

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1420

A BYLAW TO ESTABLISH PROCEDURES FOR
THE CONDUCT OF LOCAL GOVERNMENT ELECTIONS AND OTHER VOTING

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

AND WHEREAS the Council of the City of Enderby wishes to establish various procedures and requirements under that authority;

NOW THEREFORE, the Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited as “The City of Enderby General Local Election Procedure Bylaw No. 1420, 2008”.

2. APPLICATION

The provisions of this bylaw apply to general local elections and other voting.

3. DEFINITIONS

In this bylaw, all definitions shall be in accordance with the *Local Government Act*.

4. VOTING DAY REGISTRATION

- a) For the purposes of all elections and other voting under Part 3 and 4 of the *Local Government Act*, a person may register as an elector only at the time of voting.
- b) Registration as an elector under Section 4. a) of this bylaw is effective only for the voting or other matters on which the opinion of the electors is being sought at the time of voting.

5. REQUIRED ADVANCE VOTING OPPORTUNITIES

In accordance with Section 97 of the *Local Government Act*, advance voting opportunities must be held for an election by voting, as follows:

- a) one on the 10th day before general voting day, and
- b) as provided by Section 97(3) of the *Local Government Act*, the advance voting opportunity required by Section 97(2)(b) of the Act will not be held.

Pursuant to Section 97 (4) of the *Local Government Act*, advance voting opportunities on the date specified in Section 5 a) shall be available between the hours of 8:00 a.m. and 8:00 p.m.

6. ADDITIONAL ADVANCE VOTING OPPORTUNITIES

As provided in Section 98 (1) (a) and (b) of the *Local Government Act* the Chief Election Officer is authorized to:

- (a) establish additional voting opportunities in advance of general voting day, and
- (b) designate the voting places and set the voting hours for these voting opportunities.

7. SPECIAL VOTING OPPORTUNITIES

- a) 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*.
- b) The only electors who may vote at a special voting opportunity provided under Section 7 a) of this bylaw are those electors who, during the date(s) and times the Special Voting Opportunity is held, are residents or patients of a health care facility designated by the Chief Election Officer.
- c) The following procedures for voting apply to the Special Voting Opportunity:
 - i) Voting will be conducted at a central location of the Special Voting Place.
 - ii) The Presiding Election Official shall take reasonable precaution to ensure that the elector marks the ballot in secrecy.
 - iii) Council authorizes the Chief Election Officer to limit the number of candidate representatives who may be present at the special voting opportunity.

8. ORDER OF NAMES ON BALLOT

Pursuant to Section 106 of the *Local Government Act*, the order of names of candidates on the ballot must be arranged alphabetically by their surnames.

9. NUMBER OF CANDIDATE REPRESENTATIVES AND SCRUTINEERS AT VOTING PLACES

Pursuant to Section 110 (2) (d) of the *Local Government Act*, the official agent of a candidate in the election may be present, and the number of scrutineers for each candidate that may attend at an election is one (1) scrutineer for each ballot box in use.

10. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT

Pursuant to Sections 141 (1) and (2), of the *Local Government Act*, in the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot.

11. RECOUNT PROCEDURE

If a recount is required it shall be conducted under the direction of the Chief Election Officer.

12. GENERAL

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.

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.

13. REPEAL

Upon adoption of this bylaw:

- a) The City of Enderby General Local Government Election Bylaw No. 1370 and all amendments thereto is hereby repealed.

READ A FIRST TIME this 16th day of June, 2008.

READ A SECOND TIME this 16th day of June, 2008.

READ A THIRD TIME this 16th day of June, 2008.

ADOPTED by Council this 14th day of July, 2008.

MAYOR

ADMINISTRATOR