

Assent Methods

May 2011

Petition vs. Voting

The final step for the West Fernie Servicing and Restructure Project will be for the RDEK to seek assent for the project to go ahead. There are two methods that the RDEK is contemplating.

Petition

With the petition option, the RDEK prepares a formal petition on behalf of the property owners and mails a petition page to each property owner in the service area. The petition would:

- describe the proposal
- define the boundaries of the service area
- indicate the proposed method of recovering the annual costs (assessed value tax, parcel tax or frontage tax)
- state the amount of borrowing
- include a statement that City of Fernie boundaries would be expanded to include West Fernie, and
- include the names of the property owners and legal description of the property.

All property owners, including corporations and those from out of province, but excluding tenants, within the service area are entitled to sign the petition. If a person owns more than one piece of property and the properties are taxed on separate tax notices (separate folios), then that person would be able to sign for both properties.

Where 2 or more persons own a parcel of land, they are considered as one owner only and the petition is not counted unless a majority of them concur. For example, if 2 people are registered owners of a property they both have to sign the petition otherwise the property is not counted, or if 5 people own a property then 3 have to sign, etc.

To be determined sufficient, the petition must be signed by the owners of at least 50% of the parcels of land that will be charged for the service. The total value of those parcels must represent at least 50% of the net taxable value of all land and improvements in the service area.

Voting (Referendum)

Persons who meet the following qualifications are entitled to vote at a referendum:

- 18 years of age or older;
- Canadian citizen;
- Resident of BC for at least 6 months immediately before voting day (**this eliminates the property owners from out of Province**);
- Resident of or registered owners of real property in the service area for at least 30 days immediately before voting day (**this allows tenants to vote**);
- In the case of non-resident property electors (those who live elsewhere in BC but own property in the service area), if there is more than one individual who is the registered owner of the property, only one of those individuals may register as a non-resident property elector. The person registering must do so with the written consent of the majority of owners.

Corporations are not permitted to vote. For a referendum to be successful, 50% + 1 of the people who show up to vote must vote "yes".