\_

Distribution/Postage \_\_\_\_\_

Transportation \_\_\_\_\_

Other (detail) \_\_\_\_\_

Total Campaign Expenses (to Schedule "A") \_\_\_\_\_

Surplus (Deficit) of Campaign Revenues Over Campaign Expenses: \_\_\_\_\_

**Attestation of the Candidate**

I declare that the above statement is a true account of all the campaign expenses and campaign revenues incurred by me or by my agent on my behalf in respect of the above campaign period.

Signature of Candidate: \_\_\_\_\_ Date: \_\_\_\_\_

**Statement of Auditor**

I declare that I have audited the above Statement in accordance with generally accepted auditing standards. In my opinion this Statement presents fairly the candidates Campaign Revenues and Expenses for the Campaign Period.

Signature of Auditor: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Qualifications of Auditor: \_\_\_\_\_