

DISTRICT OF UCLUELET

Bylaw No. 1305, 2022

A Bylaw to provide for the determination of various procedures for the conduct of elections and assent voting.

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

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

NOW THEREFORE the Council of the District of Ucluelet, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as the "District of Ucluelet Election and Assent Voting Bylaw No. 1305, 2022."

2. MINIMUM NUMBERS OF NOMINATORS

As authorized under Section 86 of the *Local Government Act*, the minimum number of qualified nominators required to make a nomination for office as a member of Council shall be 2, unless otherwise specified by bylaw.

3. NOMINATION DEPOSITS

No nomination deposit is required upon submission of nomination documents.

4. ACCESS TO NOMINATION DOCUMENTS

As authorized under Section 89(7) of the *Local Government Act*, public access to nomination documents will be provided at the District of Ucluelet Municipal Office, 200 Main Street, Ucluelet, during regular business hours and electronically via the internet, as soon as practicable after the time of delivery to the Chief Election Officer, until 30 days following the declaration of election results.

5. ELECTOR REGISTRATION

As authorized under Section 76 of the *Local Government Act*, for all elections and assent voting 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.

6. GENERAL LOCAL ELECTION

As required under Section 52 of the *Local Government Act*, elections for the mayor and councillors must be held:

- (a) in the year 2014 and in every 4th year after that; and

(b) on the 3rd Saturday of October in the year of the election.

7. BY-ELECTION

As required under Section 54 of the *Local Government Act*, an election must be held to fill a vacancy in an elected local government office, unless the vacancy occurs after June 1st in the year of a general election.

8. ASSENT VOTING

Assent voting opportunities must be held in accordance with Part 4 the *Local Government Act*.

9. AUTHORITY

In addition to the powers as authorized in Sections 58 and 59 and all other relevant Sections of the *Local Government Act* and the *Local Elections Campaign Financing Act*, the Chief Election Officer shall be authorized to:

- a) establish additional general voting opportunities for general voting day and designate voting places for both general voting day and the required advance voting opportunities; and
- b) recruit, appoint and train any other presiding election officials and election officials that are needed to run the election on voting days.

10. ADVANCE VOTING

As required under Sections 107 (1) and (2) of the *Local Government Act*, an advance voting opportunity, for elections and assent voting, must be held on the tenth day before general voting day. Voting hours must be from 8 a.m. to 8 p.m. A second advance voting opportunity will not be held. As soon as practicable after the declaration of an election by voting, the Chief Election Officer must designate voting places for the required advance voting opportunities and must give notice in accordance with Section 107 (5) of the *Local Government Act*.

11. VOTER IDENTIFICATION

1. To be registered as a resident elector of a municipality or electoral area, a person must meet the requirements as set out under Section 65 (1) of the *Local Government Act*, on the day of registration.
2. To be registered as a non-resident property elector of a municipality or electoral area, a person must meet the requirements as set out under Section 66 of the *Local Government Act*, on the day of registration.

12. MAIL BALLOT VOTING

Mail ballot voting will not be offered within the District of Ucluelet.

13. ORDER OF NAMES ON BALLOT

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

14. SCRUTINEERS

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 at a voting place. As authorized under Section 181 of the *Local Government Act*, which may be amended from time to time, for assent voting, the number of scrutineers for the question and the number of scrutineers against the question that may attend at the voting place is (1) scrutineer.

15. SIGNAGE

Notwithstanding Bylaw No. 1060, 2007, the following provisions shall apply:

1. No Political Signs shall be placed:
 - (a) on a highway meridian, traffic circle or roundabouts, or in a Park;
 - (b) on or in civic buildings owned or leased by the District of Ucluelet such as municipal hall, libraries, fire halls, museums, or similar facilities;
 - (c) on any tree, planter, utility pole, waste receptacle, newspaper box, or mailbox located on District-owned land; or
 - (d) within 1 metre of a fire hydrant.
2. As required under Section 163 (4)(c) of the *Local Government Act*, a person must not post, display, or distribute election advertising, or any material that identifies a candidate or elector organization, unless this is done with the authorization of the Chief Election Officer, at or within 100 metres of a building, structure or other place where voting procedures are being conducted at the time.
3. As required under Section 234 (1) of the *Election Act*, during a campaign period, an individual or organization must not post, display or disseminate in or within 100 metres of the building where the office of the district electoral officer is located
 - (a) campaign period election advertising, or
 - (b) any material that identifies a candidate, registered political party or registered constituency association, unless this is done with the authorization of the district electoral officer.
4. Political signs must comply with provisions of the *Local Government Act*, *Local Elections Campaign Financing Act*, *Elections Act*, *Motor Vehicle Act*, *Transportation Act*, and any other applicable Provincial or Federal statutes, orders or regulations relating thereto.
5. Political signs must not be displayed more than 30 days prior to the General Voting Day, by-election, or assent voting, and are to be removed by the next business day after the conclusion of General Voting Day, by-election, or assent voting.

16. PROCEDURES AFTER CLOSE ON VOTING DAY

In accordance with Division 14 of the *Local Government Act*, the following provisions shall apply:

1. The counting of the votes on ballots used for general voting is to be conducted at the voting place where the ballot boxes containing them are located, unless the Chief Election Officer directs that the counting is to take place at another location.
2. A presiding election official and at least one other election official must be present while counting proceedings are being conducted.
3. The counting of the votes on ballots for an election must be conducted by the presiding election official or by other election officials under the supervision of the presiding election official.
4. The procedures for the counting and handling of the votes must be followed as required under Division 14 – Sections 133 through Sections 147 inclusive - of the *Local Government Act*.
5. Before 4 p.m. on the fourth day following the close of general voting, the Chief Election Officer must declare the results of the election as determined under Section 145 of the *Local Government Act*.

17. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT

In the event of a tie vote after a judicial recount, the results will be determined by lot, in accordance with Section 151 of the *Local Government Act*.

18. EFFECTIVE DATE

This bylaw shall come into force and effect upon the date of adoption.

19. SEVERABILITY

If any part, Section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this bylaw.

20. REPEALS

The District of Ucluelet “Election and Assent Voting Bylaw No. 1231, 2018” and all amendments are hereby repealed.

READ A FIRST TIME this 29th day of March, 2022.

READ A SECOND TIME this 29th day of March, 2022.

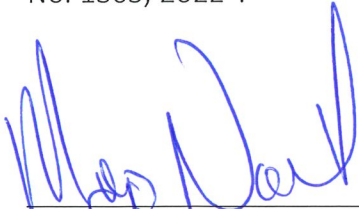
READ A THIRD TIME this 29th day of March, 2022.

THIRD READING RESCINDED this 19th day of April, 2022.

READ A THIRD TIME AS AMENDED this 19th day of April, 2022.

ADOPTED this 19th day of April, 2022.

CERTIFIED A TRUE AND CORRECT COPY of "District of Ucluelet Election and Assent Voting Bylaw No. 1305, 2022".




Mayco Noël
Mayor



Paula Mason
Deputy Corporate Officer

THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:



Paula Mason
Deputy Corporate Officer