



THE CORPORATION OF THE VILLAGE OF ASHCROFT

COMMITTEE OF THE WHOLE

AGENDA

HELD IN THE COUNCIL CHAMBERS OF THE VILLAGE OFFICE AT:

5:00 PM ON MONDAY APRIL 11, 2022

Please be advised that the HUB Online Network will record and broadcast or live stream today's Committee of the Whole meeting.

1. **CALL TO ORDER**

In the absence of the Deputy Mayor Councillor Tuohey Mayor Roden will chair the meeting.

"Mayor and Council wish to acknowledge that the meeting today is held within the traditional territory of the Nlaka'pamux people."

2. **ADOPTION OF THE AGENDA**

Motion to adopt the Agenda as presented or as amended

3. **MINUTES**

All COTW Minutes are adopted at a Regular Meeting of Council.

4. **DELEGATIONS**

	None	
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5. **DISCUSSION ITEMS**

6. **BYLAWS FOR DISCUSSION**

6.1	CAO Report - Village of Ashcroft Local Government Elections and Other Voting Procedures Bylaw No. 816, 2018	P. 1-5
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7. **STAFF REPORTS**

	None	
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8. **CLOSED MEETING**

Motion to move to a closed meeting to discuss an item under the Community Charter Section 90.1

	NONE	
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9. **TERMINATION**

STAFF REPORT TO COUNCIL – COTW

MEETING DATE: April 11, 2022
FROM: Daniela Dyck Chief Administrative Officer
SUBJECT: Review of Bylaw No. 816, 2018

Purpose

Provide Council with the opportunity to review and discuss potential changes to the current Village of Ashcroft Local Government Elections and Other Voting Procedures Bylaw No. 816, 2018.

Background

Prior to a municipal election, Council should review and consider amending the existing election bylaw for the purpose of including legislative changes implemented by the province and/or consider additional provisions to be included in the bylaw.

Discussion

Some items Council may wish to consider are:

- Advance additional voting - many communities are moving to the following content in the bylaw: As authorized under section 108 of the Local Government Act, the Council authorizes the Chief Election Officer to:
 - (a) establish additional voting opportunities for general voting day, and
 - (b) designate the voting places and set the voting hours for these voting opportunities.

- Does Council wish to include the opportunity for mail ballot voting? Including Voting by Mail will increase election staff time, election costs and workload, but statistically voting by mail also increases voter participation.

MAIL BALLOT VOTING PROCESS (Captioned from s. 11.7 of the 2022 Election Manual)

In order for an elector to vote by mail ballot, the CEO must establish a process to administer this type of voting opportunity. There are several stages to administering mail ballot voting which include the following:

- *establishing the key dates;*
- *requesting a mail ballot package;*
- *processing the request for a mail ballot package;*
- *preparing the mail ballot package;*
- *distribution of the mail ballot package;*
- *return of the mail ballot;*
- *opening of the return and certification envelopes; and*
- *counting the mail ballots.*

The only procedure mandated under the LGA and VC is that the CEO must be required to keep sufficient records so that a challenge of an elector's right to vote may be made. Those records would include keeping a list of who has requested mail ballot packages and whether the ballots were returned. Making that list available for public inspection would assist someone who may want to challenge an elector's right to vote.

- Designation of voting place – it is no longer considered a best practice to state in the bylaw the polling place. Best practice is to enable the CEO to select the advance and voting day polling place locations.
- Tie Vote – currently the process to resolve a tie vote after judicial recount is by lot. Does Council wish to reconsider this in light of the 2018 Peachland election? The other process permitted under the Local Government Act s. 152 is a Runoff election. This does incur additional staff time and election costs that may not be included in the budget.
- Voting counting machines – is this something Council would like staff to research and include in the bylaw? We not be able to implement this for the 2022 election, but it will likely be a process we will adopt in the future.

If Council wishes to make changes to the Bylaw, Council should Rise and Report to the Regular Meeting of Council.

Prepared by:



Daniela Dyck,
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF ASHCROFT

BYLAW NO. 816

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 the authority;

Now therefore, the Council of the Corporation of the Village of Ashcroft, in open meeting assembled, enacts as follows:

1. **DEFINITIONS**

In this bylaw:

“**Elector**” means a person eligible to vote as defined under Part 3, Division 4 of the *Local Government Act [RSBC 2015]*, and as amended;

“**Election**” means an election for the number of persons required to fill a local government office, as defined in Part 3, Division 1 of the *Local Government Act [RSBC 2015]*, and as amended;

“**General Local Election**” means the elections held for the Mayor and all Councillors of the Village which must be held the year 2014 and in every fourth year after that;

“**General Voting Day**” means:

- a. for a general local election, the third Saturday of October in the year of the election;
- b. for other elections, the date set under Sections 74(5), 55(1) or 55(3) of the *Local Government Act [RSBC 2015]*, and as amended;
- c. for the other voting, the date set under Section 174 of the *Local Government Act [RSBC 2015]*;

“**Jurisdiction**” means, in relation to an election, the municipality for which it is held;

“**Local Government**” means, in relation to the municipality, the Council;

“**Local Government Act**” means the *Local Government Act of British Columbia [RSBC 2015]* and as amended and may be referred to as ‘*the Act*’.

“**Other Voting**” means voting on a matter referred to in Section 170 of the *Local Government Act*.

“**Village Office**” means the Village of Ashcroft Administrative Office located at 601 Bancroft Street in Ashcroft, British Columbia.

2. NUMBER OF QUALIFIED ELECTORS REQUIRED FOR NOMINATION

- a. The minimum number of qualified electors required to make a nomination for the office as a member of Council shall be ten (10).

3. PUBLIC ACCESS TO NOMINATION DOCUMENTS

- a. As authorized under Section 89(7) of the *Local Government Act*, public access to nomination documents will be provided electronically on the Village of Ashcroft website from the time of delivery until 30 days after the declaration of the election results under Section 146 of *the Act*.
- b. Nomination documents will be available for public inspection during regular business hours, Monday through Friday, excluding statutory holidays, at the Village Office for the time period as stated in paragraph “3.a.” of this bylaw.

4. VOTING DAY REGISTRATION ONLY

- a. For the purposes of all elections and other voting under Part 3 and 4 of the *Local Government Act*, a person may register as an elector only at the time of voting.
- b. Registration as an elector under paragraph “4.a.” of this bylaw is effective only for the voting or other matters for which the opinion of the electors is being sought at that time of voting.

5. REQUIRED ADVANCE VOTING OPPORTUNITY

- a. The required advance voting opportunity as authorized under Section 107 of the *Local Government Act*, is as follows:
 - i. The required advance voting opportunity will be held at the Ashcroft Community Hall on the 10th day before General Voting Day; and
 - ii. The voting hours for the required advance voting opportunity will be from 8:00 a.m. to 8:00 p.m.

6. ADDITIONAL ADVANCE VOTING OPPORTUNITIES

- a. In addition to the required advance voting opportunity on the 10th day before general voting day, the following days are hereby established as additional advance voting opportunities:
 - i. The 4th, 3rd and 2nd day before general voting day
- b. The additional advance voting opportunities specified in section “6.a.” shall be held at the Ashcroft Community Hall as follows:
 - ii. From 8:00 a.m. to 4:00 p.m.
- c. Additional advance voting opportunities specified in section “6.a.” shall not be held on any statutory holiday recognized within the Province of British Columbia.

7. ORDER OF NAMES ON BALLOT

As authorized under Section 116 of the *Local Government Act*, the order of names of candidates on the ballot will be determined by alphabetical order.

8. NUMBER OF SCRUTINEERS AT VOTING PLACES

As authorized under Section 120(2)(d) of the *Local Government Act*, the number of scrutineers for each candidate that may attend at a voting place is a maximum of one (1) scrutineer for each ballot box in use.

9. TIE VOTE

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. CITATION

This bylaw may be cited for all purposes as “Village of Ashcroft Local Government Elections and Other Voting Procedures Bylaw No. 816, 2018”.

11. REPEAL

Bylaw No. 790, cited as “Local Elections and Other Voting Procedures Bylaw No. 790, 2014” is hereby repealed in its entirety.

READ A FIRST TIME THIS	12th	DAY OF	March	, 2018
READ A SECOND TIME THIS	12th	DAY OF	March	, 2018
READ A THIRD TIME THIS	12th	DAY OF	March	, 2018
RECONSIDERED AND ADOPTED THIS	26th	DAY OF	March	, 2018

Jack Jeyes, Mayor

J. Michelle Allen, Chief Administrative Officer

Certified to be a true and correct copy
of Bylaw No. 816 as adopted by
Council.

J. Michelle Allen, Chief Administrative Officer

WR/kw