



BYLAW NO. 807

THE CORPORATION OF THE VILLAGE OF ALERT BAY  
LOCAL ELECTION PROCEDURES BYLAW

A Bylaw to Provide for Determination of Various Procedures for the Conduct of Local Government Elections and Other Voting.

WHEREAS pursuant to the Local Government Act, the Council may, by Bylaw determine various procedures to be applied in the conduct of local government elections and other voting;

AND WHEREAS the Council desires to establish voting procedures and requirements under that authority;

NOW THEREFORE the Council for the Village of Alert Bay in open meeting assembled enacts as follows:

**1. Definitions**

**In this Bylaw:**

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

"General local election" means the Election held for Mayor and all Councillors of the municipality which must be held in the year 2022 and in every fourth year thereafter.

"General voting day" means:

- a) for a general local election, the third Saturday of October in the year of the election;
- b) for other elections, the date set under Section 52 of the Local Government Act, and
- c) for other voting, the date set under Section 174 of the Local Government Act.

"Jurisdiction" means, in relation to an election, the municipality for which it is held.

"Local Government" means the Village of Alert Bay.

**2. Application**

This Bylaw shall apply to all general local elections, elections, and other voting in the Village of Alert Bay.

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### 3. Register of Local Electors

For the purposes of all local elections and submissions to the electors under Part 3 and 4 of the Local Government Act, the most current available Provincial list of voters prepared under the Election Act, shall become the register of resident electors on the 52nd day prior to the general voting day for such elections and submissions to the electors.

### 4. Access to Nomination Documents

As authorized under Section 89 of the Local Government Act, public access to nomination documents delivered to the Chief Election Officer will be made available for public inspection at the Village office during its regular office hours from the time of delivery until 30 days after the declaration of the election results. These documents will also be available on the Village of Alert Bay (alertbay.ca) website within the same time frame.

### 5. Additional General Voting Opportunities

The Council authorizes the Chief Election Officer to establish additional general voting opportunities for general voting day for each general local election, election, or other voting, and to designate the voting place and voting hours within the limits set out in Section 106 of the Local Government Act, for such voting opportunities.

### 6. Required Advance Voting Opportunities

As provided under Section 107 of the Local Government Act, the following advance voting opportunities are established for each general local election, election, or other voting, to be held in advance of general voting day for each general local election, election, or other voting;

- 6.1. advance voting opportunities will be available at the Village of Alert Bay Municipal Office, 15 Maple Road, Alert Bay, BC;
- 6.2. advance voting opportunities will be held on the following date: the tenth (10th) day before each general local election, election, or other voting before each general local election, election or other voting;
- 6.3. the voting hours at these advance voting opportunities will be 8:00 a.m. to 8:00 p.m. inclusive; and
- 6.4. in accordance with Section 107(2) of the Local Government Act [population of jurisdiction of less than 5000] a second voting opportunity will not be held in Alert Bay.

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## 7. Mail Ballot Voting

- 7.1. As authorized under Section 110 of the Local Government Act and any regulations under Section 168 (election regulations), a local government may, by bylaw, permit voting to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.
- 7.2. The only electors who may be permitted to vote by mail ballot are:
  - 7.2.1. persons who have a physical disability, illness, or injury that affects their ability to vote at another voting opportunity; and
  - 7.2.2. persons who expect to be absent from the Village of Alert Bay on General Voting Day and at the times of all advance voting opportunities.
- 7.3. The following procedures for voting and elector registration must apply:
  - 7.3.1. 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 126 of the Local Government Act;
  - 7.3.2. 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, until 4:30 pm two days before general voting day.
- 7.4. The time limits in relation to voting by mail ballot will be determined by the Chief Election Officer.
- 7.5. As provided in the Local Government Act a mail ballot, to be counted, must be received by the Chief Election Officer before the close of voting on general voting day.

## 8. Order of Names on the Ballot

The order of names of candidates on the ballot will be determined in accordance with Section 116 of the Local Government Act.

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**9. Number of Scrutineers at Voting Places**

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 2 scrutineers for each ballot box in use.

**10. Resolution of Tie Votes After Judicial Recount**

If at the completion of a judicial recount, the results of the election cannot be declared because there is an equality of valid votes for 2 or more candidates, the results will be determined by lot between those candidates.

**11. Severability**

If a court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed, and the remainder of the bylaw deemed valid.

**12. Citation**

12.1. This Bylaw may be cited as "Election Procedures Bylaw No. 807, 2022".

12.2. Village of Alert Bay "Local Elections Procedures Bylaw No. 73, 2018" and all amendments thereto are repealed in the entirety.

**13. Effective Date**

This Bylaw shall come into effect and force upon final adoption.

READ A FIRST TIME	THIS	24 DAY OF MAY 2022
READ A SECOND TIME	THIS	24 DAY OF MAY 2022
READ A THIRD TIME	THIS	24 DAY OF MAY 2022
AND FINALLY ADOPTED	THIS	27 DAY OF JUN 2022



DENNIS BUCHANAN,  
MAYOR



CONNIE LARSON,  
CORPORATE OFFICER

CERTIFIED A TRUE COPY OF "Bylaw No. 807, 2022

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Bylaw to Provide for Determination of Various Procedures for the Conduct of Local Government Elections and Other Voting." AS ADOPTED BY RESOLUTION 2022-177 on the 27 day of June 2022.