



# Town Council Meeting

January 23, 2024

6:30 p.m.

Council Chambers, Town Hall

359 Main Street

## Agenda

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### Call to Order

#### 1. Approval of Agenda

#### 2. Approval of Minutes

- a. Town Council Meeting, December 19, 2023
- b. Town Council In Camera Meeting, December 19, 2023
- c. Special Town Council In Camera Meeting, January 2, 2024
- d. Special Town Council Meeting, January 9, 2024

#### 3. Comments from the Mayor

#### 4. Public Input / Question Period

PLEASE NOTE:

- Public Participation is limited to 30 minutes
- Each Person is limited to 3 minutes and may return to speak once, for 1 minute, if time permits within the total 30-minute period
- Questions or comments are to be directed to the Chair
- Comments and questions that relate to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred, but no decision has been made by Council, will not be answered.



**5. Motions/Recommendations from Committee of the Whole,  
January 9, 2024:**

- a. RFD 001-2024 Municipal Election Statutory Requirements
- b. RFD 003-2024: One Time Operational Funding Request –  
WBDC

**6. New Business**

- a. RFD 059-2023 Nuisance Party Bylaw Amendments Chpt. 97,  
2<sup>nd</sup> Reading
- b. RFD 064-2023 Electronic Voting Bylaw Amendments Chpt.  
102, 2<sup>nd</sup> Reading
- c. IR003-2024: Homelessness Update (*report to follow*)

**7. Regular Meeting Adjourned**

## REQUEST FOR DECISION 001-2024

Title: Municipal Election Statutory Requirements

Date: January 9, 2024

Department: Office of the CAO

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## SUMMARY

### Municipal Election Statutory Requirements

The *Municipal Elections Act* is the main statute governing all elections for municipal councils and school boards. The Act outlines when a decision of Council is required as part of the process. The Act also enables Council to delegate authority to the Chief Administrative Officer (CAO) to perform specific duties and/or make decisions as part of the election.

This RFD explains staff recommendations for:

- Date of the first advance polling day
- Method of producing preliminary list of electors
- Date for amendments to list of electors to be completed
- Council to delegate authority to the CAO to appoint a returning officer and assistant returning officer(s) and to set a tariff of fees for the election.

### DRAFT MOTIONS:

That Council approve, as per section 114 (4)(b) of the Municipal Elections Act, the date of Thursday October 10, 2024, as the first advance polling day for the Town of Wolfville Municipal Election.

That Council approve, as per Section 30 (1) of the Municipal Elections Act, the list of electors used in the most recent federal or provincial election be used as the method for producing the preliminary list of electors for the Town of Wolfville Municipal Election 2024.

That Council approve, as Per section 38 (1) of the Municipal Elections Act, the date of September 6, 2024, as the date by which the amended list of electors is to be provided to the Returning Officer.

That Council delegate, as per Section 4(1C) of the Municipal Elections Act, the power to appoint a returning officer and assistant returning officer to the CAO.

That Council delegate, as per Section 139(1A) of the Municipal Elections Act, the authority to make, revise and amend the tariff of fees and expenses to be paid to any person for their services and expenses under the Municipal Elections Act and may similarly revise and amend the tariff, and to provide for a method of rendering and verifying accounts for payment, to the CAO for the 2024 Municipal Election for the Town of Wolfville.

## REQUEST FOR DECISION 001-2024

Title: Municipal Election Statutory Requirements

Date: January 9, 2024

Department: Office of the CAO

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### 1) CAO COMMENTS

The CAO supports the recommendations of staff.

### 2) LEGISLATIVE AUTHORITY

The following sections of the *Municipal Elections Act* provide for Council to decide on the first advance polling date, the method of producing the preliminary list of electors and as recommended by the Returning Officer, the date by which the amended list of electors must be available to the Returning Officer.

#### **Advance Polling Dates**

Section 114(4) An advance poll shall be held on:

- (a) Tuesday, the fourth day before ordinary polling day; and
- (b) one other day fixed by council, by resolution, which shall be either Thursday, the ninth day before ordinary polling day or Saturday, the seventh day before ordinary polling day.

Section 114(4A) states Council may delegate its authority to fix a day pursuant to clause (4)(b) to the returning officer.

#### **Method of Producing Preliminary List of Electors**

Section 30 (1) By the fifteenth day of April in a regular election year, the council may, by resolution, provide that the returning officer:

- (a) conduct an enumeration;
- (b) use the lists of electors used in the most recent federal or provincial election, or in an election held pursuant to this Act; or
- (c) use any permanent register of electors established and maintained for use in a federal or provincial election, as the basis for the preliminary list of electors for all or part of the municipality.

#### **Amended List**

Section 38 (1) On or before the date chosen by the council on the advice of the returning officer, the revising officers shall furnish the returning officer or registrar of voters with a list of electors consisting of the preliminary lists of electors together with the amendments that they have made to the lists as a result of their sittings.

## REQUEST FOR DECISION 001-2024

Title: Municipal Election Statutory Requirements

Date: January 9, 2024

Department: Office of the CAO

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The following sections of the *Municipal Elections Act* enable Council to delegate authority to the Chief Administrative Officer to perform specific powers.

### **Appointment of returning officer and assistant returning officer**

Section 4(1C) The Council may delegate its powers of appointment pursuant to this Section to the Clerk or Chief Administrative Officer.

### **Fees and Tariffs**

Section 139(1A) The Council may delegate its authority to make, revise and amend the tariff of fees and expenses and approve for a method of rendering and verifying accounts for payment pursuant to subsection (1) to the clerk or Chief Administrative Officer.

## **3) STAFF RECOMMENDATION**

Staff recommends that Council delegate the power and authority to the CAO to carry out the following for the 2024 Municipal Election for the Town of Wolfville:

- i. appoint a returning officer and assistant returning officer(s)
- ii. make, revise and amend the tariff of fees and expenses incurred as part of the 2024 Municipal Election
- iii. approve the use of the list of electors used in the most recent federal and provincial election as the method for producing the preliminary list of electors.

Staff further recommends the date of the 1<sup>st</sup> Advance Poll be October 10<sup>th</sup>, 2024 and the date by which the amended electors list should be available to the Returning Officer as September 6<sup>th</sup>, 2024.

## **4) REFERENCES AND ATTACHMENTS**

- [Municipal Elections Act](#)

## **5) DISCUSSION**

The *Municipal Elections Act* is the main statute governing all elections for municipal councils and school boards. The Act outlines when a decision of Council is required as part of the process. The Act also enables Council to delegate authority to the Chief Administrative Officer to perform specific duties and/or make decisions as part of the election. Staff therefore make the following recommendations.

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## REQUEST FOR DECISION 001-2024

Title: Municipal Election Statutory Requirements

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Regarding the first advance polling day, the two date options are Thursday 10<sup>th</sup> October and Saturday 12<sup>th</sup> October. As Saturday 12<sup>th</sup> October would fall on Thanksgiving weekend and as the ordinary polling day is also a Saturday, staff are recommending Thursday 10<sup>th</sup> October as the first advance polling day. The second advance polling day is set by legislation and will fall on Tuesday 15<sup>th</sup> October.

Staff recommend using the electors list from the most recent federal and provincial elections. This list was updated most recently in 2022 for the Special Election. As well the use of electronic voters' lists allows changes to be made instantly so the list is up to date as possible in real time. The other option available is to conduct an enumeration, which would be a challenge due to human resources and timelines. The use of the existing list would be just as effective.

A previous survey of municipalities on the Association of Municipal Administrators (AMA) Listserv showed that the majority of municipalities voting no longer chose to enumerate instead choosing to use the provincial list. One municipality noted that they had enumerated in the past and did not find the enumerated list any more helpful than the provincial list.

Staff further recommend Council delegate authority to the CAO to appoint a Returning Officer and any Assistant Returning Officers, to set a tariff of fees for the election and provide for a method of rendering and verifying accounts for payment. The items usually included in the tariff are stipends payable to the Returning Officer, Assistant Returning Officer, Deputy Returning Officers, Poll Clerks, or other election workers assisting the Returning Officer. This power also allows the CAO to authorize payment of services or expenses incurred but not covered in the tariff. Delegating the authority allows the CAO to approve expenditures, in accordance with the budget, and eliminates the need to receive approval of council for expenditures outside the tariff but within the overall budget.

Lastly, staff recommend the date of September 6, 2024 as the date for the amended list of electors to be available to the Returning Officer. It is a stipulation of the Municipal Elections Act that Council set a date for the amended lists on the recommendation of the Returning Officer. With the adoption of our Electronic Voting Bylaw, there is less of a need for a date to be set as previously this was to assist with the timing of printing paper lists for the candidates. However, it is prudent to have a cut off date for the community to advise of amendments to ensure all changes can be made in a timely manner and to ensure those nominating candidates appear on the amended list.

**REQUEST FOR DECISION 001-2024**

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**6) FINANCIAL IMPLICATIONS**

N/A

**7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS**

N/A

**8) COMMUNICATION REQUIREMENTS**

All communications required by legislation for a Municipal Election will be made on the Town's website and social media channels, as well as advertised in the local newspaper and posted at Town Hall and in the kiosk.

**9) ALTERNATIVES**

That Council does not delegate authority to the CAO.

**REQUEST FOR DECISION 003-2024**

Title: One-Time Operational Funding Request – WBDC

Date: 2023-12-15

Department: Community Development/Finance

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## SUMMARY

### One-Time Operational Funding Request – WBDC

The Wolfville Business Development Corporation have made an Application for One-Time Operational Funding to the Town of Wolfville to support a Downtown Wolfville Gift Card program: a multi-store visa gift card system that supports use of a gift card across all participating businesses in Wolfville.

#### DRAFT MOTION:

That Council approve a \$11,011 one-time operational grant contribution to the Wolfville Business Development Corporation to support a Downtown Wolfville Gift Card program.



## REQUEST FOR DECISION 003-2024

Title: One-Time Operational Funding Request – WBDC

Date: 2023-12-15

Department: Community Development/Finance

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### 1) CAO COMMENTS

Staff do not make recommendations on the one-time grant requests, so information has been provided to assist Council with their decision.

### 2) LEGISLATIVE AUTHORITY

- Municipal Government Act (MGA) 65A(a)

### 3) STAFF RECOMMENDATION

That Council consider this funding application against the financial/budget implications.

### 4) REFERENCES AND ATTACHMENTS

1. Application for One-Time Operational Funding from WBDC  
+ Supporting Documents for Funding Application
2. Evaluation Criteria Checklist

### 5) DISCUSSION

The Downtown Wolfville Gift Card program is a multi-store visa gift card that can be used only in Wolfville at participating merchants. The program would give the Town of Wolfville its own local gift card that will provide measurable economic growth and support for Wolfville's business community.

The gift card program is free and easy for local businesses to accept. It uses the existing VISA network to transact, so customers can spend their gift card as easily as a credit card or debit card. The gift cards can be purchased locally in person at the WBDC or through an e-commerce website (<https://mydowntowngiftcards.ca/>) that is maintained and fulfilled by the gift card company, Miconex.

The gift card program provides a measurement solution to track spend across the gift cards. For example, if 100 cards are used as a giveaway for an event (e.g. Devour, Acadia Welcome Event, etc.), any of the cards used from that event can be tracked to the amount and the business. No personal information is collected or stored. This is an important feature of the program as it will allow us to show the return on investment generated by the gift card program.

The gift card program helps lock in local spending and directly supports Wolfville's business community by creating an offer that is appealing to a wide range of customers and is at no cost to the businesses.

According to a study performed by Miconex (attached to the application), 50% of gift card recipients will visit a new business for the first time which helps show support for a greater variety of businesses in the town. When cardholders spend their gift cards on average they spend 65% more than the gifted value. It is anticipated that this program will deliver a 15x return to the local business community within the two years (ref: Miconex projections based on Town's of similar size).

The WBDC expect 75-100 businesses to participate in the program but are not limited to the number that can join. The first year of the program will start with 2500 gift cards and it is anticipated that they

## REQUEST FOR DECISION 003-2024

Title: One-Time Operational Funding Request – WBDC

Date: 2023-12-15

Department: Community Development/Finance

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will have 5000 gift cards in year two and year three. A portion of the gift cards will be purchased from the website and delivered in the mail to the recipient, a portion will be collected locally at the WBDC and another portion will be used by the WBDC to support events and giveaways.

Total budget for year 1 of the Downtown Wolfville Gift Card program is \$22,022 (\$13,742 one-time initial setup fee + \$8,280 annualized operation fee), of which the WBDC is requesting 50% (\$11,011) from the Town of Wolfville in this application.

## 6) FINANCIAL IMPLICATIONS

The WBDC is a partner with the Town, with a current agreement for 2023-2026 that the Town will administer a levy an Area Rate to Taxable Commercial Rate-Payers that equals \$100,000 per year, to be remitted to the WBDC in accordance with Policy 710-004 (WBDC Funding Policy). This does not preclude the WBDC from applying for other sources of funding, such as the One-Time Operational Funding program.

The Town's budget for all grants is \$275,000, with a portion of this amount set up as an allowance to cover funding requests not received/processed as of the date of budget approval (March 2023). This allowance was \$24,000. Earlier in the year Council approved a one-time operational grant to Stage Prophets for an additional \$8,000 above their typical CPP amount of \$2,000, as well as a one-time operational grant to Devour! The Food Film Fest for an additional \$5,000 above their SPP amount of \$5,000. This represents \$13,000 of the \$24,000 allowance for these requests, leaving \$11,000 in the budget.

Note that the WBDC's request includes wording that "Acadia and the Town of Wolfville...contribute 50%, \$11,011, for the first year of the program." Upon seeking clarification, it was communicated from the WBDC that this was intended as a suggestion that the Town approach Acadia as a potential funding partner in this project.

Council can approve nearly 100% of the WBDC's one-time operational request without going over budget in the grants line of the budget. Council may also want to consider the Second Quarter Financial Update Information Report recently reviewed with the Audit Committee.

## 7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

In terms of strategic directions (2021-2025 Strategic Plan), this program directly and/or indirectly positively impacts Economic Prosperity, and contributes to Community Wellness by connecting residents, visitors, Acadia and businesses via the use cases described in the application. A local gift card program supports more local spending and diverts sales from online merchants/suppliers such as Amazon, reducing shipping materials and costs and thereby having a positive environmental effect.

## REQUEST FOR DECISION 003-2024

Title: One-Time Operational Funding Request – WBDC

Date: 2023-12-15

Department: Community Development/Finance

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### 8) COMMUNICATION REQUIREMENTS

The WBDC will be notified of Council's decision.

### 9) ALTERNATIVES

Limited options available:

- Not approve the grant funding request
- Approve an alternate amount of funding
- Forward to 2024-25 budget process



APPLICATION FORM

# ONE-TIME FUNDING OPPORTUNITIES GRANT

This program is available to non-profit organizations or registered charities that are planning to offer extraordinary operational events and initiatives that benefit the Town of Wolfville and its residents.

**Please complete this form and forward via email to: [recreation@wolfville.ca](mailto:recreation@wolfville.ca)**

Or by mail to:

Department of Parks & Recreation  
Town of Wolfville  
359 Main Street  
Wolfville, Nova Scotia  
B4P 1A1

Phone: (902) 542-3019

## 1) ORGANIZATION INFORMATION

Name of Organization:	<u>Wolfville Business Development Corporation</u>	
Contact Person:	<u>Kelly van Niekerk and Sarah Anderson</u>	
Mailing Address/PO Box:	<u>360 Main St #19</u>	
City:	<u>Wolfville</u>	Postal Code: <u>B4P 1C4</u>
E-mail Address:	<u>info@wbdc.me</u>	
Telephone: (Work)	<u>647-200-9173</u>	(Home)

Is your organization a registered charity?  Yes  No

If yes, what is your CRA Charitable Status Registration Number: \_\_\_\_\_

Is your organization a registered non-profit organization?  Yes  No

If yes, please provide: \_\_\_\_\_

Joint Stocks Registration Number: 1293969

Canada Revenue Agency Business Number: 105730279



APPLICATION FORM

2) **FUNDING REQUEST CALCULATION**

*Funding Level and Limitations*

- Town of Wolfville funding should not exceed 50% of the total project cost
- For requests less than \$2000, please apply to the Community Partnership Program
- Only one application per organization may be submitted per year
- Only one application per organization may be approved every four years

*Request Calculation*

- Total Project Cost \$22,022
- Request to Town of Wolfville \$11,011

3) **REQUIRED INFORMATION**

You **MUST** include as attachments to this form:

- Detailed Description of the program/event/service being proposed, including:
  - Outline of programming
  - Benefits to the Wolfville community
  - Indication of alignment with Council's Strategic Plan
  - Project timeline
  - Expected number of participants/attendees
  - Budget for the project
  - Confirmation of partner funding (if applicable)
- Year-End Financial Statement from the previous year (or business plan)
- Final Report Forms from any previous funding received from the Town (if applicable)

**Successful applicants must provide a Final Report in the prescribed form. Final Report Forms will be included with awarding letters.**

4) **GRANT APPROVAL**

If minimum criteria have been met, staff will complete an Evaluation Checklist and prepare a Request for Decision of Council. Grant funding is subject to Council's approval. Partial approvals may be granted for less than the amount requested.

5) **CERTIFICATION**

I certify that, to the best of my knowledge, the information provided in this application is accurate and complete and is endorsed by the organization which I represent.

Kelly van Niekerk

President, WBDC

Name

Title

Oct 27, 2023

Signature

Date

# The Downtown Wolfville Gift Card Program

## Outline of programming

The Downtown Wolfville Gift Card program is a multi-store visa gift card that can be used only in Wolfville at participating merchants. The program will give the Town of Wolfville its own local gift card that will provide measurable economic growth and support for Wolfville's business community.

The gift card program is free and easy for local businesses to accept. It uses the existing VISA network to transact so customers can spend their gift card as easily as a credit card or debit card.

The gift cards can be purchased locally in person at the WBDC or through an e-commerce website (<https://mydowntowngiftcards.ca/>) that is maintained and fulfilled by the gift card company, Miconex.

The gift card program provides a measurement solution to track spend across the gift cards. For example, if 100 cards are used as a giveaway for an event (e.g. Devour, Acadia Welcome Event, etc) any of the cards used from that event can be tracked to the amount and the business. No PII is collected or stored. This is an important feature of the program as it will allow us to show the return on investment generated by the gift card program.

## Benefits to the Wolfville Community

The gift card program helps lock in local spending and directly supports Wolfville's business community by creating an offer that is appealing to a wide range of customers and is at no cost to the businesses..

50% of gift card recipients will visit a new business for the first time (ref: Miconex case study) which helps show support for a greater variety of businesses in the town. When cardholders spend their gift cards on average they spend 65% more than the gifted value. It is anticipated that this program will deliver a 15x return to the local business community within the two years (ref: Miconex projections based on Town's of similar size)..

We identified four main use case scenarios for the gift card program:

1. Gifts for local residents
  - a. People located outside of Wolfville that would like to buy a gift card to be used locally for someone living in the town. For example, parents of Acadia students who would like to send money in the form of a gift card.
2. Existing residents buying as a gift for friends and family
  - a. For example, as a mother's day gift I could buy a local gift card and say,

“Here’s for dinner and a movie” or “Shopping and Spa”. Without having to purchase the gift cards individually from the retailers.

3. Event promotions

- a. The WBDC often gets asked to support local events and the gift cards would be the perfect way to give support while also benefiting our members. For example, we may want to give the 65 Devour Delegates a gift card in their delegate bag. This gift card would support spending in the business community and we would be able to track all spend from the Devour gift cards back to the businesses.

4. Social Giveaways

- a. The WBDC often runs social media giveaways during key times of the year like Christmas. In the past we have purchased gift cards directly from retailers. A town gift card would allow the recipient to choose where the money is spent vs the WBDC selecting the retailers for the giveaway. Spend from the giveaway would be tracked back to the social campaign.

### Case studies and testimonials

#### Prince Edward Island achieved over \$1.7 Million in sales in 2021.

Kent Thomson, Director of Finance & Food Tourism, PEI Food Island Partnership:

“We have 150,000 residents on Prince Edward Island as Canada’s smallest province and had projected that the entire project would raise \$100,000 for our local economy. It quickly turned into a \$1.7 million project.”

#### Peterborough Downtown Business Improvement Area secured \$70,000 in sales of the BORO Gift Card in its first month.

Terry Guiel, Executive Director of Peterborough DBIA:

“We pushed ourselves to get the card out in time for Christmas and that really paid off. There was a real interest in supporting local. Within its first month, the Boro Gift Card achieved \$70,000 in sales- equivalent to around 5 years of sales for our old paper system”

### Alignment with the Council’s Strategic Plan:

We believe the best part of this program is that it connects all the important elements that contribute to Wolfville: Residents, visitors, Acadia and businesses as seen in the use cases above. It aligns with Council's objective to make Wolfville a vibrant town and will contribute to the economic growth of the community.

A note on sustainability: Having a local gift card for the town will support more local spend and divert dollars away from places like Amazon. This will reduce shipping materials and costs. The

gift card program offered by Miconex will be implementing a digital wallet offering in the near future which we hope to also take advantage of.

### **Project timeline and implementation**

Once funding for the program is secured it is then a matter of signing on with Miconex who provide the following:

- Production of Wolfville branded gift cards
- E-Commerce set up for purchase of the gift cards online. All completed by Miconex and included in the program set up fee.
- Business on-boarding will need to be completed where the WBDC will go door to door and swipe a card on the merchants visa terminal to activate the store on the gift card program. Participating businesses will be given a window sticker and will be featured on the e-commerce website.
- PR and Launch Planning. Miconex will support with marketing material but we will want to do a big launch of the card and plan on marketing it year round through our channels (social, newsletters etc).

We expect 75-100 businesses to participate in the program but are not limited to the number that can join. The first year of the program will start with 2500 gift cards and it is anticipated that we will have 5000 gift cards in year two and year three. A portion of the gift cards will be purchased from the website and delivered in the mail to the recipient, a portion will be collected locally at the WBDC and another portion will be used by the WBDC to support events and giveaways.

### **Budget**

One-time Initial Setup Fee: \$13,742

Monthly Fee Annualized: \$8,280

Total Investment: \$22,02

\*Tax included

**We are asking our partners, Acadia and The Town of Wolfville to contribute 50%, \$11,011, for the first year of the program.**



# GIFT CARDS FOR GOOD



## HOW GIFT CARDS ARE TRANSFORMING COMMUNITIES IN CANADA

A WHITE PAPER BY MICONEX

# Welcome

The Gift Card industry in Canada has seen significant changes over recent years as our downtowns met with challenges ranging from online purchasing to the pandemic, and the more recent cost of living crisis. Within this, we've seen changes in Gift Card demand, including the rise of the multi-business Gift Card, the emergence of localism, the switch from paper programs to high tech alternatives, and the use of Gift Cards to distribute funds with dignity and provide tangible business support.

In this White Paper, we'll be taking an in-depth look at the Gift Card industry in Canada, utilizing research data from the Incentive Research Foundation, the GCVA, academic sources, plus research undertaken by Miconex with over 1500 employees, consumers and organizations in 2022. We will also consider how places in Canada have utilized the Downtown Gift Card concept in a variety of use cases to meet the macro environment challenges currently faced. And we will look towards the future, and how the Gift Card industry can continue to evolve to solve some of society's most pressing concerns.

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# Why Do People Want Gift Cards?

The value of the Canadian Gift Card market is set to reach US\$8850.5 million by 2026. Understanding the appeal of Gift Cards from a consumer and corporate perspective and why people want to buy and receive them is fundamental to understanding the industry overall, and how various players exist within it.

From an employee perspective, an important strand of academic research is that of mental accounting, showing that people will consider and treat rewards/incentives given as cash vs. Gift Cards differently even though the funds are economically identical. There's the sense that the 'hedonic value' of a Gift Card, gives the employee permission to use the Gift Card as they wish, with more positive memories vs. cash as part of the salary. Academic research also suggests that Gift Cards can have a higher motivational power which is in line with the GCVA's findings, that 56% of people would be positively influenced by a Gift Card.

Research around hedonic consumption is also relevant to a consumer audience, finding that the monetary value of Gift Cards tends not to get assigned to 'serious' mental accounts, making it easier for people to justify using it to purchase hedonic purchases, such as treat items. Participants were more likely to purchase hedonic items with Gift Cards than any other form of payment.

This tallies with Miconex's 2022 primary research, which found that over 90% of consumers would rather receive a Gift Card than cash. The main reason being that they feel less guilt about spending a Gift Card on themselves (46.2%), the second being that cash feels impersonal (29.2%) and the third is that cash shows a lack of thought/time/imagination (21.9%). For many, a Gift Card offers permission to spend money on themselves that cash does not offer.

The research overwhelmingly suggests that people want to receive Gift Cards, either from work or on a personal level. And in a similar vein, people prefer to give Gift Cards to cash as gifts too. Academic research has a number of reasons for this, including the social risks associated with giving the 'wrong' gift and the role of Gift Cards in relationship building.

One such study looked at female gift giving, noting that if the recipient is difficult to buy for, Gift Cards can reduce the giver's choice dissonance and provide more behavioural control for them. Also, if the parties previously exchanged Gift Cards they are more likely to continue to do so, on the basis that if their friend has liked Gift Cards in the past, then it will be a welcomed gift once more.

In 2022 Miconex research, over 90% of consumers would rather give a Gift Card than cash. The main reason being that a Gift Card encourages the person to treat themselves (45.5%), followed by a Gift Card being more thoughtful (29.4%), and Gift Cards being more appropriate than cash (24.5%).

“ Sometimes family members will give money as a present and it tends to get absorbed into the general pot, it's quite difficult to then separate that. I'd prefer not to receive cash as a gift but I can understand why people might do it, especially if they're a bit older. When you get a gift card, it makes you go and spend it on something so you can give feedback to the person about what you spent it on. It gives you that permission to treat yourself.

Gift Card Consumer



## The Rise of the Multi-Business Gift Card



As we've seen from the academic research on why people buy and receive Gift Cards, choice is a central theme. We know that people tend to give Gift Cards because they reduce the risk of the purchaser selecting the wrong gift and offer the recipient choice. Over recent years, choice as a driver of the Gift Card purchase has increased even further.

Multi-business Gift Cards (also known as multi-store, multi-choice or multi-retailer Gift Cards) represented 36.7% of monthly Gift Card purchases in 2022, a rise of over 10% since 2021. In 2022, Miconex research, 67.3% of consumers said they would prefer to receive a multi-business Gift Card vs. a single retailer Gift Card. As well as wanting to receive multi-business Gift Cards, consumers want to buy them too, with 67.3% preferring to buy multi-business Gift Cards for others. Once again, it comes down to choice. This was also reflected strongly in our employee research, with the majority of employees wanting to receive a multi-business Gift Card from their employer.

Gift Card industry players in Canada including Gift Card Warehouse, EverythingCard and GiftPay offer Gift Cards for a variety of well-known brands. Miconex has differentiated itself within the Gift Card market through its Downtown Gift Card concept, taking the idea of choice and extending this to its full capacity, bringing all types and sizes of local businesses together behind one Gift Card for the area, including retail, hospitality, leisure and health and beauty.

Independent businesses want to be a part of their local Downtown Gift Card because it brings new customers through the door, puts money in the till and drives awareness. Customers want to be a part of their local Downtown Gift Card because they want to support local. And what unites them is a desire to support local and be a local hero.

## Localism

Covid-19 accelerated trends that were already impacting our downtowns, such as online shopping and the move towards out of town shopping. But it also heralded significant changes in society, including the normalization of home working and one of the most impactful shopping trends - that of localism.

Throughout the pandemic, there was a dawning realisation that consumers alike play a part in successful towns and cities, presenting a unique opportunity to reset the relationship between customers, places, businesses and employees. Miconex played a pivotal role in helping business communities to work together to present an attractive 'shop local' proposition through its Downtown Gift Card concept, harnessing the emerging shop local sentiment and using it to power the evolution of downtowns.



“

**“The Argyle Currency Gift Card is a really neat little program that will bring an economic boost to the Argyle District and make you feel good when you buy it. It’s exciting to think that we have an influx of dollars on the way that will really help local businesses to survive or even to expand,”**

Lina Marie Phillips, owner of Craklins Fish & Chips.

In 2022, Miconex research demonstrated the ability of Downtown Gift Cards to drive the spend in downtowns quickly, with 89.6% of people who receive a Gift Card making a specific visit into the town or city to spend it, and 1-3 months being the typical time period to spend (38.6%), followed by within 6 months (35.2%).

From an organizational perspective, the ability to positively impact their local economy through local Gift Cards, whilst meeting the needs of employees, is appealing. In our 2022 research, over 90% of employees said that support for local was important to them for Christmas 2022 and 84.5% of organizations said supporting local businesses is a factor when choosing rewards and incentives. Increasingly, organizations are turning to local Gift Cards to give their employees, volunteers, clients and customers increased choice but also to collaborate with businesses in their area, and make a tangible difference in the local community.

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Localism continues to resonate. In 2022, 28.8% of buyers bought Gift Cards monthly from local businesses for somebody else, a slight increase from 2021, and over a quarter of self-use Gift Card buyers cited support for local as a driver of purchase too.

## Business Support

The usefulness of Downtown Gift Cards as a means to provide tangible support to businesses and keep money locked into local areas, has been recognised by organizations and the Canadian government.

In Grand Falls, New Brunswick, the Valley Chamber Gift Card launched following funding from the Canadian government and McCain Foods, led by the Chambre de Commerce de Grand Sault/Valley Chamber of Commerce.

The Valley Chamber of Commerce received \$21,000 in funding from the \$700,000 provided to New Brunswick as part of the wider \$2.7 million Atlantic Provinces allocation.

McCain Foods in Grand Falls made a 2-year commitment to sponsor the Valley Chamber Gift Card, allowing local residents to purchase Cards at a discounted rate.

At the launch of the Gift Card, Aimee Ford, Planet Friendly Practices Project Manager & Thriving Communities Pillar Lead at McCain Foods said: "We are honored to partner with the Valley Chamber of Commerce to sponsor the Valley Chamber Gift Card and encourage residents to shop local to help fuel our economy. McCain is committed to building thriving communities and we look forward to future opportunities to support our community."

In September 2022, the Southwest Nova Gift Card was launched by Yarmouth & Area Chamber of Commerce to support businesses, following funding from the Canadian government. And in December 2002, the world's first 'twinning' Gift Card program launched as Downtown Cambridge BIA introduced its Downtown Cambridge Gift Card to keep dollars local. Miconex also operates

the Love Cambridge Gift Card alongside Cambridge Business Improvement District in the UK. Even though the two cities of Cambridge are over 3500 miles apart, there are similarities between the two places. Both have rivers, populations of around 130,000, plus interesting architecture and history. However, it is their desire to support local merchants that unites the Gift Card programs of the two cities.

In 2023, one of Toronto's most fashionable neighbourhoods, the Eglinton Way, will have its own Gift Card initiative to rejuvenate local businesses, following funding from the City of Toronto's Main Street Innovation Fund. The Main Street Innovation Fund is funded by the Government of Canada through the Federal Economic Development Agency for Southern Ontario, and gives BIAs the chance to test innovative and creative solutions to local challenges.

## Paper to High Tech

The pandemic presented both opportunities and challenges for Chambers of Commerce and Downtown Business Improvement Areas (DBIAs) in Canada. Many Chambers and DBIAs already operated successful paper gift certificate or 'Downtown Dollar' programs but with localism driving increased demand, the paper systems became increasingly onerous for Chambers and DBIAs to run.

Administration for paper gift certificate programs is extensive, including tasks such as issuing serial numbers to each certificate, printing certificates and tracking spend. Alongside being time consuming for staff to operate, paper gift certificate programs present a security risk and can be difficult for both consumers and



businesses with lengthy redemption processes, limited denominations available and often, a limited number of businesses taking part in the program.

The Peterborough DBIA was one of the first places to switch its paper Downtown Dollars program for a high tech Downtown Gift Card program from Miconex, enabling them to compete in the growing Gift Card market as well as with the likes of Amazon by offering consumers

and organizations an attractive alternative, and one that was local. The Boro Gift Card launched in December 2020, and generated over \$700,000 in sales to June 2023.

Since 2020, Brampton, Brockville, Cambridge, Charlottetown, London, Grande Prairie, Saint John and Waterloo have upgraded their paper gift certificate programs for Downtown Gift Cards.

## Disbursement

One of the most innovative uses of Gift Cards is their usage to support people, places and sectors, distributing funds with dignity to people and communities in need, and driving spend to hard hit sectors.

In 2020, Miconex worked with Food Island Partnership on Prince Edward Island, Canada's smallest province, to create the Canada's Food Island Gift Card to stimulate the economy and lock in local spend, supported by the government. The introduction of the Gift Card enabled the Island to extend its tourist season, through a Stay and Savour campaign, which saw 5000 Gift Cards made available to 30 of the Island's accommodation providers at a 40% discount. Their objective was to leverage government funding to help drive accommodation sales in the shoulder season. Accommodation providers were able to use these discounted Gift Cards to create their own consumer packages. Their target was 75% redemption and the actual redemption was around 80%.

The second campaign was a Stay 2 Get \$100 campaign where consumers would receive a \$100 Canada's Food Island Gift Card with a stay of 2 consecutive nights. The campaign ran in spring and fall 2021, and spring 2022, to drive sales once more in the shoulder season before peak season.

It gave consumers an incentive to visit Prince Edward Island for a staycation, and a reason to get out exploring the island when they arrived. The redemption rate for this campaign was 80%. And, as the Gift Cards were redeemed at local restaurants, retail outlets, attractions and crafts, the benefit of the Canada's Food Island Gift Card was felt right across the island, in multiple sectors. A \$4.8 million project, over 100,000 Canada's Food Island Gift Cards were sold in the first 18 months of the program.

## Corporate Market

The market for Gift Cards purchased by businesses and organizations continues to increase in significance alongside the evolving corporate landscape. The Incentive Research Foundation found that there has been a dramatic increase in the number of businesses using non-cash rewards, from just 25% of businesses in 1996 to 84% of businesses in 2016. In North America in 2022, the average per-person spend on non-cash rewards was reported to be \$1,060 compared to \$806 in 2021. 58% of organizations spent more than \$250 per person, compared to 51% the previous year. In 2023, 62% of North American organizations anticipate a continued net increase for Gift Card spend, whilst 50% of respondents believe high inflation increases the value of non-cash incentives such as Gift Cards.

Remote and hybrid working is here to stay and 83% of employers will continue to provide flexibility at greater scale post pandemic. The IRF suggests that non-cash incentives and rewards are, if anything, more vital where a significant percentage of the workforce is remote at any given time.

A diverse range of organizations use Downtown Gift Cards for a variety of use cases, helping the organization to meet a variety of key challenges. A key challenge faced by organizations in 2023 is how to reward staff working in different parts of the country, and this is something that Miconex has sought to rectify, emphasising how organizations can meet the varying needs of staff across Canada using local Gift Cards, giving organizations a viable local alternative to online marketplaces and single retailer Gift Cards.

Recruitment and retention is another key concern for organizations. Research shows that when firms describe benefits and rewards in their recruitment, they attract up to 300% more applicants. Not only this, but the more rewards signal a positive, caring culture (such as care for local), the more applicants the firm is likely to attract.



# Cost of Living

Data from the non-profit Angus Reid Institute finds two-thirds of Canadians have cut back on discretionary spending in recent months. This impacted Gift Card spending in 2022, with Deloitte research suggesting that Canadians spent an average of \$120 on Gift Cards, down 24% on 2021.

However, the cost of living has also impacted the Gift Card industry from a different perspective. In GCVA research from November 2022, just under 1 in 5 people said that a key benefit of a Gift Card is that the recipient will purchase something for themselves, rather than spending on bills, rent, food shopping and so on.

Another of the key drivers for Gift Card purchase has been exacerbated by the cost of living crisis, that of avoiding wasteful giving. In Miconex 2022 research, 72.6% of employees said they would spend a Gift Card from work on something practical vs. 47% of consumers. Miconex backed Downtown Gift Cards have helped consumers and organizations to avoid wasteful giving through cards that can be spent on treats but also on practical products and experiences, communicating that Gift Cards offer choice, multi-business Gift Cards offer more choice and Downtown Gift Cards offer wide local choice.



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## What's Next?

As we move into 2023 and beyond, the Gift Card industry will evolve once more as communities continue to adapt to macro environment forces such as the cost of living crisis, and to the capabilities of local Gift Cards to enact community transformation.

One thing is clear, choice will continue to reign supreme in the Gift Card industry and at Miconex, we aim to fully embrace the possibilities offered when we blend choice with collaboration and community, positively impacting our places, making local shopping the first choice and working together to ensure our businesses thrive.

Keep up to date with Miconex's journey at: [mi-cnx.com](https://mi-cnx.com)

Find out more: [giftcards@mi-cnx.com](mailto:giftcards@mi-cnx.com)



## POLICY

# ONE-TIME SPECIAL FUNDING REQUESTS EVALUATION CHECKLIST (OPERATING)

Applicant Name: Wolfville Business Development Corporation

<p><b>1. Program/Service Obligation</b> Core – event/initiative/service the Town would otherwise provide Important – event/initiative/service the Town might otherwise provide Discretionary –event/initiative/service the Town does not normally provide No Mandate – not enabled by legislation, is not within the Town’s area of responsibility</p>	<p>H M L N</p>
<p><b>2. Council Strategic Plan</b> Vital – fundamental to Council’s Strategic Plan Notable – solid fit within Council’s Strategic Plan Non-Critical – some relevance to Council’s Strategic Plan, not strategic</p> <p>Provide Specific Linkages to Council’s Strategic Plan:</p>	<p>H M L</p>
<p><b>3. Public Need/Benefit</b> Community at Large – general need/benefit, broad-based Multiple Interests – some need/benefit, a number of areas/communities Vested Interest –special interest group(s), localized</p>	<p>H M L</p>
<p><b>4. Human Development and Inclusion – Volunteer and Participant</b> High – equality of access and opportunity (demographic, geographic) Moderate – range of demographic groups and/or development potential Low – limited opportunity, access or development potential</p>	<p>H M L</p>
<p><b>5. Quality of Life for the Community</b> Livable Community – important to livable/sustainable community Community Image – enhances image or public perception Community Pride – instills pride, sense of community</p>	<p>H M L</p>
<p><b>6. Economic Impact to the Town</b> High – there is a strong and demonstrated <b>direct</b> economic impact to the Town Moderate – there is a demonstrated <b>indirect</b> economic impact to the Town Low – there is minimal or no demonstrated economic impact to the Town</p>	<p>H M L</p>

## REQUEST FOR DECISION 059-2023

Title: Nuisance Party Bylaw Amendments

Date: **UPDATED FOR Council 2023-01-23**

Department: Office of the CAO

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# SUMMARY

## NUISANCE PARTY BYLAW AMENDMENTS

Amendments to the Nuisance Party Bylaw first came to Council in July 2023 and first reading was given. Over the course of August and September staff conducted an Open House, held a session to get feedback from landlords, and requested feedback on the proposed changes via Wolfville Blooms. After this feedback, staff came back to Council in September and recommended that Section 7.4 and 7.5 be removed from the draft bylaw under consideration and that a report come back for a new first reading. During that same September Council meeting, Council requested more time before making a decision and revisited the topic at the October COW meeting, where direction was provided to staff to remove Sections 7.4 and 7.5 from the draft bylaw and bring it back through a new approval process. At that meeting Council also asked staff to re-engage with the landlords and discuss how the Town, RCMP, Acadia, students and landlords can all be meaningful partners in preventing and managing nuisance parties in the absence of punitive measures for landlords.

To lessen confusion, a new RFD (059-2023) has been created for the purposes of the new First Reading

### DRAFT MOTION:

That Council give second reading to the amended Nuisance Party Bylaw Ch. 97 as attached to RFD 059-2023.

## REQUEST FOR DECISION 059-2023

Title: Nuisance Party Bylaw Amendments

Date: **UPDATED FOR Council 2023-01-23**

Department: Office of the CAO

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### 1) CAO COMMENTS

See discussion for CAO comments.

### 2) LEGISLATIVE AUTHORITY

Municipal Government Act, Section 172(1).

### 3) STAFF RECOMMENDATION

Staff recommend that Council give first reading to the attached amended Nuisance Party Bylaw.

### 4) REFERENCES AND ATTACHMENTS

1. Draft amended Nuisance Party Bylaw Ch. 97
2. [RFD 034-2023 Nuisance Party Bylaw Amendments](#)

### 5) DISCUSSION

RFD 034-2023 provides the rationale and background for all of the proposed changes to the Nuisance Party Bylaw. The edits to this RFD that were provided in red at the September 2023 Council meeting highlight the overview of the feedback received after the original first reading and the rationale for why staff recommended removing sections 7.4 and 7.5. RFD 034-2023 can be reviewed for this full context.

New information for Council is that after the COW meeting in October, staff met with landlords and representatives from the RCMP and Acadia to discuss how we can partner together to tackle nuisance party issues in the absence of punitive measures for landlords in the Nuisance Party Bylaw. The meeting was a great first step with the key takeaways including, but not limited to:

- Including landlords in the pre and post event planning and debrief sessions;
- Working with landlords to designate any desired “party-free” homes in advance of party weekends to assist the RCMP in shutting down unwanted parties;
- Creating a working group to plan events that students would want to attend for key weekends on campus. Landlords are keen to support this work, help plan and lend ideas;
- Hosting an event with colleagues from HRM, CBRM and Antigonish on common issues to both brainstorm solutions and best practices but also to identify areas where we can jointly lobby the Province for legislative changes that may assist in tackling these issues.



## REQUEST FOR DECISION 059-2023

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### 6) FINANCIAL IMPLICATIONS

There are minimal financial implications to these amendments, however the Town will no longer collect fine revenue for landlord infractions.

### 7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Reference the appropriate strategic directions from the 2021-2025 Strategic Plan:

- Community Wellness

### 8) COMMUNICATION REQUIREMENTS

After first reading is given, the proposed amended Bylaw will be advertised and second reading scheduled for the Council meeting in December. As extensive engagement opportunities were provided on this issue through the summer, Blooms will be updated and those interested can provide feedback.

### 9) ALTERNATIVES

Council can choose not to give first reading to the proposed amended Bylaw or can make changes prior to giving first reading.

### 1. Title:

This Bylaw shall be titled and referred to as the “Nuisance Party Bylaw”.

### 2. Background:

The Nova Scotia Municipal Government Act (NS MGA), Section 172 gives Council the specific authority to establish Bylaws. Sections 172(1) of the NS MGA authorizes Council to establish bylaws for municipal purposes respecting (a) the health, well-being, safety and protection of persons; (b) the safety and protection of property; (c) persons, activities and things, in, on or near a public place or place that is open to the public; (d) nuisances, activities and things that maybe or may cause nuisances.

The purpose of this Bylaw is to create a duty upon those hosting a social gathering or party to control the participants’ behavior and to give enforcement personnel a mechanism to disperse persons at a gathering that’s become a public nuisance, bridging a gap between existing Bylaws and the Criminal Code.

### 3. Definitions:

In this Bylaw;

“**Building**” means any permanent structure consisting of a roof supported by walls that is used or intended to be used for the shelter, accommodation of persons, animals, goods, chattels or equipment;

“**Bylaw Enforcement Officer**” means a person appointed by the Chief Administrative Officer who is a Special Constable or Bylaw officer pursuant to the Nova Scotia Police Act or similar legislation and empowered by such appointment to enforce this bylaw;

“**Dwelling**” means a Building containing one or more units for human habitation;

“**Town**” means the Town of Wolfville;

“**Highway**” includes public highway, street, lane, road, alley, sidewalk, parking lot, driveway, park, beach, or place including bridges, any part of which is intended for or used by the general public for the passage of vehicles or persons, and includes private property that is designed to be and is accessible to the general public for the pedestrian and motor vehicle use;

“**Municipality**” means the land within the geographic limit of the Town of Wolfville;

“**Nuisance Party**” means a gathering on Property which, by reason of the conduct of any one or more of the Person(s) in attendance, is characterized by any one or more of the following elements:

- (a) public intoxication;
- (b) the unlawful sale, furnishing, or distribution of alcoholic beverages or

controlled substances;

- (c) the unauthorized deposit of litter on public or private property;
- (d) damage to public or private property;
- (e) the obstruction of vehicular or pedestrian traffic, or interference with the ability to provide emergency services;
- (f) sound that is unusual or excessive, or that is likely to be unwanted by or disturbing to persons, as described in the Prevention of Excessive Noise Bylaw;
- (g) unauthorized open burning as described in the Open Fires Bylaw;
- (h) public disturbance, including confrontations and violence;
- (i) outdoor public urination or defecation;
- (j) use of or entry upon a roof not intended for such occupancy.

**“Officer”** means a Police Officer or any Bylaw Enforcement Officer, assigned to administering or enforcing this bylaw;

**“Police Officer”** means a member of the Royal Canadian Mounted Police or municipal police service authorized to provide police services to the Municipality;

**“Person”** means a corporation as well as an individual;

**“Public Place”** means a Highway, public park, parking lot or other lands to which the public has access as of right or by invitation and includes private property that is exposed to public view;

**“Property”** means any public or private place in the Municipality, including but not limited to Highways, parks, parking lots, yards appurtenant to a Building or Dwelling, or vacant lands.

#### 4. Bylaw Offences:

4.1 No person shall sponsor, conduct, continue, host, create or attend a Nuisance Party.

4.2 No person who, individually or jointly with others, is an owner, occupant, tenant, or who otherwise has rightful possession of or possessory control of any Property, shall allow, cause or permit a Nuisance Party on the Property under their possession or control.

4.3 No person, not residing at the Property, shall fail to leave the Property after having been directed to leave by an order to discontinue activity under this bylaw.

4.4 No person shall urinate or defecate in a Public Place.

4.5 No person shall stand, sit upon or otherwise occupy any roof of any Building unless carrying out legitimate maintenance or construction.

4.6 No person shall fail to comply with an order pursuant to Section 5.1 of this bylaw.

4.7 No person shall willfully obstruct, hinder or otherwise interfere with an Officer in the performance of the Officer's duties, rights, functions, powers or authority under this bylaw.

**5. Order to Discontinue Activity:**

- 5.1 The order under this section shall identify:
  - a. the location of the Property of the Nuisance Party occurrence;
  - b. the elements in determining the Nuisance Party.
- 5.2 An order issued under this bylaw, as outlined in Section 5.1 and 5.2, may be given immediately verbally or may be served personally on the person to whom it is directed. If the order is given by regular mail to the last known address of that person, and if given by registered mail, it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be carried out by registered mail to the corporate mailing address.
- 5.3 A Police Officer may temporarily close any Highway or portion thereof to public travel where a Nuisance Party is occurring adjacent to the Highway to ensure public safety.
- 5.4 Where a Highway or portion of a Highway has been closed, the common law right of passage by the public over the Highway and the common law right of access to the Highway by an owner of land abutting the Highway are restricted as directed by a Police Officer.
- 5.5 No person shall use a Highway or portion of a Highway that has been temporarily closed under this bylaw except with lawful authority or in accordance with direction of a Police Officer.

**6. Enforcement and Inspection:**

- 6.1 Any Officer may enter upon Property for the purpose of investigation and enforcement of this bylaw.
- 6.3 Each Officer is hereby authorized to inform any person of the provisions of this bylaw and to request compliance.
- 6.4 When an Officer believes on reasonable grounds that an offence under this bylaw has been committed by a person, the Officer may require the name, address, proof of the identity of that person, and that person shall supply the required information.
- 6.5 Every person who contravenes or who causes or permits a contravention of any provisions of this bylaw is guilty of an offence.

6.6 Every director or officer of a corporation who knowingly concurs in the convention of any provision of this bylaw by the corporation is guilty of an offence.

6.7 Any Officer who believes on reasonable grounds that there has been a violation of this bylaw may issue a summary offence ticket to that person.

**7. Ownership Provision:**

7.1 As soon as practicable following the order to discontinue a Nuisance Party pursuant to Section 5.1 of this bylaw, a notice of the order shall be sent to the owner(s) of the property at which the Nuisance Party was discontinued.

7.2 The notice of the order to the owner will include all the information outlined in Section 5.2 of this bylaw and include the date and approximate time that the order was made.

7.3 The notice of the order will be deemed delivered as outlined in Section 5.3 of this bylaw.

**8. Penalty:**

8.1 Every person who contravenes or fails to comply with any provisions of this bylaw shall be liable to a penalty of not less than four hundred dollars (\$400.00) for a first offence, not less than six hundred dollars (\$600.00) for the second offence, and not less than nine hundred dollars (\$900.00) for a third and any subsequent offences.



## SUMMARY

### ELECTRONIC VOTING BYLAW AMENDMENTS

In 2012, legislation changed to allow e-voting only for Municipal Elections. Council at that time rejected the use of electronic voting due to perceived social issues this would cause such as voting without engagement; removing voters from the safe environment of polling stations; making it a casual activity, and voters responding in the moment and being influenced by others at the time of their vote. These concerns were addressed with improved community engagement for both voter and candidate around the voting process which included videos and workshops to help with understanding of the process and the mechanisms used. Security of the vote and access to equipment was also raised as a concern, however, the e-voting service organization we use has Federal Government security clearance for all their personnel and operations location. The social aspect of the voting process is addressed under the discussion section of this RFD.

The 2015 Council passed a motion to allow votes to be cast by electronic and paper ballots in the 2016 Municipal Election. This process was used again in 2020 and the Special Election in 2022.

During the Special Election, only electronic voting was used from the first Advanced Polling Day up to the night before ordinary polling day. Only paper Balloting was used on ordinary polling day. Staff reported the electronic voting system being easy to work with, giving the ability to make real time updates to voter's information, an increased security of the electronic votes as paper lists were not required, and being more convenient for voters who could cast their vote from the comfort of their own home.

Conversely, the paper ballot system required a lot of paper generation, creation of binders and packages, printing of personal information with increased security risk of that information being accessed by unauthorized persons, the requirement of the voter to physically attend a location to cast their vote and more staff to oversee the process and keep paperwork secure.

The purpose of this RFD is to provide information to Council to help them decide whether to support staff's recommendation that the Town moves to an electronic only voting system for Municipal Elections and the subsequent changes that would be required to the Electronic Voting Bylaw.

### DRAFT MOTION

That Council give second reading to the amended Electronic Voting Bylaw Chpt. 102.



## 1) CAO COMMENTS

The CAO supports the recommendations of staff.

## 2) LEGISLATIVE AUTHORITY

Section 146A of the *Municipal Elections Act* allows municipal council to select the method and system of voting. “Section 146A(1) A council may by by-law authorize voters to vote by mail, electronically or by another voting method.”

## 3) STAFF RECOMMENDATION

Staff recommend that Council approve an electronic only voting system for the Town’s Municipal Elections, and approval of the subsequent Electronic Voting Bylaw amendments.

## 4) REFERENCES AND ATTACHMENTS

- [Municipal Elections Act Section 146A](#)
- Revised Electronic Voting Bylaw (attached)

## 5) DISCUSSION

Staff involved in the Special Election in 2022 provided positive feedback on the electronic voting system with no issues or concerns reported from voters or candidates.

Feedback included:

Benefit to the voters

- Voters can access immediate assistance through the helpline which is answered by staff who are fully trained on the system and can address errors in real time that voters may be experiencing.
- Convenience for voters being able to vote from anywhere, e.g., if they are on vacation during the election.
- Increased Accessibility – no need to physically attend a location to vote, particularly helpful to those without access to a vehicle and who may have mobility issues, and for those who may require time off work otherwise.

## REQUEST FOR DECISION 064-2023

Electronic Voting Bylaw Amendments

Date: Updated for Council 2024-01-23

Department: Office of CAO

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- Voter Safety - voting takes place in October which is peak hurricane season. Should Wolfville experience any inclement weather which could impact ordinary polling day, constituents would have the ability to vote online or by telephone from the 1<sup>st</sup> advanced polling day and up to and including ordinary polling day until the vote closes and therefore not have to leave the comfort of their own home.
- Reduced health risk – voters who may be feeling unwell do not need to go to a location and mingle with others, potentially spreading infectious diseases.

### Reduced Security Risks

- Candidates have their own separate access to the system which eliminates the need for voters lists to be printed resulting in increased security of elector's information during the election process.
- The system does all the counting so no chance of human error with staff feeling pressured to count while candidates watch.
- Integrity of vote is maintained with no requirement for paper ballots to be stored after the count.
- Voters lists from Elections Nova Scotia are electronically imported to the electronic voting system.

### Environmental Benefits

- No need to print voters lists for poll clerks or thousands of excess ballot papers (as required by legislation) which end up not being used.

### Reduced Costs & Improved Efficiency

- Accurate count is available as soon as the polls have been closed so less time is required for candidates & staff to hang around after the polls shut.
- Electronic voting is most efficient use of staff time, helping those resources be available for other Town operations that don't stop during the election period.

A jurisdictional scan was conducted to find out what experiences other municipalities had who moved to an all-electronic voting system. The question was posted on the list serve along with follow up questions to each of those who responded, requesting more details around the pros and cons.



**REQUEST FOR DECISION 064-2023**

Electronic Voting Bylaw Amendments

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MUNICIPALITY	VOTING METHOD	PROS	CONS
<b>Annapolis County</b>	Electronic only since 2020, hybrid for special election 2023, recommending electronic only for 2024	<ul style="list-style-type: none"> <li>○ Eliminated need to find polling staff which had been a struggle previously.</li> <li>○ Increased accessibility.</li> <li>○ reduced costs.</li> <li>○ increased participation rate</li> </ul>	None
<b>Bridgewater</b>	Electronic only since 2020	<ul style="list-style-type: none"> <li>○ Reduced time for voters to cast their vote.</li> <li>○ Increased accessibility &amp; convenience for voters.</li> <li>○ Greater anonymity with electronic system.</li> </ul>	None
<b>Chester</b>	Electronic only	<ul style="list-style-type: none"> <li>○ No further input received</li> </ul>	No further input received
<b>Digby</b>	Electronic only since 2012	<ul style="list-style-type: none"> <li>○ Works well, no issues with the system.</li> <li>○ Voters find it easy.</li> <li>○ Perceived to have an increased turnout.</li> </ul>	None
<b>East Hants</b>	Electronic since Special Election 2021/22	<ul style="list-style-type: none"> <li>○ Less time on staff resources.</li> <li>○ Less personnel required. Had trouble securing workers previously.</li> <li>○ Increased accessibility.</li> <li>○ Reduced costs.</li> <li>○ Increased privacy (no need to print lists)</li> <li>○ Trying to secure a suitable physical location is no longer an issue.</li> <li>○ Elections NS sends the database directly to the electronic vendor so no need to handle lists or print lists for candidates</li> </ul>	None
<b>Lunenburg</b>	Electronic only since 2020	<ul style="list-style-type: none"> <li>○ Increased accessibility.</li> <li>○ Less human resources required.</li> <li>○ Less supplies needed.</li> <li>○ Increased voter participation.</li> </ul>	None



<b>Shelburne</b>	Electronic only since 2016.	No further input received	No further input received
<b>Yarmouth</b>	Electronic only	<ul style="list-style-type: none"> <li>○ Increased voter turnout.</li> <li>○ Increased accessibility.</li> <li>○ Efficiencies from preparation to conclusion and results phase.</li> <li>○ Increased security due to elimination of producing voters lists.</li> <li>○ Overall cost savings.</li> </ul>	None

One of the reports received stated that since 2020, 32 municipalities in the province used only electronic voting. While I have not been able to confirm that number from the responses received it is not hard to see why it could be the preferred method of voting in the province.

**FURTHER INFORMATION**

At the Elections Session at the Fall 2023 AMANS Conference, there was a discussion around the implications of removing the social aspect for residents of attending a polling station to cast their vote. As well there could be some resistance to the technology. It is with this in mind that we are recommending physical locations (TBD) for the two Advanced Polling Days and the Ordinary Polling Day. At these sites, residents will be able to attend in person to cast their vote on either a telephone or iPad which will be set up at the location. Staff will be available onsite to assist voters should they require it.

**BYLAW AMENDMENTS**

The amendments to the existing bylaw were made by staff and vetted through legal representation:

- All voting days are electronic voting only.
- Clarity around timing of electronic vote being open.
- Eliminate references to paper ballots, paper ballot boxes, poll book.
- Added section on the Auditor.
- Some housekeeping.

**6) FINANCIAL IMPLICATIONS**

## REQUEST FOR DECISION 064-2023

Electronic Voting Bylaw Amendments

Date: Updated for Council 2024-01-23

Department: Office of CAO

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The cost of the 2024 election will need to be built into the 2024/25 Operating Budget. The last full election (2020) cost approximately \$25,000. Whichever election process Council decides on (paper, electronic, paper/electronic hybrid) will inform the final cost estimate to be included in the 2024/25 budget.

There will be options within the budget process itself on how the cost of election will be funded. Generally, this would be between direct from the 2024/25 tax levy or with a transfer from Operating Reserves. Either is valid and no decision is required at this point in time.

### 7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

- Social Equity and Community Wellness – providing accessible voting options, 24 hour a day access and eliminating need for someone who is unwell to leave their home to vote.

### 8) COMMUNICATION REQUIREMENTS

As well as the communications that are required by legislation regarding a Municipal Election, staff will include an educational component in the voter engagement plan to ensure that voters are aware that electronic voting will be used and know how to use it.

### 9) ALTERNATIVE

That Council keep the bylaw as is.

## 1. Title

This Bylaw shall be titled and referred to as the “Electronic Voting Bylaw”.

## 2. Definitions

In this Bylaw:

“**Act**” means the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended.

“**Advance Polling Day**” means:

- i. the Tuesday immediately preceding ordinary polling day; and
- ii. one other day that is either Thursday, the ninth day before ordinary polling day or Saturday, the seventh day before ordinary polling day.

“**Electronic voting**” means voting by telephone or via the internet.

“**Candidate**” means a person who has been nominated as a candidate pursuant to the Act.

“**Council**” means the Council of the Town of Wolfville

“**Election**” means an election held pursuant to the Act, including any school board election, a special election, and a plebiscite.

“**Town**” means the Town of Wolfville.

“**Municipal Elections Act**” means the Nova Scotia Municipal Elections Act.

“**Election Officer**” means an “election official” under the Act.

“**Elector**” means a person qualified to vote at an election.

“**Friend-voter**” means a friend who votes for an elector pursuant to section 7. of this Bylaw.

“**Internet ballot**” means an image of a ballot on a computer screen including all the choices available to an elector and the spaces in which an elector marks a vote.

“**Ordinary polling day**” means the third Saturday in October in a regular election year and in the case of another election means the Saturday fixed for the election.

“**PIN**” means the Personal Identification Number issued to an elector for electronic voting.

“**Plebiscite**” means a plebiscite directed to be held by Council pursuant to section 53 of the Municipal Government Act, S.N.S. 1998, c. 18 or section 56(2) of the Act,

“**Regular election year**” means 2020 and every fourth year thereafter.

“**Rejected ballot**” means an internet ballot or telephone ballot that has not been marked for any candidate.

“**Returning Officer**” means a Returning officer appointed pursuant to the Act.

“**Revised list of electors**” means the revised list of electors completed pursuant to section 50A of the Act.

“**Seal**” means to secure the virtual ballot box and prevent internet and telephone ballots from being cast.

“**Special election**” means a special election held pursuant to the Act, including a special election for a vacancy on a school board.

“**System**” means the technology, including software, that:

- i. records and counts votes; and
- ii. processes and stores the results of electronic voting

“**System Elections Officer**” means:

- i. A person who maintains, monitors, or audits the system, and
- ii. A person who has access to the system beyond the access necessary to vote by electronic voting.
- iii. A person who, pursuant to section 146A(3)(cd) of the Act, is appointed as auditor to audit and monitor the performance of the system of voting.

“**Virtual ballot box**” means a computer database in the system where cast internet ballots and telephone ballots are stored.

“**Telephone ballot**” means:

- i. an audio set of instructions which describes the voting choices available to an elector; and
- ii. the marking of a selection by an elector by depressing the number on a touch tone keypad.

### 3. Electronic Voting Permitted

- a. Subject to this Bylaw, only electronic voting shall be permitted, and electronic voting shall be open beginning at 12 noon on the first advance polling day and ending at 7 pm on ordinary polling day.

#### **4. Notification of Electors**

- a. The Returning Officer shall cause notice of polling days to be published in a newspaper circulating in the Town.
- b. The notice of polling days shall:
  - i. Identify the days for electronic voting; and
  - ii. Inform electors that telephone voting and internet voting only is permitted during the election period beginning at 12 noon on the first advanced polling day and ending at 7 pm on ordinary polling day.
- c. The notice may include any other information the Returning Officer deems necessary.

#### **5. Polling Station for Electronic Voting**

- a. The Returning Officer shall establish at least one polling station for electronic voting that is equipped with a computer or other device to permit voting by internet ballot and a telephone to permit voting by telephone ballot.
- b. The polling station for electronic voting shall be available for all electors and open on each advance polling day from 12 noon to 8 pm and on ordinary polling day from 8 am to 7 pm. Despite s. 58(1) of the Act, the Returning Officer may appoint a Deputy Returning Officer and poll clerk for each polling station for electronic voting but is not required to do so.

#### **6. Form of Telephone and Internet Ballots**

A telephone ballot and internet ballot shall:

- a. Identify by the title “Election for Mayor” or “Election for Councillor” or “Election for School Board Member”; as the case may be.
- b. Identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names; and
- c. Warn the elector to “vote for one candidate only” or “vote for not more than (the number of candidates to be elected) candidates”; as the case may be.

- d. No title, honour, decoration, or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

## **7. Oath**

Any oath that is authorized or required shall be made in the form required by the Act.

## **8. Electors**

No person shall vote by electronic voting unless:

- a. The person's name appears on the revised list of electors on the date for the revised list of electors to be completed pursuant to Section 50A of the Act; or
- b. The person's name does not appear on the revised list of electors and
  - i. The person appears before the Returning Officer any time during the days and times the polling station for electronic voting is open; and
  - ii. The person swears an oath in the form specified in the Act.

## **9. Proxy Voting**

There shall be no voting by proxy by electronic voting.

## **10. Friend Voting**

- a. A friend voter shall only vote for an elector by electronic voting if:
  - i. An elector is unable to vote because the elector is blind, the elector cannot read, or the elector has a physical disability that prevents them from voting by electronic voting; and
  - ii. The elector and the friend appear, in person, before the Returning Officer and take the prescribed oaths.
- b. A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- c. The elector shall take an oath in the form specified in the Act, providing that they are incapable of voting without assistance.
- d. The friend of the elector shall take an oath in the form specified in the Act that:

- i. The friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector.
  - ii. The friend will mark the ballot as requested by the elector; and
  - iii. The friend will keep secret the choice of the elector.
- e. Where the elector requests assistance, the Returning Officer may act as a friend of the elector but shall not be required to take the oath referred to above.
- f. The Deputy Returning Officer, Returning Officer or Poll clerk shall record:
- i. The reason why the elector is unable to carry out their vote;
  - ii. The name of the friend; and
  - iii. The fact that oaths were taken.

## **11. Voting**

The system shall put internet ballots and telephone ballots cast by an elector in the virtual ballot box.

## **12. Seal**

- a. When electronic voting closes at 7 pm on ordinary polling day, the system shall seal the virtual ballot box.

## **13. Counting**

- a. At the close of ordinary polling day, the system shall generate a count of the total telephone ballots and internet ballots in the virtual ballot box that were cast for each candidate.
- b. In counting the votes that were cast for each candidate the system shall not count rejected ballots.

## **14. Tallying of Rejected Ballots**

At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during polling days and the tally shall be accessible to the Returning Officer.

## **15. Recount by System**



In the event of a recount the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

- a. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by electronic voting.
- b. If the regenerated count and the initial count do not match, the Returning Office shall:
  - i. Direct one final count be regenerated by the system of the votes cast by electronic voting, and
  - ii. Attend while the final count is being regenerated.

The regenerated final count pursuant to the above shall be the final count of the votes cast by electronic voting.

## **16. Secrecy**

Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

## **17. Auditor**

- a. An auditor will be appointed to audit and monitor the performance of the system.
- b. The auditor shall, before commencing their duties, take the oath in the form prescribed in the Act.

## **18. Severability**

If a court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the Bylaw and it is hereby declared that the remainder of the Bylaw shall be valid and shall remain in force.

## **19. Prohibitions**

No person shall:

- a. Use another person's PIN to vote or access the system unless the person is a friend voter.
- b. Take, seize, or deprive an elector of their PIN.
- c. Sell gift, transfer, assign or purchase a PIN.

- d. Interfere or attempt to interfere with an elector who is casting an internet or telephone ballot.
- e. Interfere or attempt to interfere with electronic voting.
- f. Attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.
- g. At any time communicate or attempt to communicate any information as to the candidate for whom any other person has voted.

## 20. Offences and Penalty

- a. A person who violates any provision of this Bylaw; or permits anything to be done in violation of any provision of this Bylaw; is guilty of an offence.
- b. A person who contravenes a. above is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.
- c. In determining a penalty under b. above, a judge shall consider:
  - i. The number of votes attempted to be interfered with.
  - ii. The number of votes interfered with; and
  - iii. Any potential interference with the outcome of an election.
- d. Pursuant to section 146A of the Act:
  - i. The limitation period for the prosecution of an offence under this Bylaw is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
  - ii. The Remission of Penalties Act, 1989 S.N.S. c. 397, as amended, does not apply to a pecuniary penalty imposed by this Bylaw.

**Clerk's Annotation for Official Bylaw Book**

Date of first reading:

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

Date of advertisement of Passage of By-law:

Date of mailing to Minister a certified copy of By-law:

I certify that this **Electronic Voting Bylaw 102** was adopted by Council and published as indicated above.

\_\_\_\_\_  
Town Clerk/CAO

\_\_\_\_\_  
Date

DRAFT