



Alberni-Clayoquot Regional District

Bylaw No. A1083

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

WHEREAS under the *Local Government Act*, the Board may, by bylaw, determine various procedures and requirements to be applied to the conduct of local government elections and assent voting;

AND WHEREAS the Board wishes to establish voting procedures and requirements under that authority;

NOW THEREFORE, the Board of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as “Bylaw A1083, Elections and Assent Voting, 2018.”

2. **APPLICATION**

This bylaw applies to all elections or assent voting conducted by the Alberni-Clayoquot Regional District.

3. **ADVANCE VOTING OPPORTUNITIES**

- a. As required under Section 107 of the *Local Government Act*, in addition to the required advance voting opportunity on 10th day before general voting day, the 4th day before general voting day is hereby established as an advance voting opportunity for general local elections and assent voting.
- b. Advance voting opportunities on the dates specified in subsection 3 (a) shall be available between the hours of 8:00 am and 8:00 pm. As authorized under Section 108 of the *Local Government Act*, the Chief Election officer is hereby authorized to designate the voting places for the required advance voting opportunities.
- c. As authorized under Section 108 of the *Local Government Act*, the Board authorizes the Chief Election Officer to establish dates for additional voting opportunities to be held in advance of general voting day and to designate the voting places and set the voting hours for these voting opportunities.

4. SPECIAL VOTING OPPORTUNITIES

- a. As authorized under Section 109 of the *Local Government Act*, special voting opportunities will be provided, and the Chief Election Officer is hereby authorized to establish the dates, locations, and voting hours for the special voting opportunities.
- b. Special voting opportunities will be restricted only to those who reside at a facility or institution or other premises located where the special voting opportunity has been established by the Chief Election Officer.
- c. The Board authorizes the Chief Election Officer to limit the number of candidates' representatives who may be present at the special voting opportunity.

5. ADDITIONAL GENERAL VOTING OPPORTUNITIES

- a. As authorized under Section 106 of the *Local Government Act*, the Chief Election Officer is authorized to establish additional general voting opportunities for general voting day for each election or assent voting, as required, and to designate the voting places and set the voting hours, within the limits set out in the *Local Government Act* for such voting opportunities.

6. VOTING DAY REGISTRATION ONLY

- a. As authorized under Section 69 of the *Local Government Act*, registration of electors for all elections and assent voting is hereby limited to registration at the time of voting, including registration at the required advance voting opportunities, additional general voting opportunities and special voting opportunities.
- b. Registration as an elector under 6 (a) is effective only for the election or assent voting for which the voting is being conducted at that time.

7. ACCESS TO NOMINATION DOCUMENTS AND ENDORSEMENT DOCUMENTS

- a. As authorized under Section 89 (7) to (9) of the *Local Government Act*, public access to nomination documents will be provided at the Regional District Office, 3008 Fifth Avenue, Port Alberni, BC, during regular business hours and electronically on the Regional District's website, as soon as practicable after the time of delivery to the Chief Election Officer, until 30 days following the declaration of election results.

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- b. As authorized under Section 89 and 93 of the *Local Government Act*, public access to elector organization endorsement documents will be provided at the Regional District Office, 3008 Fifth Avenue, Port Alberni, BC, during regular business hours and electronically on the Regional District’s website, as soon as practicable after the time of delivery to the Chief Election Officer, until 30 days following the declaration of election results.

8. MAIL BALLOT VOTING

- a. As authorized under Section 110 of the *Local Government Act*, voting may be done by mail for those electors who meet the criteria in paragraph (b).
- b. The following electors are permitted to vote by mail ballot:
 - i. Those persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;
 - ii. Persons who expect to be absent from the Alberni-Clayoquot Regional District on general voting day and at the times of all advance voting opportunities;
 - iii. Persons who reside in the following areas:
 - 1. Electoral Areas: “A” (Bamfield), “B” (Beaufort), “C” (Long Beach), “D” (Sproat Lake), “E” (Beaver Creek), “F” (Cherry Creek)
 - 2. Maa-nulth First Nations: Toquaht, Huu-ay-aht, Uchucklesaht, Yuułuʔiłʔatḥ

that are remote from the voting places at which they are entitled to vote where their only access to their residence is by boat or aircraft, or their travel time by road from their residence to the nearest voting place at which the person is entitled to vote is greater than thirty (30) minutes.

- c. The following procedures for voting and elector registration must apply:
 - i. Sufficient record will be kept by the Chief Elector Officer so that challenges of the elector’s right to vote may be made in accordance with the intent of Section 126 of the *Local Government Act*;

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- ii. A person exercising the right to vote by mail under the provisions of Section 110 may be challenged in accordance with, and on the grounds specified in Section 126 of the *Local Government Act*, before the close of general voting day.
 - d. The time limits in relation to voting by mail ballot will be determined by the Chief Election Officer.
 - e. As provided in the *Local Government Act*, to be counted, a mail ballot must be received by the Chief Election Officer or designate before the close of voting on general voting day.
9. **ORDER OF NAMES ON BALLOT**
- a. The order of names of candidates on the ballot will be determined by lot in accordance with Section 117 of the *Local Government Act*.
10. **RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT**
- a. 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 151 of the *Local Government Act*.
11. **REPEALED**
- a. Bylaw No. A1072, Elections Bylaw, 2011 and Bylaw A1072-1, Elections Bylaw Amendment, 2014 are hereby repealed.

READ A FIRST TIME THIS 13th DAY OF June 2018.

READ A SECOND TIME THIS 13th DAY OF June 2018.

READ A THIRD TIME THIS 13th DAY OF June 2018.

ADOPTED THIS 13th DAY OF June 2018.



Chairperson



Manager of Administrative Services