

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO.7985, 2018

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*, the Council may, by bylaw, determine various procedures and requirements to be applied in the conduct of local government elections and other voting;

AND WHEREAS City Council wishes to establish various procedures and requirements under that authority;

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

1. Citation

This bylaw may be cited for all purposes as “Local Government Elections Procedures Bylaw No. 7985, 2018”.

2. Definitions

In this bylaw:

“*Community Charter*” means the *Community Charter*, SBC 2003, Chapter 26, as amended from time to time;

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

“*Election Act*” means the *Election Act*, RSBC 1996, Chapter 106, as amended from time to time;

“elector” means a resident elector or property elector of the City of New Westminster, as defined under the *Local Government Act*;

“general local election” means the elections held for the mayor and all councillors of the local government, which was held in 2014 and must be held 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 54 (5), 55 (1) or (3) and 152 (5) of the *Local Government Act*, and
- (c) for other voting, the date set under section 174 (1) or (2) of the *Local Government Act*;

“local government” means, in relation to an election, the council of the Corporation of the City of New Westminster;

“*Local Government Act*” means the *Local Government Act*, RSBC 2015, Chapter 1, as amended from time to time;

“other voting” means voting on a matter referred to in section 170 of the *Local Government Act* and includes voting on community opinions under section 83 of the *Community Charter*.

3. Use of the Provincial List of Voters as the Register of Resident Electors

- (a) As authorized under section 76 of the *Local Government Act*, the most current available Provincial list of voters prepared under the *Election Act* is deemed to be the register of resident electors for the City of New Westminster.
- (b) The Provincial list of voters becomes the register of resident electors no later than 52 days before general voting day for any election or other voting for the City of New Westminster.

4. Required Advance Voting Opportunities

- (a) In accordance with section 107 of the *Local Government Act*, advance voting opportunities shall be held on:
 - (i) the tenth day before general voting day from 8:00 a.m. to 8:00 p.m.; and
 - (ii) the third day before general voting day from 8:00 a.m. to 8:00 p.m.; and

- (b) As soon as practicable after the declaration of an election by voting, the chief election officer must designate voting places for the required advance voting opportunities.

5. Additional Advance Voting Opportunities

In accordance with section 108 of the *Local Government Act*, the local government authorizes the chief election officer to establish dates for additional voting opportunities in advance of general voting day, and to designate the voting places and set the voting hours for these voting opportunities.

6. Electronic Access to Nomination Documents Authorization

As authorized by Section 89 (8) of the *Local Government Act*, public access to nomination documents will be made available via the internet or other electronic means.

7. Resolution of Tie Votes after Judicial Recount

If at the completion of a judicial recount the results of an election cannot be declared because there is an equality of votes for 2 or more candidates, the results will be determined by lot in accordance with section 151 of the *Local Government Act*, rather than by election under section 152 of the *Local Government Act*.

8. Repeal

“Local Government Election Procedures Bylaw No. 6142, 1993”, and all amending bylaws are hereby repealed.

9. Severance

If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw

Adopted May 28, 2018