

DISTRICT OF CLEARWATER

District of Clearwater General Election Bylaw No. 9, 2008

A bylaw to provide for the determination of various procedures for the conduct of local government elections and other voting.

WHEREAS pursuant to Part 3 of the *Local Government Act*, the Council may by bylaw, determine various procedures and requirements to be applied to the conduct of local government elections and other voting;

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

NOW THEREFORE, the Council of the District of Clearwater, in open meeting assembled, enacts as follows:

1. **DEFINITIONS**

1.1 In this bylaw, unless the context otherwise requires:

- “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 Act to conduct the election.
- “Council” means the Council of the District of Clearwater.
- “District” means the District of Clearwater;
- “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 of the District of Clearwater;
- “General Voting Day” (a) for a general local election must be the third Saturday of November in the year of the election;
(b) for other elections, the date set under Sections 37(5), 38(1), (38(3), or 142(5) of the Act, and
(c) for other voting, the date set under Section 162 of the Act.
- “Jurisdiction” shall mean, in relation of an election, the District of Clearwater for which it is held;

“Other Voting” shall mean voting on a matters referred to in Sections 37, 158 and 238 of the *Act*.

2. APPLICATION

- 2.1 This bylaw shall apply to all *general local elections, other elections, and other voting* in the District.

3. VOTING DAY REGISTRATION ONLY

- 3.1 As authorized under Section 54 of the *Act*, Council limits registration of electors to registration at the time of voting only;
- 3.2 As outlined in paragraph 3.1, electors who wish to vote are required to register at the time of the voting;
- 3.3 Registration as an elector under paragraph 3.1 is effective only for the *general local election, election or other voting* for which the vote is being conducted at that time.

4. ADDITIONAL GENERAL VOTING OPPORTUNITIES

- 4.1 As authorized in Section 96 of the *Act*, Council authorizes the *Chief Election Officer* to establish additional general voting opportunities for *general voting day* for each *election* and to designate the voting place and voting hours, within the limits set out in Section 96(2) of the *Act*, for such voting opportunities.

5. REQUIRED ADVANCE VOTING OPPORTUNITIES

- 5.1 As provided under Section 97 of the *Act*, an advance voting opportunity will be held on the 10th day before general voting day from 8:00 a.m. to 8:00 p.m. for each election.
- 5.2 The advance voting opportunity referred to in Section 97(2) (b) of the *Act* will not be held.

6. SPECIAL VOTING OPPORTUNITIES

- 6.1 To give electors who may otherwise be unable to vote an opportunity to do so, the Council will provide a special voting opportunity as authorized under Section 99 of the Local Government Act for each election and authorizes the Chief Election Officer to establish a special voting opportunity for each election and to designate the location, the date and the voting hours within the limits set out in Section 99 of the Local Government Act, for the special voting opportunity.

6.2 The number of candidate representatives who may be present at a special voting opportunity is limited to one.

7. NUMBER OF SCRUTINEERS AT VOTING PLACES

The number of scrutineers for each candidate that may attend at an election is a maximum of one scrutineer for each ballot box in use.

8. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT

8.1 In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with Section 141 of the Act.

9. CITATION

9.1 This Bylaw may be cited as the "District of Clearwater Elections Procedures Bylaw No. 9, 2008"

READ A FIRST TIME this 3rd day of June 2008.

READ A SECOND TIME this 3rd day of June 2008.

READ A THIRD TIME this 3rd day of June 2008.

RECONSIDERED and FINALLY ADOPTED this 24th day of June 2008.

Mayor John Harwood

Leslie Groulx, Corporate Administrator

Certified to be a true and correct copy of Bylaw No. 9, 2008 cited as "District of Clearwater Election Procedures Bylaw No. 9, 2008" as adopted by the Council of the District of Clearwater this 24th day of June 2008.

Leslie Groulx, Corporate Administrator