

ISLANDS TRUST COUNCIL

BYLAW NO. 124

A Bylaw to provide procedures for the conduct of local government elections and voting.

WHEREAS under the *Local Government Act*, the Islands Trust Council may, by bylaw, determine procedures and requirements to be applied for the conduct of local government elections;

AND WHEREAS Islands Trust Council wishes to establish voting procedures and requirements under that authority;

NOW THEREFORE the Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as the "Islands Trust Election Procedures Bylaw, 2008".

2. VOTER REGISTRATION

Pursuant to Section 54 of the *Local Government Act*, registration of electors may be limited to registration at the time of voting in those Regional Districts where no register of electors is maintained, and where registration of electors is limited to the time of voting, such registration is effective only for the election for which the voting is being conducted at the time of registration.

3. ADDITIONAL GENERAL AND SPECIAL VOTING OPPORTUNITIES

The Chief Election Officer is authorized to establish additional voting opportunities for general voting day under Section 96 of the *Local Government Act* and special voting opportunities under Section 99 of the *Local Government Act*, and to designate the voting places and set the voting hours for such voting opportunities.

4. MAIL BALLOT VOTING

The areas specified in Schedule A are specified remote for the purpose of mail ballot voting for residents of these areas, under Section 100(3)(b) of the *Local Government Act*.

5. ADVANCE VOTING OPPORTUNITIES

1. In local trust areas with a population greater than 5000, an advance voting opportunity shall be provided on the 10th and 3rd days before general voting day.
2. In local trust areas with a population of 5000 or less, an advance voting opportunity shall be provided on the 10th day before general voting day.
3. The Chief Election Officer is authorized to establish the voting places for advance voting opportunities.

6. 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 142 of the *Local Government Act*.

7. GENERAL LOCAL ELECTION AGREEMENTS

Where there is an agreement in place between the Islands Trust Council and a Regional District under Section 40 of the *Local Government Act* in respect of any particular election, the agreement shall specify which provisions of the elections bylaw of each party apply to the election, and the election bylaw provisions so specified shall apply to the election.¹

| LOCALTRUST AREA | REGIONAL DISTRICT |
|--|-------------------------------------|
| Denman Hornby | Comox Valley |
| Gabriola | Nanaimo |
| Galiano Mayne North Pender Salt Spring South Pender Saturna | Capital |
| Gambier | Sunshine Coast Greater Vancouver |
| Lasqueti | Powell River |
| Thetis | Cowichan Valley |

8. PUBLIC ACCESS TO NOMINATION DOCUMENTS

Pursuant to Section 73 (6) and (7) of the *Local Government Act*, nomination documents delivered to the Chief Election Officer shall be available for public inspection in the Islands Trust’s Victoria office during regular working hours from the time of delivery until 30 days after the declaration of the election results, shall be placed on the Islands Trust web-site as soon as practical after delivery until at least 30 days after the declaration of election results, and may be made available by other electronic means.

9. PUBLIC ACCESS TO CAMPAIGN FINANCING DISCLOSURE DOCUMENTS

Pursuant to Section 93 (1) and (2) of the *Local Government Act*, disclosure statements, signed declarations and supplementary reports shall be available for public inspection in

¹ This gives maximum flexibility to customize each agreement to the particular circumstances of each Regional District and avoids imposing the obligation of mail ballots on any party.

the Islands Trust's Victoria office during regular working hours from the time of delivery until 7 years after general voting day for the election to which they relate, shall be placed on the Islands Trust web-site as soon as practical after filing until at least 3 years after the declaration of election results, and may be made available by other electronic means.

REPEAL

10. Bylaw No. 78, being "Islands Trust Election Procedures Bylaw, 2000" is repealed.

| | | | | |
|-------------------------|------------------|--------|------|------|
| READ A FIRST TIME THIS | 12 TH | DAY OF | JUNE | 2008 |
| READ A SECOND TIME THIS | 12 TH | DAY OF | JUNE | 2008 |
| READ A THIRD TIME THIS | 12 TH | DAY OF | JUNE | 2008 |
| ADOPTED THIS | 27 TH | DAY OF | JUNE | 2008 |

SECRETARY

CHAIR

Schedule A to Bylaw 124
Islands designated remote for the purposes of mail ballots for residents

