

BUSINESS VOTE – 2005 policy retained for 2008

The corporate vote existed in BC prior to 1973, at which time the legislation was repealed and rewritten. The legislation was considered flawed in that it violated the principle of "one person - one vote" and the imprecise language caused confusion.

At the time the Ministry of Municipal Affairs took the position that the right to vote ought to be defined by residency (plus other elector eligibility requirements), not corporate ownership. This effectively disqualified non-resident property owners, non-resident "tenants in occupation" and corporations from voting. The legislation was repealed in 1993 via the Local Election Reform Act.

It is important to note that currently, in BC, if land is held in the name of an individual (or sole proprietorship), that individual can apply to vote in the jurisdiction with proof of ownership. The individual may apply for only one vote regardless of the number of properties owned in the jurisdiction.

Notwithstanding the property owner vote, most leases are triple-net. In effect, the tax is being paid by the lessee not the lessor. Additionally, business license fees are a form of taxation.

RECOMMENDATION:

- That business have a greater say in municipal elections through their vote; and
- That the City of Kamloops work with the Chamber and the Provincial government through the Community Charter process to develop legislation that includes a clear and workable legal definition for a business vote.