

VILLAGE OF PEMBERTON

BYLAW No. 831, 2018

General Local Government Election & Other Voting Procedures Bylaw

Being 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 Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS**:

1. **CITATION**

This Bylaw may be cited for all purposes as “Village of Pemberton General Local Government Election Procedures Bylaw No. 831, 2018.”

2. **MINIMUM NUMBER OF NOMINATORS**

In relation to a nomination for office as a member of the Village of Pemberton and in accordance with section 86 of the *Local Government Act*, the minimum number of qualified nominators is two (2).

3. **NOMINATION DEPOSITS**

A nomination deposit is not required for the position of mayor, councillor or school board trustee.

4. **ACCESS TO NOMINATION DOCUMENTS**

In addition to the public inspection requirements under section 89 of the *Local Government Act*, 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 thirty (30) days after the declaration of election results. These documents will also be available on the Village of Pemberton website within the same time frame.

5. VOTING DAY ONLY REGISTRATION

Registration of electors is limited to registration at the time of voting.

6. ADVANCE VOTING OPPORTUNITIES

(a) In accordance with section 107 of the *Local Government Act*, two advance voting opportunities for an election by voting will be held from 8:00am to 8:00pm at locations to be established by the chief election officer on:

- (i) the 10th day before the general voting day; and
- (ii) the 3rd day before general voting day.

(b) In accordance with section 107 of the *Local Government Act*, the chief election officer is authorized to establish additional dates for additional voting opportunities in advance of general voting days and to designate the voting places and set the voting hours for these voting opportunities.

8. ORDER OF NAMES ON BALLOT

The order of names of candidates on the ballot will be arranged alphabetically by the candidate's surname in accordance with section 116 of the *Local Government Act*.

9. VOTING PROCEEDINGS

A person must not erect, place, alter or maintain any signs, sign boards, advertisements, advertising devices or structures within One Hundred (100) metres of a building, structure, or other place when and where voting is being held in order to:

- (a) canvas or solicit votes or otherwise attempt to influence how an elector votes;
- (b) support a particular candidate or elector organization;
- (c) display or distribute material regarding a candidate or elector organization; or
- (d) make representations on behalf of or with respect to a particular candidate in an election or with respect to a particular elector organization.

10. NUMBER OF SCRUTINEERS AT VOTING PLACES

In accordance with section 120(3) of the *Local Government Act*, only one (1) scrutineer for each candidate may be present for each ballot box in use at a voting place while voting proceedings are being conducted and all scrutineers are subject to the following restrictions and conditions in the voting place while voting proceedings are being conducted:

- (i) no cellular phones are permitted to be turned on; and
- (ii) no other electronic devices may be used.

11. RESOLUTION OF TIE VOTE 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 151 of the *Local Government Act*.

12. REPEAL

General Local Government Election & Other Voting Procedures Bylaw No. 770, 2014 is hereby repealed.

13. SEVERABILITY

If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by a court of competent jurisdiction, the invalid portion will be severed and the remainder of the Bylaw deemed valid.

READ A FIRST TIME this 29th day of May, 2018

READ A SECOND TIME this 29th day of May, 2018.

READ A THIRD TIME this 29th day of May, 2018.

ADOPTED this 12th day of June, 2018.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer