



TOWN OF VIEW ROYAL

BYLAW NO. 989

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

The Council of the Town of View Royal, in open meeting assembled, enacts as follows:

1. DEFINITIONS

1.1 In this Bylaw,

“Council” means the Council of the Town;

“Elector” means a qualified resident elector or non-resident property elector of the Town;

“Election” means an election for the number of persons required to fill a local government office;

“General local election” means an election held in 2018 and in every fourth (4th) year after 2018 for the mayor and all councillors of the Town;

“General voting day” means:

- a) For a general local election, the third (3rd) Saturday of October in the year of the election,
- b) For other elections, the date set under Sections 54 or 55 of the *Local Government Act*, and
- c) For assent voting, the date set under Section 174 of the *Local Government Act*;

“Nominator” means an elector of the Town;

“Other voting” means voting on a matter referred to in Section 170 of the *Local Government Act*,

“Town” means the Town of View Royal.

2. NOMINATION OF CANDIDATES – REQUIRED NUMBER OF QUALIFIED NOMINATORS

2.1 In accordance with Section 86(2) of the *Local Government Act*, the Council sets the required minimum number of qualified nominators at ten (10).

3. ELECTRONIC ACCESS TO NOMINATOR DOCUMENTS AND DISCLOSURE STATEMENTS

3.1 In accordance with Section 89(8) of the *Local Government Act*, the Council provides for public access to nomination documents via the Town’s website from the time of filing until thirty (30) days after the declaration of the election results.

3.2 In accordance with Section 59(1) of the *Local Elections Campaign Financing Act*, the Council provides for public access to the campaign financing disclosure statements, the signed declarations, and the supplementary reports via the Town’s website from the time of filing until five (5) years after general voting day for the election to which they relate.

4. VOTING DAY ONLY REGISTRATION

- 4.1 For purposes of all elections and other voting under Parts 3 and 4 of the *Local Government Act*, a person must register as an elector only at the time of voting.
- 4.2 Registration as an elector under Section 4.1 of this Bylaw is effective only for the voting and other matters on which the opinion of the electors is being sought at the time of voting.

5. ADVANCE VOTING OPPORTUNITIES

- 5.1 There will be two advance voting opportunities at all elections and other voting, to be held at View Royal Town Hall, 45 View Royal Avenue, Victoria, B.C., or an alternate location designated by the Chief Election Officer, on:
 - a) the tenth day before general voting day and
 - b) the fourth day before general voting day.

6. ADDITIONAL ADVANCE VOTING OPPORTUNITIES

- 6.1 In accordance with Section 108 of the *Local Government Act*, the Council authorizes the Chief Election Officer to:
 - (a) establish dates for additional advance voting opportunities for each election or other voting to be held in advance of general voting day; and, if established
 - (b) designate the voting places and set the voting hours for additional advance voting opportunities.

7. MAIL BALLOT VOTING

- 7.1 In accordance with Section 110 of the *Local Government Act*, the Council provides for voting by mail ballot and elector registration by mail, in conjunction with mail ballot voting, for those electors who meet the criteria in Section 7.2 of this Bylaw for each election or other voting.
- 7.2 The following electors are permitted to register to vote by mail and to vote by mail ballot:
 - (a) persons who have a physical disability, illness, or injury that affects their ability to vote at another voting opportunity;
 - (b) persons who expect to be absent from the Town on general voting day and at the times of all advance voting opportunities.
- 7.3 The following procedures for mail ballot registration and voting must apply:
 - (a) sufficient records will be kept by the Chief Election 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*; and
 - (b) a person exercising the right to vote by mail ballot may be challenged in accordance with, and on the grounds specified in Section 126 of the *Local Government Act* until 4:30 p.m. two (2) days before general voting day.

- 7.4 The Council authorizes the Chief Election Officer to determine and set time limits in relation to voting by mail.
- 7.5 As provided in Section 110(9) of the *Local Government Act*, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day in order to be counted for an election.
- 7.6 Notwithstanding Section 7.1 of this Bylaw, where a by-election must be held pursuant to Section 54 of the *Local Government Act*, mail ballot voting may be provided at the discretion of the Chief Election Officer appointed by Council.

8. ORDER OF NAMES ON BALLOT

- 8.1 The order of names of candidates on a ballot will be determined by lot, in accordance with Section 117 of the *Local Government Act*.

9. GENERAL

- 9.1 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.
- 9.2 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 will be severed and the decision that it is invalid will not affect the validity of the remainder which will continue in full force and effect and be construed as if the Bylaw had been adopted without the invalid portion.

10. CITATION

- 10.1 This Bylaw may be cited for all purposes as "Election Procedures Bylaw No. 989, 2018."

READ A FIRST TIME THIS 1st DAY OF MAY, 2018

READ A SECOND TIME THIS 1st DAY OF MAY, 2018

READ A THIRD TIME THIS 1st DAY OF MAY, 2018

ADOPTED BY COUNCIL, SIGNED BY THE MAYOR AND THE CLERK AND SEALED WITH THE SEAL OF THE TOWN OF VIEW ROYAL THIS 15th DAY OF MAY, 2018.

MAYOR

CLERK & CAO