

City of Charlottetown Elections Bylaw (excerpt)

ELECTORAL BOUNDARIES COMMISSION

141. Within ninety days following ordinary polling day of the third municipal election after the November 6, 2006 Municipal Election comes into force and within ninety days following ordinary polling day of each third municipal election thereafter, Council shall establish and appoint an Electoral Boundaries Commission, consisting of

- (a) a chairperson, who is a judge or retired judge of the Supreme Court of Prince Edward Island;
- (b) a person who was a former councillor or mayor of the City or the municipalities set out in Schedule 1 of the *Charlottetown Area Municipalities Act* which existed immediately preceding the date on which Part I of the *Charlottetown Area Municipalities Act* came into effect; and
- (c) a person who has never been an elected councillor or mayor of the City.

142. A Commission shall:

- (a) review the wards of the City, and make a report to Council setting out its recommendations as to the area, boundaries, and names of the wards of the City;
- (b) report to Council on such other matters as the Council may from time to time determine.

143. If a vacancy in the membership occurs, through inability to act, resignation or otherwise, the vacancy may be filled in accordance with section 141.

144. A Commission may request the Chief Electoral Officer to provide any information possessed by his or her office, and any other assistance that a Commission considers necessary, and the Chief Electoral Officer shall comply with any reasonable request.

145. (1) A Commission shall hold public hearings throughout the City at such times and places as it considers appropriate to enable representations to be made by any person as to the area and boundaries of any ward.

(2) A Commission shall give reasonable public notice of the time, place and purpose of any such public hearings.

146. A Commission may regulate its own proceedings and the conduct of its business.

147. (1) Subject to subsection (2), in determining the area to be included in, and in fixing the boundaries of a ward, a Commission shall take into consideration

- (a) the *Canadian Charter of Rights and Freedoms*;
- (b) confirmation data from the most recent municipal and provincial elections;
- (c) polling divisions from the most recent municipal and provincial elections;
- (d) geographical features;
- (e) population patterns;
- (f) community of interest;
- (g) provincial electoral and polling division boundaries,

and may consider such other factors as it regards as relevant.

(2) The number of electors of a proposed ward shall not be more than 10 per cent above, nor more than 10 per cent below the average number of electors of all the proposed wards.

148. (1) Within six months of its establishment, a Commission shall prepare and, subject to subsection (2), submit its report to Council.

(2) Council may, at the request of a Commission, extend the time for submission of the report for a period not to exceed three months.