

**TOWN OF LAKE COWICHAN**

**BYLAW NO. 1069-2022**

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**Election Bylaw**

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**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 Town of Lake Cowichan in open meeting assembled enacts as follows:

**1. CITATION**

This Bylaw may be cited for all purposes as "Town of Lake Cowichan Local Government Election Bylaw No. 1069-2022."

**2. DEFINITIONS AND INTERPRETATIONS**

**CHIEF ELECTION OFFICER** means the election official appointed under Section 41 of the *Local Government Act* to conduct the election;

**DEPUTY CHIEF ELECTION OFFICER** means the election official appointed under Section 41 of the *Local Government Act* to assist the Chief Election Officer in administering the conduct of the election;

**ELECTION OFFICIALS** means individuals appointed by the Chief Election Officer to assist with election proceedings, including as presiding officials;

**ELECTION** means an election for the number of persons required to fill a local government office;

**ELECTOR** means a resident elector or property elector of the Town as defined under the *Local Government Act*;

**GENERAL VOTING DAY** means

- (a) the date established by the Province of British Columbia for general local elections;
- (b) the date set for a by-election; or
- (c) the date established for Other Voting; and

**OTHER VOTING** means voting on a bylaw or a matter for which the assent is authorized or required and on voting on a referendum.

### **3. APPLICATION**

This bylaw applies to all Town elections and all other voting opportunities required or permitted to be held under the *Local Government Act*, including special voting opportunities.

### **4. USE OF PROVINCIAL LIST OF VOTERS AND VOTER REGISTRATION**

- (a) For the purposes of all local elections and submissions to the electors under Parts 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 52<sup>nd</sup> day prior to the general voting day for such elections and submissions to the electors.
- (b) As authorized under the *Local Government Act*, advance registration will be available for those not on the register of resident electors and registration for resident electors and non-resident property owners will be in accordance with section 56 of the *Local Government Act*.
- (c) For the purposes of all elections and other voting, a person may also register as an elector at the time of voting in accordance with the requirements under sections 57 and 57.1 of the *Local Government Act*.

### **5. ADVANCE VOTING OPPORTUNITIES**

- (a) In addition to the General Voting Day established for general local elections, the required advance voting opportunity is the 10<sup>th</sup> day before general voting day and shall be available between the hours of 8:00 a.m. and 8:00 p.m.
- (b) As authorized under section 108 of the *Local Government Act*, the Chief Election Officer is authorized to establish additional advance voting opportunities for each election to be held in advance of general voting day and to designate the voting places, and to establish the date and voting hours for these additional voting opportunities.

### **6. NUMBER OF SCRUTINEERS AT VOTING PLACES**

In accordance with section 123(3) of the *Local Government Act*, the number of scrutineers that may be present for a candidate at a voting place at any given time during voting is one (1).

### **7. MAIL BALLOT VOTING**

Voting is hereby permitted to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting as per the provisions of section 110 of the *Local Government Act*.

### **8. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT**

In the event of an equality of valid votes for two or more candidates following a judicial recount for a general election or by-election for the office of Mayor or Councillor, the result will be determined by lot in accordance with section 151 of the *Local Government Act*.



**9. REPEAL**

The "Town of Lake Cowichan Local Government Election Bylaw No. 941-2014" is hereby repealed.

READ A FIRST TIME on the 25<sup>th</sup> day of January, 2022.

READ A SECOND TIME on the 25<sup>th</sup> day of January, 2022.

READ A THIRD TIME on the 25<sup>th</sup> day of January, 2022.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the 22<sup>nd</sup> day of February, 2022.

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Bob K. Day  
Mayor

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Joseph A. Fernandez  
Corporate Officer

