

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW NO. 2246**



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

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

AND WHEREAS the Council of the City of White Rock wishes to establish various procedures and requirements under that authority;

NOW THEREFORE the Council of the City of White Rock in open meeting assembled, ENACTS as follows:

1. Definitions

In this bylaw:

"City" means The Corporation of the City of White Rock

"Candidate" means a person who is declared to be a candidate by the Chief Election Officer or designate following the closure of nomination period

"Candidate Representative" means an official agent or a scrutineer appointed under section 102 of the *Local Government Act*

"Elector" means a resident elector or a non-resident property elector of the City of White Rock as defined under the *Local Government Act*

"Extended Care Facility" means a facility providing residential accommodation and personal care for individuals who, because of age, infirmity or disability, require personal care

"General Local Government Election" means the elections held for any or all of the noted: Mayor, Council and School Trustee which must be held in the year 2018 and every four years following that

"General Voting Day" means:

- (a) for a General Local Government Election, the third Saturday of October in the year of the Election;
- (b) for other elections, the date set under the provisions of the *Local Government Act* ;
and
- (c) for other voting, the date set under Section 109 of the *Local Government Act*.

"Vote Tabulation Machine" means an electronic device that uses a digital optical scanner to read and record how ballots are marked and will tabulate election results automatically at the close of general voting day

2. Minimum Number 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 Mayor, Councillor, School Trustee shall be ten (10).

3. Nomination Deposit:

- (a) As authorized under section 88 of the *Local Government Act*, nominations for Mayor, Councillor, School Trustee must be accompanied by a nomination deposit.
- (b) The amount of the nomination deposit required under section 3(a) of this Bylaw shall be \$100.
- (c) The nomination deposit will be returned to the candidate within four (4) weeks following the declaration of election results contingent upon return of the voters' list obtained during the campaign period for election purposes to the Director of Corporate Administration or designated staff.

4. Access To Nomination And Endorsement Documents

- (a) As authorized under section 89 of the *Local Government Act*, the nomination documentation will be available for public inspection in the Administration office at City Hall from the time of delivery until 30 days after the declaration of election results;
- (b) As authorized by sections 89 and 93 of the *Local Government Act*, public access to elector organization endorsement documents will be available for public inspection in the Administration office at City Hall until 30 days after the declaration of election results.
- (c) Public access to nomination and elector organization endorsement documentation will also be provided on the City Website until 30 days after the declaration of the election results.

Note: the nominators' address and phone number will be severed from the documents prior to them being posted on the City's website.

5. Provincial Voters List

In accordance with 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* of British Columbia shall become the register of resident electors on the 52nd day prior to general voting day.

6. Advance Voting Opportunities

- (a) As required under section 107 of the *Local Government Act*, in addition to the required advance voting opportunity on the 10th day before general voting day, the following two (2) days are hereby established as Advance voting opportunities for elections and assent voting:
 - (i) on the 5th day before General Voting Day;
 - (ii) on the 9th day before General Voting Day; and
 - (iii) as a requirement of the legislation on the 10th day before General Voting Day.
- (b) Voting hours for the advance voting opportunities will be from 8:00 a.m. to 8:00 p.m.
- (c) Council authorizes the Chief Election Officer to designate the voting places at which the advance voting opportunities will be conducted.

7. Special Voting Opportunities

- (a) As authorized under section 109 of the *Local Government Act* a special voting opportunity shall be provided on the 4th day before General Voting Day at any extended care facility located in the City designated by the Chief Election Officer.
- (b) Council hereby authorizes the Chief Election Officer to establish:
 - (i) the voting hours when special voting opportunities will be conducted; and,
 - (ii) the extended care facilities at which special voting opportunities will be conducted;
- (c) The following restrictions apply to persons who may vote at the special voting opportunities:

- (i) in the case of extended care facilities only electors who, on the date on which the special voting opportunity is held, have been registered as residents of the facility; and
 - (ii) employees of the extended care facility who are qualified to vote in the City of White Rock.
- (d) The number of candidate's representatives who may be present at a special voting opportunity is limited to one (1), with that candidate being chosen by agreement of the candidates for that election. Failing such agreement, the Chief Election Officer shall determine which single candidate representative may be present (will be determined by lot).
- (e) The ballot box and necessary supplies for the voting may be carried from room to room by the presiding election official and a second election official, so as to afford each such elector the opportunity to vote at bedside, where it is determined by the presiding election official that the elector cannot attend the voting place established at the special voting location and when they have been notified by staff of the facility of such a circumstance.
- (f) A single ballot box will be used for all ballots at the special voting location(s) with the exception portable ballot boxes that may be utilized when needed for the purpose to carry out room to room voting.

All portable ballot boxes will be sealed upon completion of each special voting opportunity. At the close of voting on general voting day the portable ballot box(es) will be unsealed and the ballots will be placed into the vote tabulation machine used for all special voting opportunities.

The candidate representative permitted to be present at the particular special voting location may travel with the presiding election official and the additional election official when the ballot box(s) is transported from one (1) special voting place to the next location.

8. 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*.

9. 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 151 of the *Local Government Act*.

10. Severability

If any portion of this bylaw is held to be invalid by a Court of competent jurisdiction, it is council's intention that such invalidity not affect the validity of the remaining portions of the bylaw.

11. Repeal and Citation

- (a) "*White Rock Election Procedure Bylaw, 2014, No. 2065*" and all amending bylaws are hereby repealed.
- (b) This Bylaw may be cited for all purposes as the "*White Rock Election Procedure Bylaw, 2018, No. 2246*".

RECEIVED FIRST READING on the	14 th	day of	May, 2018
RECEIVED SECOND READING on the	14 th	day of	May, 2018
RECEIVED THIRD READING on the	14 th	day of	May, 2018
ADOPTED on the	28 th	day of	May, 2018
RESCIND FINAL READING and given NEW FINAL READING on the	9 th	day of	July, 2018



MAYOR



DIRECTOR OF CORPORATE ADMINISTRATION