

CITY OF PRINCE RUPERT

**CITY OF PRINCE RUPERT ELECTIONS AND OTHER VOTING PROCEDURE  
BYLAW NO. 3312, 2011**

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 pursuant to the *Local Government Act*, the Council of City of Prince Rupert may, by bylaw, determine various procedures and requirements to be applied in the conduct of local government elections and other voting.

AND WHEREAS the Council of City of Prince Rupert wishes to establish various procedures and requirements under that authority.

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

**1. CITATION**

- 1.1 This Bylaw may be cited as **“City of Prince Rupert Elections And Other Voting Procedure Bylaw No. 3312, 2011.”**

**2. DEFINITIONS**

- 2.1 “Elector” means a resident elector or property elector of the jurisdiction as defined under the Local Government Act;

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

“General Local Election” means the elections held for the Mayor and all Councillors of the City of Prince Rupert which must be held in the year 2011 and in every 3rd year after that;

“General Voting Day” means,

- (a) for a general local election, the 3rd Saturday of November in the year of the election,
- (b) for other elections, the date set under Sections 37(5), 38(1) or (3) or 142(5) of the Local Government Act;
- (c) for other voting, the date set under Section 162 of the Local Government Act;

“Jurisdiction” means, in relation to an election, the City of Prince Rupert, for which it is held;

“Local Government” means in relation to the City of Prince Rupert, and the Council of City of Prince Rupert;

“Local Government Act” means the Local Government Act RSBC 1996, Chapter 323;

“Other Voting” means voting on a matter referred to in Section 158 of the Local Government Act.

### **3. USE OF PROVINCIAL LIST OF VOTERS AS THE REGISTER OF RESIDENT ELECTORS**

- (a) As authorized under Section 59 of the Local Government Act, the most current list of voters prepared under the Election Act RSBC 1996, Chapter 106, existing at the time an election or other voting is to be held, is deemed to be the register of resident electors for the City of Prince Rupert;
- (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 of the City of Prince Rupert;

### **4. ADDITIONAL GENERAL VOTING OPPORTUNITIES**

- (a) As authorized under Section 96 of the Local Government Act, the following additional general voting opportunities are established for General Voting Day for each election, and for other voting as required pursuant to the Local Government Act:
  - (i) that additional voting opportunities will be held for electors, who for medical reasons or because of infirmity cannot leave their residence on a General Voting Day, by having a mobile poll operated by the City of Prince Rupert voting staff attend the residence of the said elector to allow that person to vote. Requests to have a mobile poll attend a residence on a General Voting Day or for other voting must be received by the Chief Election Officer or a deputy Chief Election Officer or a designate, before 5:00 p.m. of the 2nd day before a General Voting Day or for other voting;
  - (ii) the voting hours for these additional opportunities will be from 8:00 a.m. to 8:00 p.m. on the day specified under 4.(a)(i) of this Bylaw;

### **5. ADDITIONAL ADVANCE VOTING OPPORTUNITIES**

- (a) As authorized under Section 98 of the Local Government Act, the following additional advance voting opportunities are established for each election or other voting:
  - (i) Additional advance voting opportunities will be available at:

- (a) City of Prince Rupert, Council Chambers, City Hall, 424 West 3rd Avenue;
  - (b) Prince Rupert Regional Hospital, 1305 Summit Avenue;
  - (c) Acropolis Manor, 1325 Summit Avenue;
- (ii) Additional Advance voting opportunities will be held on the following dates:
- (a) at the location specified under 5.(a)(i)(a) of this Bylaw, on the 9th day of November, 2011 and subsequently on the 10th day before a General Voting Day or other voting, then on the 14th day of November, 2011 and subsequently on the 8th day before a General Voting Day or other voting, and on the 16th day of November, 2011 and subsequently on the 3rd day before a General Voting Day or other voting;
  - (b) at the location specified under 5.(a)(i)(b) of this Bylaw, on the 17th day of November, 2011 and subsequently on the 2nd day before a General Voting Day or other voting; and
  - (c) at the location specified under 5.(a)(i)(c) of this Bylaw, on the 17th day of November, 2011 and subsequently on the 2nd day before a General Voting Day or other voting;
- (iii) The voting hours at these additional advance voting opportunities will be:
- (a) at the location specified under 5.(a)(i)(a) and on the dates and subsequent days as specified under 5.(a)(ii)(a) of this Bylaw from the hours of 8:00 a.m. to 8:00 p.m.;
  - (b) at the location specified under 5.(a)(i)(b) and on the date and subsequent days as specified under 5.(a)(ii)(b) of this Bylaw from the hours of 1:00 p.m. to 5:00 p.m.; and
  - (c) at the location specified under 5.(a)(i)(c) and on the date and subsequent days as specified under 5.(a)(ii)(c) of this Bylaw from the hours of 3:30 p.m. to 5:00 p.m.

## **6. SPECIAL VOTING OPPORTUNITIES**

- (a) In order to give electors who may otherwise be unable to vote an opportunity to do so, the Council of City of Prince Rupert will provide a special voting opportunity as authorized under Section 99 of the Local Government Act, for each election or other voting:
  - (i) at Prince Rupert Regional Hospital, 1305 Summit Avenue; and,
  - (ii) Acropolis Manor, 1325 Summit Avenue;

- (iii) on the 17th day of November, 2011 and subsequently on the 2nd day before a General Voting Day or other voting;
- (iv) during the following hours from:
  - (a) from 1:00 p.m. to 3:30 p.m. for the location specified under 6.(a)(i); and,
  - (b) from 4:00 p.m. to 6:30 p.m. for the location specified under 6.(a)(i);
- (b) The following restrictions apply to persons who may vote at this special voting opportunity:
  - (i) The only electors who may vote are electors who, on the date on which the special voting opportunity is held and before the end of the voting hours for that special voting opportunity, have been admitted as patients to the Prince Rupert Regional Hospital;
- (c) The following procedures for voting and for conducting the voting proceedings apply to the special voting opportunity;
  - (i) a mobile poll operated by City of Prince Rupert voting staff, shall travel in an orderly manner to each floor of the Prince Rupert Regional Hospital on which hospital patients are each at an assigned hospital bed, to allow the said patients an opportunity to vote;
  - (ii) a mobile poll operated by the City of Prince Rupert voting staff, shall travel in an orderly manner to each floor of Acropolis Manor on which hospital patients are each at an assigned hospital bed, to allow the said patients an opportunity to vote;
- (d) The number of candidate representatives who may be present at the special voting opportunity is limited to one representative for each candidate.

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

The order of names on candidates on the ballot will be determined in accordance with section 107 of the Local Government Act, pursuant to which:

- (a) The Chief Election Officer will notify all candidates as to the date, time and place when the determination is to be made;
- (b) The only persons who may be present at the determination are the candidates, or their official agents, and any other persons permitted to be present by the Chief Election Officer; and,
- (c) The procedure for the determination will be as follows:

- (i) the name of each candidate will be written on a separate piece of paper, as similar as possible to all other pieces of paper prepared for the determination;
  - (ii) the Chief Election Officer or a person directed by the Chief Election Officer will:
    - (a) fold the pieces of paper in a uniform manner by in such a way that the names of the candidates are not visible;
    - (b) place the folded pieces of paper in a container; and,
    - (c) shake the container for the purpose of randomly distributing the pieces of paper;
  - (iii) the Chief Election Officer will direct a person who is not a candidate or candidate representative to withdraw the papers one at a time; and,
  - (iv) the name on the first paper drawn is to be the first name on the ballot under the Office of Mayor or Councillor, as the case may be, the name on the second paper drawn is to be the second, and so on until the placing of all candidates' names on the ballot has been determined;
- (d) The procedure under 7(c) will be carried out separately for candidates for the Office of the Mayor and candidates for the Office of the Councillor.

## **8. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT**

- 8.1 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.

## **9. SEVERABILITY**

- 9.1 If a court of competent jurisdiction holds that any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid, then that section, subsection, sentence, clause or phrase as the case shall be severed and the remainder of this Bylaw shall be deemed to have been enacted without the invalid section, subsection, sentence, clause or phrase.

## **10. REPEAL**

- 10.1 That "City of Prince Rupert Elections and Other Voting Procedure Bylaw No. 2874, 1993" as amended, is hereby repealed.

READ THE FIRST TIME THIS 27<sup>th</sup> DAY OF June, 2011.

READ THE SECOND TIME THIS 27<sup>th</sup> DAY OF June, 2011.

READ THE THIRD TIME THIS 27<sup>th</sup> DAY OF June, 2011.

FINALLY CONSIDERED AND ADOPTED THIS 25<sup>th</sup> DAY of July, 2011.

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Mayor

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Corporate Administrator