

**BY-LAW N° 2613**

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**BY-LAW 2613 ENTITLED:  
“BY-LAW CONCERNING THE  
ESTABLISHMENT OF A  
DEDICATED FUND FOR  
ELECTION EXPENSES AND  
ALLOCATION OF NECESSARY  
SUMS”**

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At the Regular Council Meeting of the Côte Saint-Luc City Council, held at the City Hall, 5801 Cavendish Boulevard, on Monday, March 13, 2023 at 8:00 p.m., at which were present:

Mayor Mitchell Brownstein, B. Comm., B.C.L., LL.B.

Councillor Lior Azerad

Councillor Sidney Benizri

Councillor Dida Berku, B.C.L.

Councillor Mike Cohen, B.A.

Councillor Steven Erdelyi, B.Sc., B.Ed.

Councillor Mitch Kujavsky, B. Comm.

Councillor Oren Sebag, B.Sc. RN MBA

Councillor Andee Shuster

**ALSO PRESENT:**

M<sup>e</sup> Jonathan Shecter, City Manager and Director of Legal Services and City Clerk

M<sup>e</sup> Pascalie Tanguay, Director of Legal Services and City Clerk

Florine Agbognihoue, Assistant City Clerk, acting as Secretary of the meeting

WHEREAS a notice of motion for the present By-law was given at the Regular Sitting of Council held on February 13, 2023;

WHEREAS the coming into force on November 5, 2021, of *An Act to amend the Act respecting elections and referendums in municipalities, the Municipal Ethics and good conduct Act and various legislative provisions*, known as Bill 49;

WHEREAS as of January 1, 2022, municipalities are required to establish a fund for the financing of expenses related to the holding of an election, in accordance with sections 287.1 and 278.2 of *the Act respecting elections and referendums in municipalities*;

WHEREAS the Council will ensure that the necessary funds are allocated annually to this fund for the conduct of the next general election and that this annual allocation must be established after consultation with the electoral officer;

WHEREAS the Council shall allocate annually to the fund such sums as are necessary to ensure that the fund is sufficient in the year in which the next general election is to be held to provide for the cost of such election;

WHEREAS the cost of the next general election is assumed to be at least equal to the cost of the last general election or the previous one (whichever is greater);

WHEREAS, for the first four years of the present by-law an annual sum of \$93,000 should be allocated to this Fund;

WHEREAS the above annual amount shall be subject to review by council, after consultation with the electoral officer, and, if necessary, a by-law amendment after each by-election or general election;

THAT it be ordained and enacted by By-law 2613 entitled: "By-law concerning the establishment of a dedicated fund for election expenses and allocation of necessary sums" as follows:

#### **SECTION 1: Preamble**

The preamble is an integral part of this Regulation.

#### **SECTION 2: Creation of a dedicated fund**

A fund dedicated to the financing of expenses related to the conduct of an election is created (hereinafter "Reserved Fund") by this bylaw.

#### **SECTION 3: Establishment of the Fund**

This Dedicated Fund consists of the amounts allocated annually by the Municipal Council.

#### **SECTION 4: Allocation**

The Council shall allocate annually to the Dedicated Fund the following minimum amounts:

- A minimum amount of \$93,000 for fiscal year 2022;
- A minimum amount of \$93,000 for fiscal year 2023;
- A minimum amount of \$93,000 for fiscal year 2024;
- A minimum amount of \$93,000 for fiscal year 2025.

#### **SECTION 5: Interests**

Interests to the Dedicated Fund shall be appropriated as ordinary income in the year in which it is earned.

#### **SECTION 6: Source of Restricted Amounts**

Funds required for this annual allocation are drawn from the unrestricted operating surplus and paid into the Dedicated Fund on or about March 31 of each year.

**SECTION 7: Use of the Fund**

The amounts available in the Dedicated Fund must only be used to pay expenses related to the holding of an election. In the event of a general election or by-election, the electoral officer shall, in priority to any other funds, reserves or revenues, use the amounts contained in the Dedicated Fund to finance the expenses related to the holding of that election.

**SECTION 8: Excesses**

Any excess of revenues over expenses, if any, will remain in the Dedicated Fund for future use.

**SECTION 9: Period**

The duration of the Dedicated Fund is fixed for an indefinite period, taking into account its nature.

**SECTION 10: Coming into force**

This by-law come into force in accordance with the law.

(s) Mitchell Brownstein

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MITCHELL BROWNSTEIN  
MAYOR

(s) Pascalie Tanguay

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PASCALIE TANGUAY  
CITY CLERK

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**PASCALIE TANGUAY**  
**CITY CLERK**

CITY OF CÔTE SAINT-LUC

**BY-LAW NO. 2613**

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ADOPTED ON: March 13, 2023

IN FORCE ON: March 29, 2023

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