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CONSOLIDATED FOR CONVENIENCE

**"ELECTION AND OTHER VOTING PROCEDURES
BYLAW NO. 1329-1993"**

**(AND AMENDMENTS THERETO UP TO
& INCLUDING BYLAW #1924-2008)**

CONSOLIDATED FOR CONVENIENCE

All persons making use of this consolidated version of City of Terrace Bylaw No. 1329-1993 are advised that it has no legislative sanction; that the amendments have been embodied for convenience of reference only and that the original bylaw must be consulted for all purposes of interpreting and applying the law.

Subsections or sections of the original bylaw and/or amendments which have been repealed have not been included in this consolidation.

CITY OF TERRACE

CONSOLIDATED FOR CONVENIENCE

BYLAW NO. 1329-1993/1924-2008

"A BYLAW OF THE CITY OF TERRACE TO PROVIDE FOR THE DETERMINATION OF VARIOUS PROCEDURES FOR THE CONDUCT OF LOCAL GOVERNMENT ELECTIONS AND OTHER VOTING."

Amended by #1924-2008 **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 Council wishes to establish various procedures and requirements under that authority.

NOW THEREFORE the Council of the City of Terrace in open meeting assembled, enacts as follows:

1.0 DEFINITIONS

For the purpose of this By-law:

Elector

Amended by #1924-2008 Shall mean a resident elector or property elector of the jurisdiction as defined under the Local Government Act;

Election

Shall mean an election for the number of persons required to fill a local government office;

General Local Election

Shall mean the elections held for the Mayor and all Councillors of the municipality, which must be held in the year 1993 and in every 3rd year after that;

General Voting Day

Shall mean,

- (a) for a general local election, the 3rd Saturday of November in the year of the election,

Amended by #1924-2008 (b) for other elections, the date set as per Part 3 of the Local Government Act, and

Amended by #1924-2008 (c) for other voting, the date set as per Part 4 of the Local Government Act;

Jurisdiction

Shall mean, in relation to an election, the municipality for which it is held;

Local Government

Shall mean, in relation to a municipality, the Council;

Other Voting

Amended by #1924-2008 Shall mean voting on a matter referred to in Part 4 of the Local Government Act.

2.0 USE OF PROVINCIAL LIST OF VOTERS AS THE REGISTER OF RESIDENT ELECTORS

Amended by #1924-2008 (a) As authorized under Section 59 of the Local Government Act, the most current list of voters prepared under the Election Act, existing at the time an election or other voting is to be held, is deemed to be the register of resident electors for the municipality.

(b) The Provincial list of voters becomes the register of resident electors no later than 52 days before general voting day for each election or other voting for the municipality.

3.0 ADDITIONAL GENERAL VOTING OPPORTUNITIES

Amended by #1924-2008 As authorized under Section 96 of the Local Government Act, the Council authorizes the chief election officer to establish additional voting opportunities for general voting day for each election or other voting, if so required, and to designate the location, and the voting hours, within the limits set out in Section 96(2) of the Local Government Act, for the additional general voting opportunity.

4.0 REQUIRED ADVANCE VOTING OPPORTUNITIES

Amended by #1924-2008 As authorized under Section 97 of the Local Government Act, the following advance voting opportunities are established for each election or other voting, to be held in advance of general voting day for each election or other voting:

- (a) *Advance voting opportunities will be held as follows:*
 - (i) *one on the 10th day before general voting day, and*
 - (ii) *one on the 3rd day before general voting day.*
- (b) *Voting hours at these advance voting opportunities will be:*

8:00 a.m. to 8:00 p.m.

*Amended by
#1924-2008*

As authorized under Section 97(5) of the Local Government Act, the chief election officer must designate voting places for the required advance voting opportunities.

5.0 SPECIAL VOTING OPPORTUNITIES

*Amended by
#1924-2008*

As authorized under Section 99 of the Local Government Act, the Council authorizes the chief election officer to establish one or more special voting opportunities for each election or other voting and to designate the location, the date and the voting hours, within the limits set out in Section 96(2) of the Local Government Act, for the special voting opportunity.

6.0 MAIL BALLOT VOTING

Added by #1924-2008

- (a) *As authorized under Section 100 of the Local Government Act, voting may be done by mail ballot for those electors who meet the criteria in paragraph (b) for each election or other voting.*
- (b) *The following electors are permitted to vote by mail ballot:*
 - (i) *persons who have a physical disability, illness, or injury that affects their ability to vote at another voting opportunity; or*
 - (ii) *persons who expect to be absent from the City of Terrace on general voting day and at the times of all advance voting opportunities.*
- (c) *The following procedures for voting and registration must apply:*
 - (i) *sufficient records 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 116 of the Local Government Act.*
 - (ii) *a person exercising the right to vote by mail under the provisions of Section 100 may be challenged in accordance with, and on the*

- grounds specified in, Section 116 of the Local Government Act.
- (d) *The time limits, procedures and notices in relation to voting by mail ballot will be determined by the Chief Election Officer in accordance with Parts 3 and 4 of the Local Government Act.*
- (e) *As provided in the Local Government Act, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day in order to be counted for an election and it is the obligation of the person applying to vote by mail ballot to ensure that the mail ballot is received by the Chief Election Officer within this time limit.*

7.0 RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT

*Amended by
#1924-2008*

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.

8.0 This Bylaw may be cited as "Election and Other Voting Procedures Bylaw No. 1329-1993".

This Bylaw is consolidated for convenience only. If discrepancies exist between this consolidation and the original bylaw, the original bylaw shall prevail.

READ a first time this 9th day of August, 1993.

READ a second time this 9th day of August, 1993.

READ a third time this 9th day of August, 1993.

RECONSIDERED AND FINALLY ADOPTED this 23rd day of August, 1993.

ORIGINAL SIGNED BY "JACK TALSTRA"
Mayor

ORIGINAL SIGNED BY "D. FISHER"
Acting Clerk-Administrator