

CITY OF DUNCAN

BYLAW NO. 3126

**A BYLAW TO PROVIDE FOR THE DETERMINATION OF VARIOUS PROCEDURES
FOR THE CONDUCT OF LOCAL GOVERNMENT ELECTIONS AND OTHER VOTING**

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

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

NOW THEREFORE the Council of the City of Duncan in open meeting assembled, enacts as follows:

1. Title:

This Bylaw may be cited as the "General Local Government Election Bylaw No. 3126, 2014."

2. Nomination Deposits:

As authorized under the *Local Government Act*, nominations for Mayor or Councillor must be accompanied by a nomination deposit of \$100.00 and must be received before the end of the nomination period by the Chief Election Officer, or a person designated by the Chief Election Officer for this purpose.

3. List of Voters:

3.1 For the purposes of all local elections and submissions 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 general voting day for such elections and submissions to the electors.

3.2 A person may register as an elector immediately before voting.

4. Additional Advance Voting Opportunities:

4.1 In addition to the required advance voting opportunity on the 10th day before general voting day, the 4th day before general voting day will be designated as a second advance voting opportunity.

4.2 If any of the dates for advance voting in the preceding section fall on a statutory holiday, the advance voting will be held on the next day that is not a statutory holiday.

4.3 Advance voting opportunities on the dates specified above shall be available between the hours of 8:00 a.m. and 8:00 p.m.

5. Special Voting Opportunities:

- 5.1 To give electors who may otherwise be unable to vote an opportunity to do so, the Council will provide a special voting opportunity as authorized under Section 99 of the *Local Government Act* for each election and authorizes the Chief Election Officer to establish a special voting opportunity for each election and to designate the location, the date and the voting hours within the limits set out in Section 99 of the *Local Government Act*, for the special voting opportunity.
- 5.2 Persons who may vote at a special voting opportunity shall be either qualified electors who are of sound mind and who are residents or patients at the facility being used as a special voting opportunity or qualified electors who are employed at the facility being used as a special voting opportunity.
- 5.3 Qualified electors who for medical reasons, or because of infirmity, who cannot leave their residence to vote may request a City of Duncan voting official to attend the residence of the said elector under a special voting opportunity as established by the Chief Election Officer to allow that person to vote.
- 5.4 Council authorizes the Chief Election Officer to limit the number of candidate representatives who may be present at the special voting opportunity.

7. Place of Voting:

The Chief Election Officer shall, as soon as reasonably possible after the declaration of an election by voting, designate voting places for general voting day, advance voting opportunities, and special voting opportunities.

8. Order of Names on Ballot:

The order of names of candidates on the ballot will be determined by lot in accordance with Section 107 of the *Local Government Act*.

9. Resolution of Tie Votes After 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*.

10. Severability:

If a court of competent jurisdiction holds that any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid, unlawful or unenforceable, then that section, subsection, sentence, clause or phrase as the case may be shall be severed and the remainder of this Bylaw shall be deemed to have been enacted without the invalid section, subsection, sentence, clause or phrase.

11. Repeal:

The following bylaws are hereby repealed upon adoption of this bylaw:

- “City of Duncan Election Bylaw No. 2003, 2006”
- “City of Duncan Elections and Other Voting Procedure Bylaw No. 2055, 2008”

PASSED FIRST READING 2014-JUN-16
PASSED SECOND READING 2014-JUN-16
PASSED THIRD READING 2014-JUN-16
ADOPTED 2014-JUL-21.

Phil Kent, Mayor

Karen Robertson,
Director of Corporate Services