

THE CORPORATION OF THE VILLAGE OF NAKUSP

BYLAW NO. 709

A BYLAW TO PROVIDE FOR THE CONDUCT OF LOCAL ELECTIONS

WHEREAS under the *Local Government Act*, Council may determine various procedures and requirements to be applied to the conduct of local government elections and assent voting;

AND WHEREAS Council wishes to establish a voting procedures;

NOW THEREFORE, the Council for the Village of Nakusp, in open meeting assembled, enacts as follows:

1. CITATION

- (1) This Bylaw may be cited for all purposes as "Election and Assent Voting Bylaw No. 709."

2. DEFINITIONS

- (1) **Community Charter** - means the *Community Charter* [SBC 2003] Chapter 26, and as amended.
- (2) **Designated Location** - means the Nakusp and Area Sports Complex Auditorium, 200 8th Avenue North West.
- (3) **Local Government Act** - means the *Local Government Act* [RSBC 2015] Chapter 1, and as amended.
- (4) **Special Voting Opportunity Locations** – means Arrow Lakes Hospital, located at 91 1st Avenue North East, Nakusp BC, and Halcyon Assisted Living located, at 715 Broadway Street West, Nakusp BC.
- (5) **Village Office** – means the office located in the building located at 91 – 1st St NW in Nakusp, BC.
- (6) **Website** – means the Village of Nakusp Website located at www.nakusp.com.

3. ELECTOR REGISTRATION

- (1) As authorized under Section 69 of the *Local Government Act* all elections and assent voting, a person shall register as an elector only at the time of voting.

4. MINIMUM NUMBER OF NOMINATORS

- (1) A person must provide a minimum of two nominators pursuant to section 87 of the *Local Government Act*, to be eligible to run for office.

5. ACCESS TO SUBMITTED NOMINATION AND ENDORSEMENT DOCUMENTS

- (1) A person may access nomination documents at the *Village Office* between the hours of 8 am and 4 pm Monday through Friday, excluding Statutory Holidays, and on the *Website* from time of delivery of the nomination documents to the Chief Elections Officer until 30 days after the declaration of the official election results.

6. PUBLIC NOTICE

- (1) The Chief Elections Officer will provide public notice:
 - (a) In accordance with Division 4 of the *Community Charter*; and;
 - (b) On the Village website.

7. ADVANCE VOTING OPPORTUNITIES

- (1) One advanced voting opportunity shall be held on the tenth (10th) day before the general voting day between the hours of 8 am – 8 pm at the *Designated Location*.
- (2) A second advance voting opportunity shall not be held.

8. SPECIAL VOTING OPPORTUNITIES

- (1) Special voting opportunities shall be held on General Election Day at the *Special Voting Opportunity Locations*.
- (2) Only electors who are residents at these locations may vote at this *Special Voting Opportunity Location*.

9. ORDER OF NAMES ON BALLOT

- (1) The order of names on the ballot shall be determined by lot in accordance with section 117 of the *Local Government Act*.

10. NUMBER OF SCRUTINEERS AT VOTING PLACES

- (1) Each candidate shall be allowed one (1) scrutineer for each ballot box in use.

11. RESOLUTION OF A TIE AFTER JUDICIAL RECOUNT

- (1) In the event of a tie vote after a judicial recount, the tie vote shall be resolved by conducting a draw by lot in accordance with section 151 of the *Local Government Act*.

12. GENERAL

- (1) Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time.
- (2) If any part, section, sentence, clause, phrase, or word of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall

continue in full force and effect and be constructed as if the Bylaw had been adopted without the invalid portion.

13. ENACTMENT

(1) Bylaw No. 676 titled "Election and Assent Voting" is hereby repealed

READ A FIRST TIME this 25th day of May, 2022

READ A SECOND TIME this 25th day of May, 2022

READ A THIRD TIME this 25th day of May, 2022

RECONSIDERED AND FINALLY ADOPTED this 13th day of June, 2022

Mayor

CAO/Corporate Officer