

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1243

A bylaw to establish various procedures for the conduct of elections and other voting in the Regional District of Central Okanagan.

WHEREAS under the *Local Government Act*, the Regional 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 Board wishes to establish various procedures and requirements under that authority;

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

1. DEFINITIONS

In this bylaw:

Electors means a resident elector or non-resident property elector of an electoral area of the Regional District of Central Okanagan as defined in the *Local Government Act*;

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

General voting day means,

- (a) for a general local election, the 3rd Saturday of November in the year of the election,
- (b) for other elections, the date set under Sections 37, 38, or 142 of the *Local Government Act*,
- (c) for other voting, the date set under Section 162 of the *Local Government Act*;

Local government means the Regional District Board;

Other voting means voting on a matter referred to in Section 158 of the *Local Government Act* and includes voting on a referendum under Section 802 of that Act.

- 1.1 Except as provided in Section 1, all words, terms and expressions used in this bylaw shall be interpreted in accordance with the definitions in the *Local Government Act*.

2. VOTING DAY REGISTRATION ONLY

- (a) As authorized in Section 54 of the *Local Government Act*, registration of electors for all elections and other voting under Part 3 and 4 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 2(a) is effective only for the election or other voting for which the voting is being conducted at that time.

3. **ADDITIONAL GENERAL VOTING OPPORTUNITES**

In accordance with Section 96 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 other voting, as required, and to designate the voting places and set the voting hours, within the limits set out in Section 96(2) of the *Local Government Act*, for such voting opportunities.

4. **REQUIRED ADVANCE VOTING OPPORTUNITIES**

- (a) In addition to the requirement in Section 97 of the *Local Government Act* to hold an advance voting opportunity on the 10th day before general voting day, the Board hereby establishes the second day of required advance voting to be held on the 4th day before general voting day between the hours of 8:00 am and 8:00 pm at voting places designated by the Chief Election Officer.
- (a) In the event the second advance voting opportunity occurs on a statutory holiday, the second day of advance voting is to be conducted the next business day following the statutory holiday.

5. **SPECIAL VOTING OPPORTUNITES**

- (a) To provide electors who may otherwise be unable to vote, a special voting opportunity in accordance with Section 99 of the *Local Government Act* will be held as required, for each election.
- (b) The Chief Election Officer is authorized to establish a special voting opportunity for each election and to designate the location, the date and voting hours within the limits set out in Section 99 of the *Local Government Act*, for special voting opportunities.
- (c) Voting procedures and conducting the voting proceedings for special voting opportunities shall be in accordance with the provisions set out in Part 3 and 4 of the *Local Government Act*.
- (d) Where a special voting opportunity is held in a care facility or rest home, eligibility to vote is restricted to residents of the facility where the special voting opportunity is conducted, who are qualified resident electors as defined in the *Local Government Act*.
- (e) Where a special voting opportunity is held outside the local government jurisdiction, restrictions will be placed on who can vote at the special voting opportunity in accordance with Section 99(2) (a) of the *Local Government Act*.

6. **RESOLUTION OF TIE VOTES AFTER A JUDICIAL RECOUNT**

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 *Local Government Act*.

7. **MAIL BALLOT VOTING**

- (a) As authorized under Section 100 of the *Local Government Act*, voting and registration may be done by mail for those electors who meet the criteria in paragraph (7.b) for each election or other voting.
- (b) The following electors are permitted to register to vote by mail and to vote by mail ballot:
 - (i) those persons who have a physical disability, illness or injury that affect their ability to vote at another voting opportunity;
 - (ii) persons who expect to be absent from the jurisdiction on general voting day and at the times of all advance voting opportunities.
- (c) Sufficient record 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 116 of the *Local Government Act*.
- (d) A person exercising the right to vote by mail under the provisions of the *Local Government Act* may be challenged in accordance with, and on the grounds specified in Section 116 of the *Local Government Act*, until 4:00 pm two days before general voting day.
- (e) The Chief Election Officer is hereby authorized to establish time limits in relation to voting by mail ballot.

8. **REPEAL**

"The Regional District of Central Okanagan Election Procedures Bylaw No. 840, 1999 is hereby repealed in its entirety."

9. **CITATION**

This bylaw may be cited as "Regional District of Central Okanagan Election Procedures Bylaw No. 1243,2008."

READ A FIRST TIME THIS	21 st .	DAY OF	July	2008.
READ A SECOND TIME THIS	21 st	DAY OF	July	2008.
READ A THIRD TIME THIS	21 st	DAY OF	July	2008.

RECONSIDERED AND ADOPTED THIS 21st DAY OF July 2008.



CHAIR



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1243 cited as the "Regional District of Central Okanagan Election Procedures Bylaw No. 1243, 2008" as read a third time and adopted by the Regional Board on the 21st day of July 2008.

Dated at Kelowna, B.C.
this 30th day of July 2008



DIRECTOR OF CORPORATE SERVICES