



Bylaw No. 679, 2022

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

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

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

NOW THEREFORE, the Board of the North Coast Regional District, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as “2022 Local Government Election Bylaw No. 679, 2022.”

2. USE OF PROVINCIAL LIST OF VOTERS AS THE REGISTER OF RESIDENTIAL ELECTORS

A. The most current available Provincial list of voters prepared under the *Election Act* shall form the register of resident electors and shall become the register of electors on the 52nd day prior to general voting day.

3. ADDITIONAL ADVANCE VOTING OPPORTUNITIES

A. The Chief Election Officer may:

- I. Establish additional voting opportunities to be held in advance of general voting day; and
- II. Designate the voting places and set the voting hours for these voting opportunities.

4. SPECIAL VOTING OPPORTUNITIES

- A.** The Chief Election Officer may establish the dates, locations, and voting hours within the limits set out in the *Local Government Act*, for the special voting opportunities.
- B.** The following restrictions apply to persons who may vote at this special voting opportunity:
 - I.** The only electors who may vote are electors who, on the date on which the special voting opportunity is held and before the end of the voting hours for the special voting opportunity, have been admitted as patients to a hospital within the region.
- C.** The following procedures for voting and for conducting the voting proceedings only apply to the special voting opportunity:
 - I.** A portable lap type voting booth is to be utilized.
 - II.** All other voting procedures are as per normal.
 - III.** Upon completion of the marking of the ballot it is to be deposited by the elector in the ballot box supplied by the presiding election official.
 - IV.** Upon completion of the special voting the ballot boxes are to be sealed until the time of counting.
 - V.** The Board of the NCRD authorizes the Chief Election Officer to limit the number of candidate's representatives who may be present at the special voting opportunity.

5. ADDITIONAL GENERAL VOTING OPPORTUNITIES

- A.** The Chief Election Officer may designate the voting places and set the voting hours within the limits set out in the *Local Government Act* for additional general voting opportunities.

6. MAIL BALLOT VOTING

- A.** As authorized under section 110 of the *Local Government Act*, the Chief Election Officer may allow for voting and registration to be done by mail for those electors who reside in Electoral Areas A, C, D and E.
- B.** The following procedures for voting and registration must apply:
 - I.** An applicant shall apply by giving their name and address to the Chief Election Officer during the period established by the Chief Election Officer in accordance with the *Local Government Act*.
 - II.** Upon the applicant making a request for a mail ballot, the Chief Election Officer

shall, between the time when the ballots are ready and 4:00 p.m. 2 days before general voting day:

- a. Make available to the applicant, a mail ballot package which contains:
 - i. The content set out in section 110(7) of the *Local Government Act*;
 - ii. Additional instructions; and
 - iii. A statement advising the elector that:
 - a. The elector must meet the eligibility to vote criteria, and
 - b. The elector must attest to such fact, and
- b. Record in the register of mail ballots and, upon request, make available for inspection:
 - i. The name and address of the elector to whom the mail ballot package was issued; and
 - ii. The number of the elector, the number of the voting division in which the person is registered as an elector, or “new elector”, if that person is not registered as an elector; and
 - iii. Any other information that the Chief Election Officer deems helpful to maintain the register of ballots.

C. As per the applicant’s direction, the Chief Election Officer may distribute the mail ballot package in any of the following ways:

- I. Sending the mail ballot package by Canada Post;
- II. Sending the mail ballot package by courier at the expense of the applicant;
- III. Having the mail ballot package picked up by the applicant at a designated time and location; or
- IV. Having the mail ballot package picked up by an authorized person at a designated time and location.

D. The Chief Election Officer may request that the authorized person show identification and sign a form before providing the authorized person with the mail ballot package.

E. To vote by mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer.

F. After marking the ballot, the elector shall:

- I. Place the ballot in the secrecy envelope provided and seal the secrecy envelope;

- II. Place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
 - III. Place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
 - IV. Mail, or have delivered, the outer envelope and its contents to the Chief Election Officer no later than the close of voting on general voting day.
- G.** Until 4:00 p.m. 2 days before general voting day, the Chief Election Officer shall, upon receipt of the return envelope and its contents:
- I. Immediately record the date of receipt in the register of mail ballots; and
 - II. Open the return envelope.
- H.** When the Chief Election Officer examines the certification envelope, the Chief Election Officer shall:
- I. Confirm the identity of the elector as an applicant on the register of mail ballots;
 - II. Determine the fulfilment of the requirements in section 70 of the Local Government Act and the completeness of any application to register, if required; and
 - III. Determine the completeness of the certification envelope.
- I.** If the Chief Election Officer is satisfied that the elector has met the requirements in section 6(H), the Chief Election Officer shall:
- I. Mark the certification envelope as “accepted”; and
 - II. Place the accepted certification envelope with the other certification envelopes.
- J.** If the Chief Election Officer determines that:
- I. The Chief Election Officer is not satisfied as to the identity to the elector; or
 - II. The elector has not completed the application to register properly;
- The Chief Election Officer shall mark the certification envelope as “rejected”, indicate the reason for the rejection and set aside the rejected certification envelope unopened.
- K.** The Chief Election Officer shall retain in their custody all opened and unopened certification envelopes.
- L.** After 4:00 p.m. 2 days before general voting day, the Chief Election Officer, in the

presence of at least 1 other person, including any candidate representatives, shall:

- I. Deal with any challenges to the electors involving the accepted certification envelopes;
 - II. Open the certification envelopes;
 - III. Remove the secrecy envelopes containing the ballots; and
 - IV. Place the secrecy envelope containing the ballot in the ballot box.
- M.** If the Chief Election Officer receives a return envelope with its contents after 4:00 p.m. 2 days before general voting day but before the close of general voting, the Chief Election Officer shall:
- I. Handle those return envelopes in accordance with section 6(G) at the time that the Chief Election Officer receives the return envelopes;
 - II. Retain all accepted certification envelopes until the close of general voting day;
 - III. Process the accepted certification envelopes in accordance with sections 6(G) through 6(K) after the close of general voting day.
- N.** As soon as possible after all of the secrecy envelopes have been placed in the ballot box, in the presence of at least 1 other person and any candidate representatives, the Chief Election Officer shall supervise:
- I. The opening of the ballot boxes;
 - II. The opening of the secrecy envelopes; and
 - III. The counting of the ballots in accordance with the provisions of the Local Government Act.
- O.** If the Chief Election Officer receives a return envelope with its contents after the close of general voting day, the Chief Election Officer shall:
- I. Mark the return envelope as “rejected”;
 - II. Indicate the reason why the return envelope was rejected on the return envelope; and
 - III. Place the unopened return envelope with the other rejected return envelopes.
- P.** The Chief Election Officer shall keep sufficient records 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.

- Q.** If, upon receiving a request for a mail ballot, the Chief Election Officer determines that another person has voted or has already been issued a mail ballot in the elector's name, the Chief Election Officer shall complete with section 127 of the *Local Government Act*.

7. ORDERS 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*.

8. NUMBERS OF SCRUTINEERS AT VOTING PLACES

- A.** As authorized under section 120(3) of the *Local Government Act*, the number of scrutineers for each candidate that may attend at an election is one (1) scrutineer for each ballot box in use.

9. 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*.

10. REPEAL

The Local Government Election Bylaw No. 616, 2017 is hereby repealed.

<i>Read a first time this</i>	<i>18th day of March, 2022</i>
<i>Read a second time this</i>	<i>18th day of March, 2022</i>
<i>Read a third time this</i>	<i>18th day of March, 2022</i>
<i>Adopted this</i>	<i>18th day of March, 2022</i>



Chair

Corporate Officer

I hereby certify that this is a true copy of the North Coast Regional District Bylaw No. 679, 2022.