

# VILLAGE OF PEMBERTON

## BYLAW No. 770, 2014

### General Local Government Election & Other Voting Procedures Bylaw

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A bylaw to provide for the determination of various procedures for the conduct of local government elections and other voting.

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**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 that authority;

**NOW THEREFORE**, the Council of the Village of Pemberton, in open meeting assembled, enacts as follows:

#### 1. CITATION

This Bylaw may be cited for all purposes as "General Local Government Election Procedures Bylaw No. 770, 2014."

#### 2. MINIMUM NUMBER OF NOMINATORS

In relation to a nomination for office as a member of the Village of Pemberton and in accordance with section 71 of the *Local Government Act*, the minimum number of qualified nominators is two (2).

#### 3. NOMINATION DEPOSITS

A nomination for mayor, councillor or school board trustee must be accompanied by a nomination deposit of \$100.00.

#### 4. ACCESS TO NOMINATION DOCUMENTS

In addition to the public inspection requirements under section 73 of the *Local Government Act*, access to nomination documents delivered to the chief election officer will be made available for public inspection at the Village Office during its regular office hours from the time of delivery until thirty (30) days after the declaration of election results. These documents will also be available on the Village of Pemberton website within the same time frame.

#### 5. VOTING DAY ONLY REGISTRATION

Registration of electors is limited to registration at the time of voting.

#### 6. ADVANCE VOTING OPPORTUNITIES

(a) In accordance with section 97 of the *Local Government Act*, two advance voting opportunities for an election by voting will be held from 8:00am to 8:00pm at locations to be established by the chief election officer on:

- (i) the 10<sup>th</sup> day before the general voting day; and
- (ii) the 3<sup>rd</sup> day before general voting day.

- (b) In accordance with section 98 of the *Local Government Act*, the chief election officer is authorized to establish additional dates for additional voting opportunities in advance of general voting days and to designate the voting places and set the voting hours for these voting opportunities.

## **8. ORDER OF NAMES ON BALLOT**

The order of names of candidates on the ballot will be arranged alphabetically by the candidates surname in accordance with section 106 of the *Local Government Act*.

## **9. VOTING PROCEEDINGS**

A person must not erect, place, alter or maintain any signs, sign boards, advertisements, advertising devices or structures within One Hundred (100) metres of a building, structure, or other place when and where voting is being held in order to:

- (a) canvas or solicit votes or otherwise attempt to influence how an elector votes;
- (b) support a particular candidate or elector organization;
- (c) display or distribute material regarding a candidate or elector organization; or
- (d) make representations on behalf of or with respect to a particular candidate in an election or with respect to a particular elector organization.

## **10. NUMBER OF SCRUTINEERS AT VOTING PLACES**

In accordance with section 110(3) of the *Local Government Act*, only one (1) scrutineer for each candidate may be present for each ballot box in use at a voting place while voting proceedings are being conducted and all scrutineers are subject to the following restrictions and conditions in the voting place while voting proceedings are being conducted:

- (i) no cellular phones are permitted to be turned on; and
- (ii) no other electronic devices may be used.

## **11. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT**

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 141 of the *Local Government Act*.

## **12. REPEAL**

General Local Government Election & Other Voting Procedures Bylaw No. 667, 2011 is hereby repealed.

## **13. SEVERABILITY**

If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by a court of competent jurisdiction, the invalid portion will be severed

and the remainder of the Bylaw deemed valid.

**READ A FIRST TIME** this 8<sup>th</sup> day of July, 2014.

**READ A SECOND TIME** this 8<sup>th</sup> day of July, 2014.

**READ A THIRD TIME** this 8<sup>th</sup> day of July, 2014.

**RESCIND THIRD READING** this 22 day of July, 2014.

**RE-READ THIRD READING** this 22 day of July, 2014.

**ADOPTED** this 24<sup>th</sup> day of July, 2014.

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James Linklater  
Acting Mayor

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Sheena Fraser  
Corporate Officer