

THE CORPORATION OF THE VILLAGE OF ASHCROFT

BYLAW NO. 853

A bylaw for the Village of Ashcroft to amend the Local Government Elections and Other Voting Procedures Bylaw No. 816, 2018

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

1. This bylaw may be cited for all purposes as “The Corporation of the Village of Ashcroft Local Government Elections and Other Voting Procedures Amendment Bylaw No. 853, 2022”.
2. Bylaw No. 816, 2018 Local Government Elections and Other Voting Procedures is amended as follows:
Section 5 – Required Advance Voting Opportunity
 - i. The required advance voting opportunity will be held at the Ashcroft Community Hall on the 10th day before General Voting Day; and

Section 5 i. as noted above be removed from the bylaw and replaced with

- i. The required advance voting opportunity will be held on the 10th day before General Voting Day at a location determined by the Chief Election Officer.
3. Section 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:
 - i. From 8:00 a.m. to 4:00 p.m.; and
 - 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.

Section 6 a, b and c as noted above be removed from the bylaw and replaced with:

- a. As authorized under Section 108 of the Local Government Act, Council authorizes the Chief Election Officer to establish additional voting opportunities to be held in advance of general voting day and to designate the voting places and set the hours for these voting opportunities.

ADDITION OF MAIL BALLOT VOTING

4. AUTHORIZATION AND DEFINITIONS

4.1 Voting may be done by mail ballot and registration of elector may be done by mail in conjunction with mail ballot voting.

4.2 The chief election officer may establish the time limits in relation to voting by mail.

4.3 In this bylaw,

Applicant means: an elector who wants to vote by mail and make a request for a mail ballot;

Authorized Person means: a person that the applicant has authorized, on the applicant's behalf, to:

- a. pick up a mail ballot package; or
- b. drop off a completed mail ballot package.

Register of Mail Ballots means: the records that the Chief Election Officer must keep in order to address any challenges to an elector's right to vote.

5. APPLICATION PROCEDURE

5.1 An Applicant shall apply by giving their name and address to the Chief Election Officer during the period:

- c. commencing 7 days before, the first day of advance voting; and
- d. ending at 4:00 pm on the Thursday before general voting day.

5.2 Upon the Applicant making a request for a mail ballot, the Chief Election Officer shall, on the first day of advance voting and until 4:00 p.m. on the Thursday before general voting day:

- a. make available to the Applicant, a mail ballot package which contains:
 - i. the content set out in section 110(7) of the Local Government Act;
 - ii. additional instructions; and
 - iii. a statement advising the elector that
The elector must meet the eligibility to vote criteria, and
The elector must attest to such fact; and
- b. record in the Register of Mail Ballots and, upon request, make available for inspection:
 - i. the name and address of the elector to whom the mail ballot package was issued; and
 - ii. the number of the elector, the number of the voting division in which the person is registered as an elector, or "new elector", if that person is not registered as an elector; and
 - iii. any other information that the Chief Election Officer deems helpful to maintain the register of mail ballots.

- 5.3 As per the Applicant's direction, the Chief Election Officer may distribute the mail ballot package in any of the following ways:
- a. sending the mail ballot package by Canada Post;
 - b. sending the mail ballot package by courier at the expense of the applicant;
 - c. having the mail ballot package picked up by the Applicant at a designated time and location; or
 - d. having the mail ballot package picked up by an Authorized Person at a designated time and location.

5.4 The Chief Election Officer may request that the Authorized Person show identification and sign a form before providing the Authorized Person with the mail ballot package.

6. VOTING PROCEDURE

6.1 To vote by a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer.

6.2 After marking the ballot, the elector shall:

- a. place the ballot in the secrecy envelope provided and seal the secrecy envelope;
- b. place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
- c. place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
- d. mail, or have delivered, the outer envelope and its contents to the chief election officer at the address specified so that it is received by the chief election officer no later than the close of voting on general voting day.

7. BALLOT ACCEPTANCE OR REJECTION

7.1 Until 4:00 pm on the Thursday, 2 days before general voting day, the Chief Election Officer shall, upon receipt of the return envelope and its contents:

- a. immediately record the date of receipt in the Register of Mail Ballots; and
- b. open the return envelope.

7.2 When the Chief Election Officer examines the certification envelope, the Chief Election Officer shall:

- a. confirm the identity of the elector as an Applicant on the Register of Mail Ballots;
- b. determine the fulfilment of the requirements in section 70 of the *Local Government Act* and the completeness of any application to register, if required; and
- c. determine the completeness of the certification envelope.

7.3 If the Chief Election Officer is satisfied that the elector has met the requirements in section 7.2, the Chief Election Officer shall:

- a. mark the certification envelope as "accepted";
- b. place the accepted certification envelope with the other certification envelopes.

7.4 If the Chief Election Officer determines that:

- a. the Chief Election Officer is not satisfied as to the identify to the elector; or
- b. the elector has not completed the application to register properly;

the Chief Election Officer shall mark the certification envelope as “rejected”, indicate the reason for the rejection and set aside the rejected certification envelope unopened.

7.5 The Chief Elections Officer shall retain in their custody all opened and unopened certification envelopes.

7.6 That after 4:00 pm on the Thursday, 2 days before general voting day, the Chief Election Officer, in the presence of at least 1 other person, including any candidate representatives, shall:

- a. deal with any challenges to the electors involving the accepted certification envelopes;
- b. open the certification envelopes;
- c. remove the secrecy envelopes containing the ballots; and
- d. place the secrecy envelope containing the ballot in the ballot box.

7.7 If the Chief Election Officer receives a return envelope with its contents after 4:00 pm on the Thursday, 2 days before general voting day but before the close of general voting, the Chief Election Officer shall:

- a. handle those return envelopes in accordance with sections 7.1 at the time that the Chief Election Officer receives the return envelopes;
- b. retain all accepted certification envelopes until the close of general voting day;
- c. process the accepted certification envelopes in accordance with sections 7.2 to 7.5 after the close of general voting day.

7.8 As soon as possible after all of the secrecy envelopes have been placed in the ballot box, in the presence of at least 1 other person and any candidate representatives, the Chief Election Officer shall supervise:

- a. the opening of the ballot box;
- b. the opening of the secrecy envelopes; and
- c. the counting of the ballots in accordance with the provisions of the *Local Government Act*.

7.9 If the Chief Election Officer receives a return envelope with its contents after the close of general voting day, the Chief Election Officer shall:

- a. Mark the return envelope as “rejected”;
- b. indicate the reason why the return envelope was rejected on the return envelope; and
- c. place the unopened return envelope with the other rejected return envelopes.

8. CHALLENGE OF ELECTOR

8.1 A person who qualifies under section 126 of the *Local Government Act* may challenge the right of a person to vote by mail ballot on the grounds set out in section 126 of the *Local Government Act* up until 4:00 pm on the Thursday, 2 days before general voting day.

9. ELECTOR’S NAME ALREADY USED

9.1 If, upon receiving a request for a mail ballot, the Chief Election Officer determines that another person has voted or has already been issued a mail ballot in the elector’s name, the Chief Election Officer shall comply with section 127 of the *Local Government Act*.

10. REPLACEMENT OF SPOILED BALLOT

10.1 If an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by:
a. advising the Chief Election Officer of the ballot spoilage; and
b. mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the Chief Election Officer.

10.2 Upon receipt of the spoiled ballot package, the Chief Election Officer shall, record such fact, and proceed in accordance with Part 5 of this bylaw.

READ A FIRST TIME THIS	25 th	DAY OF	APRIL	, 2022
READ A SECOND TIME THIS	25 th	DAY OF	APRIL	, 2022
READ A THIRD TIME THIS	9 th	DAY OF	MAY	, 2022
ADOPTED THIS	24 th	DAY OF	MAY	, 2022

Certified to be a true and correct copy of Bylaw No. 853, 2022 as adopted by Council.

Barbara Roden,
Mayor

Original Email is signed by Mayor and CAO

Daniela Dyck,
Chief Administrative Officer

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Chief Administrative Officer