



**VILLAGE OF HARRISON HOT SPRINGS
BYLAW NO. 1048**

A Bylaw to provide for the determination of various procedures for the conduct of local government elections, by-elections and other voting

WHEREAS under Parts 3 and 4 of the *Local Government Act*, the Council may, by bylaw, determine various procedures and requirements to be applied in the conduct of general local elections and other voting;

AND WHEREAS, Council wishes to establish various procedures and requirements under that authority;

NOW THEREFORE the Council of the Village of Harrison Hot Springs in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as "General Local Government Election Procedures Bylaw No. 1048, 2013".

2. DEFINITIONS

2.1 In this bylaw;

"Act" means the *Local Government Act*, R.S.B.C., 1996, Chapter 323;

"Chief Election Officer" is the person appointed by Council under Section 41 of the *Local Government Act* to conduct the election;

"Council" means the Council of the Village of Harrison Hot Springs;

"Elector" shall mean a resident elector or property elector of the jurisdiction as defined under the *Local Government Act*;

"Election" shall mean an election for the number of persons required to fill a local government office;

"General Local Election" shall mean the elections held for the Mayor and all Councillors for the Village of Harrison Hot Springs;

"General Voting Day" is the day for a general local election and must be the third Saturday of November in the year of the election;

"Jurisdiction" shall mean, in relation of an election, the Village of Harrison Hot Springs for which it is held;

"Other Voting" shall mean voting on a matter referred to in Sections 37 and 158 of the *Act*;

"Village" means the Village of Harrison Hot Springs

3. APPLICATION

- 3.1 This Bylaw applies to all Village elections and all other voting opportunities required or permitted to be held under the *Local Government Act*.

4. PROVINCIAL LIST OF VOTERS

- 4.1 For the purposes of this bylaw, the most current Provincial list of voters prepared under the *Elections Act* that is available at the time of an election or other voting shall become the register of resident electors for the Village on the 52nd day prior to the general voting day for such election or other voting.

5. ADDITIONAL ADVANCE VOTING OPPORTUNITIES

- 5.1 The Chief Election Officer may establish dates for advance voting opportunities for each election to be held in advance of general voting day and to designate the voting places and set the dates and voting hours for those additional advance voting opportunities.

6. AUTHORIZATION TO VOTE BY MAIL BALLOT

- 6.1 An elector who:
- (a) has a physical disability, illness, or injury that affects his or her ability to vote at another voting opportunity, or
 - (b) expects to be absent from the Village on general voting day and at the times of all advance voting opportunities
- may vote by mail ballot.

7. APPLICATION PROCEDURE FOR MAIL BALLOT

- 7.1 A person wishing to vote by mail ballot may apply in writing by providing their name and address to the Chief Election Officer or designate at the Village Municipal Office during regular working hours up to 4:00 p.m. two (2) days before general voting day.
- 7.2 Upon receipt of a request for a mail ballot, the Chief Election Officer shall, as soon as practical:
- (a) make available to the applicant by mail or in person, a mail ballot package containing the ballots, forms, envelopes and other documents required under the *Local Government Act*; and
 - (b) immediately record and, upon request, make available for inspection the name and address of the person to whom the mail ballot package was issued.

8. VOTING PROCEDURE FOR MAIL BALLOT

- 8.1 In order to be counted for an election, an elector's mail ballot must be mailed or delivered to the Chief Election Officer at the address specified on the outer envelope provided in the mail ballot package so that it is received no later than the close of voting on general voting day.

9. MAIL BALLOT ACCEPTANCE OR REJECTION

- 9.1 Upon receipt of mail ballot packages before the close of voting on the general voting day, the Chief Election Officer shall record the time and date of its receipt and shall examine the certification envelope.
- 9.2 If the Chief Election Officer is satisfied as to:
- (a) the identity and entitlement to vote of the elector whose ballot is enclosed; and
 - (b) the completeness of the certification,
- the Chief Election Officer shall mark the certification envelope as "accepted" and shall mark the voting book to indicate that the elector has voted.
- 9.3 The unopened certification envelopes marked as "accepted" shall remain in the custody of the Chief Election Officer until the close of voting on general voting day, at which time the Chief Election Officer shall, in the presence of at least one other election official, in addition to any scrutineers present:
- (a) open the certification envelopes;
 - (b) place the unopened secrecy envelopes together into a ballot box;

- (c) open the secrecy envelopes and remove the ballots within; and
- (c) insert the mail ballots into the vote counting for the results to be totalled.

9.4 The Chief Election Officer shall retain all certification envelopes together with the voting books and for the purposes of document retention and destruction shall treat the certification envelopes in the same manner as a voting book.

9.5 If:

- (a) upon review of an outer envelope, the Chief Election Officer is not satisfied as to the identity of the elector whose ballot is enclosed or the completeness of the certification; or
- (b) the outer envelope is received by the Chief Election Officer after the close of voting on general voting day,

the certification envelope shall remain unopened and the Chief Election Officer shall mark such envelope as "rejected" and shall note the reasons for the rejection.

Any certification envelopes and their contents rejected in accordance with Section 9.5 of this Bylaw shall remain unopened and shall not be counted in the election.

10. MAIL BALLOT CHALLENGE OF ELECTOR

Between the time an elector requests a mail ballot package and the time that the mail ballot package is hand delivered or mailed to the elector requesting it, the elector's right to vote may be challenged under Section 116 of the *Local Government Act*.

11. REPLACEMENT OF SPOILED MAIL BALLOT

11.1 Where an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by advising the Chief Election Officer of the ballot spoilage and by mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the Chief Election Officer.

11.2 The Chief Election Officer shall, upon receipt of the spoiled ballot package, record such fact and issue a new mail ballot package to the elector.

12. ORDER OF NAMES ON BALLOT

12.1 The order of names of candidates on the ballot will be determined by lot in accordance with Section 107 of the *Local Government Act*.

13. GENERAL

- 13.1 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
- 13.2 If any part, section, sentence, clause, phrase or word of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the bylaw had been adopted without the invalid portion.

14. REPEAL

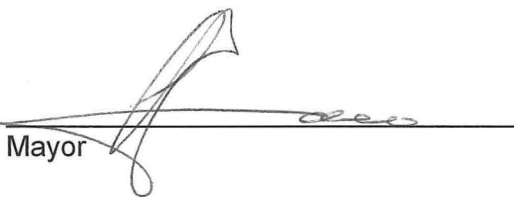
- 14.1 "General Local Government Election Bylaw No. 895" and "Provincial Voters List Adoption Bylaw No. 897" and any amendments thereto are hereby repealed in their entirety.

READ A FIRST TIME THIS 2nd DAY OF DECEMBER, 2013

READ A SECOND TIME THIS 2nd DAY OF DECEMBER, 2013

READ A THIRD TIME THIS 2nd DAY OF DECEMBER, 2013

ADOPTED THIS 20th DAY OF JANUARY, 2014


Mayor


Corporate Officer