



DISTRICT OF PORT HARDY

BYLAW 07 - 2011

CONSOLIDATED MARCH 2018

A Bylaw to Provide for the Determination of Voting Procedures For the Conduct of Local Government Elections and Other Voting

WHEREAS the Council of the District of Port Hardy deems it expedient to establish various procedures and requirements to be applied to the conduct of local government elections and other voting;

NOW THEREFORE, the Council of the District of Port Hardy in open meeting assembled ENACTS as follows:

1. Title

1.1 This bylaw may be cited as the "Local Government Elections Bylaw No. 07-2011".

2. Register of Electors

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

3. Additional General Voting Opportunities

3.1 The Council authorizes the Chief Elections Officer to establish additional general voting day opportunities for each election and to designate the voting places and voting hours within the limits set out in the *Local Government Act*, for such voting opportunities.

4. Additional Advance Voting Opportunities

4.1 In addition to the required advance voting opportunity on the 10th day before general voting day, the Thursday and Friday immediately preceding the 3rd Saturday in October from the hours of 9:00 a.m. to 4:00 p.m. are hereby established as advance voting opportunities for general local elections and other voting.

Sec 4.1 Amended to
October BYL 1076-2018

4.2 Except as provided in Section 4 of this Bylaw additional advance voting opportunities will be held at the District of Port Hardy Municipal Hall, 7360 Columbia Street, Port Hardy, B.C.

5. Special Voting Opportunities

5.1 In order to give electors, who may otherwise be unable to vote, an opportunity to do so, the Council of the District of Port Hardy will provide a special voting opportunity at the Port Hardy Hospital and Eagle Ridge Manor, 9120 Granville Street, on the Wednesday immediately preceding the 3rd Saturday in October from 2:00 p.m. to 2:30 p.m. Only patients may vote.

Sec 5.1 Amended to
October BYL 1076-2018

Sec 6: Amended to allow mail ballot voting BYL 1076-2018
--

6. Mail Ballot Voting

6.1 As authorized under section 110 of the Local Government Act, voting and elector registration may be done by mail for those electors who meet the criteria 6.2.”

6.2 The following electors are permitted to vote by mail ballot and to register to vote by mail:

- (i) those persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;
- (ii) persons who expect to be absent from the District of Port Hardy on general voting day and at the times of all advance voting opportunities;”

6.3 The following procedures for voting and elector registration must apply:

- (i) Sufficient record will be kept by the chief election officer so that challenges of the elector’s right to vote may be made in accordance with the intent of section 126 of the Local Government Act;
- (ii) a person exercising the right to vote by mail under the provisions of section 110 may be challenged in accordance with, and on the grounds specified in section 126 of the Local Government Act, until 4:30 pm two days before general voting day.

6.4 The time limits in relation to voting by mail ballot will be determined by the chief election officer.

6.5 As provided in the Local Government Act, to be counted, a mail ballot must be received by the chief election officer before the close of voting on general voting day.

7. Order of Names on Ballot

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

8. Number of Scrutineers at Voting Places

8.1 As authorized under the *Local Government Act* the number of scrutineers for each candidate that may attend at an election is one (1) scrutineer for each ballot box in use.

9. Resolution of Tie Vote After Judicial Recount

9.1 In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with the *Local Government Act*.

10. Severability

10.1 If a court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

11. Repeal

11.1 Bylaw No. 09-2008 is hereby repealed in its entirety

Read a first time the 14th day of June, 2011.

Read a second time the 14th day of June, 2011.

Read a third time the 14th day of June, 2011.

Adopted the 28th day of June, 2011.

Original signed by:

Director of Corporate Services

Mayor

Certified to be a true copy of District of Port Hardy
Local Government Elections Bylaw No. 07-2011

Director of Corporate Services