

This is a consolidated copy of the following bylaws, provided for CONVENIENCE only.

1. Anmore Local Government Election Procedure Bylaw Amendment No. 670-2022

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## **VILLAGE OF ANMORE**

### **BYLAW NO. 544-2015**

A bylaw to provide for the determination of various procedures for the conduct of Local Government Elections, By-Elections and Assent Voting.

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**WHEREAS** under Parts 3 and 4 of the *Local Government Act*, the Council may, by bylaw, determine various procedures and requirements to be applied in the conduct of Local Government Elections, By-Elections and Assent Voting;

**AND WHEREAS**, Council wishes to establish various procedures and requirements under that authority:

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

**1. TITLE**

This bylaw may be cited for all purposes as “Anmore Local Government Election Procedure Bylaw No. 544-2015”.

**2. REPEAL**

That “Anmore Election Procedure Bylaw No. 533-2014” is hereby repealed in its entirety.

**3. DEFINITIONS**

3.1 In this bylaw:

“Acceptable Mark” means a completed arrow that the Vote Counting Unit is able to identify and that has been made by an Elector in the space provided on the Ballot opposite the name of any candidate, or opposite either “yes” or “no” on any assent voting; or an X where a Vote Counting Unit is not being used; that has been made by an Elector in the space provided on the Ballot opposite the name of any candidate or opposite either “yes” or “no” on any assent voting

“Automated Ballot” means a single Automated Ballot card designed for use in an automated vote counting system, which shows:

- (a) The names of all of the candidates for each of the offices to be filled; and
- (b) All of the choices on all matters on which the opinion or assent of the Elector is sought.

“Automated Vote Count System” means a system that counts and records votes and processes and stores election results and is comprised of the following:

- (a) A number of Ballot scan Vote Counting Units, each of which rests on a two-compartment Ballot Box, one compartment of which is for:
  - (i) Voted Ballots; and
  - (ii) Returned Ballots which have been reinserted using the Ballot override procedure;and the other is for the temporary storage of voted Ballots during such time as the Vote Counting Unit is not functioning; and
- (b) A number of storage Ballot compartments into which voted Ballots are deposited where a Vote Counting Unit is not functional or being used, which will be counted after the close of voting on General Voting Day.

“Automated Ballot Return Override Procedure” means the use, by an election official, of a device on a Vote Counting Unit that causes the unit to accept a returned Ballot.

“Ballot” means a single Ballot for each elected office being filled that is not designed for a Vote Counting Unit, which shows:

- (a) The names of the candidates for each of the offices to be filled; and
- (b) All of the choices on all matters on which the opinion or assent of the Electors is sought

“Ballot Box” means a Ballot Box that is used in the election where a Vote Counting Unit is not being used;

“By-Election” means an election pursuant to the Part 3 of the *Local Government Act*;

“Election Headquarters” means the Anmore Village Hall located at 2697 Sunnyside Road, or an alternate location deemed appropriate by the Chief Election Officer should the need arise;

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

“Emergency Ballot Compartment” means a compartment in the Ballot Box under each Vote Counting Unit into which voted Automated Ballots are temporarily deposited in the event that the Vote Counting Unit ceases to function;

“General Local Election” means elections provided for in the *Local Government Act* and includes School Trustee elections, By-Elections and assent voting;

“General Voting Day” means General Voting Day as defined in the *Local Government Act* and includes By-Elections and assent voting;

“Mail Ballot Box” means the Ballot Box used to collect and hold in a secure place the secrecy envelopes until such time as the secrecy Ballots can be opened and inserted into the Vote Counting Unit or Ballot Box if a Vote Counting Unit is not being used.

“Memory Pack” means a computer software cartridge, which is inserted into the Vote Counting Unit and into which is programmed:

- (a) The names of all the candidates for each of the offices to be filled; and
- (b) If applicable, the alternatives of “yes” or “no” for each bylaw and question;

and a mechanism to record and retain information on the number of Acceptable Marks made for each.

“Results Tape” means a printed record generated from a Vote Counting Unit at the close of voting on General Voting Day, which shows the number of votes for each candidate for each of the offices to be filled, and the number of votes for and against each bylaw or assent voting on which the assent or opinion of the Electors is sought;

“Returned Ballot” means a voted Automated Ballot that was inserted into the Vote Counting Unit, but which was not accepted and was returned with an explanation of the Ballot marking error that caused the Automated Ballot to be returned;

“Secrecy Sleeve” means an open-ended folder or envelope used to cover Automated Ballots to conceal the choices made by an Elector;

“Village” means the Village of Anmore;

“Vote Counting Unit” means the device into which voted Ballots are inserted and that scans each Ballot and records the number of votes for each candidate and for and against each bylaw or other matter on which assent voting of the Electors is sought;

“Village Sign Board” means one of the three notice boards located in the Village and identified on the site map in Schedule “A” as locations 2, 3 and 6.

“Voted Ballot” means a Ballot onto which an Elector has made Acceptable Marks.

3.2 Unless otherwise provided, words and phrases used herein have the same meanings as in the *Local Government Act*, as the context and circumstances may require. A reference to a statute in this bylaw refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any bylaw or other enactment refers to the enactment as it may be amended or replaced from time to time. Headings in this bylaw are for convenience only and must not be construed as defining or limiting its scope or intent. If any part of this bylaw is held invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

#### **4. PROCEEDINGS BEFORE THE POLL**

4.1 Council hereby authorizes the use of an automated vote counting system for the conduct of elections and assent voting that may, from time to time, be required.

4.2 Council authorizes the Chief Election Officer to have the authority to determine whether or not voting will be conducted by automated voting or if in the opinion of the Chief Election Officer, manual voting would be more financially viable to the Village.

4.3 The Chief Election Officer will be responsible for ordering Ballot papers and all necessary supplies for the purpose of conducting General Local Election, By-Election and Assent Voting.

4.4 The Chief Election Officer will be responsible for the rental of suitable premises in order to conduct a General Local Election, By-Election and Assent Voting.

4.5 The Chief Election Officer will be responsible in the hiring and training of election officials to conduct the General Local Election, By-Election and Assent Voting.

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

5.1 For the purposes of all local elections and assent voting to the Electors under the *Local Government Act*, the most current available Provincial list of voters prepared under the *Election Act* shall become the register of resident Electors on the 52<sup>nd</sup> day prior to General Voting Day for such elections and assent voting to the Electors.

5.2 No advance registration of voters shall be required except when registering as a non-resident property Elector.

**6. AUTOMATED VOTING PROCEDURES**

- 6.1 As soon as an Elector enters the voting place they must proceed to an election official responsible for issuing Automated Ballots, who:
- (a) must ensure that the Elector:
    - (i) is qualified to vote in the election;
    - (ii) completes the appropriate voting book; and
  - (b) upon fulfillment of the requirements above must:
    - (i) offer a demonstration of how to use the automated vote counting system; and
    - (ii) provide an Automated Ballot to the Elector, a Secrecy Sleeve to the Elector, if requested, and any further instructions the Elector requests.
- 6.2 Upon receiving an Automated Ballot, the Elector must immediately proceed to a voting booth to mark the Automated Ballot.
- 6.3 The Elector may vote only by making an Acceptable Mark on the Automated Ballot:
- (a) beside the name of each candidate of choice up to the maximum number of candidates to be elected for each of the offices to be filled; and
  - (b) if applicable, beside either “yes” or “no” in the case of which the assent or opinion of the Electors is sought.
- 6.4 Once the Elector has finished marking the Automated Ballot, the Elector shall place the Automated Ballot into the Secrecy Sleeve, if applicable, proceed to the Vote Counting Unit and under the supervision of an election official insert the Automated Ballot directly from the Secrecy Sleeve, if applicable, into the Vote Counting Unit without the marks on the Automated Ballot being exposed.
- 6.5 If, before inserting the Automated Ballot into the Vote Counting Unit, an Elector determines that a mistake has been made when marking an Automated Ballot or if the Automated Ballot is returned by the Vote Counting Unit, the Elector may request a replacement Automated Ballot by advising the election official in attendance.
- 6.6 If the Elector declines the opportunity to obtain a replacement Automated Ballot and has not damaged the Automated Ballot to the extent that it cannot be reinserted into the Vote Counting Unit, the election official shall, using the Automated Ballot

Return Override Procedure, reinsert the returned Automated Ballot into the Vote Counting Unit to count any Acceptable Marks that have been made correctly.

- 6.7 Any Automated Ballot accepted by the Vote Counting Unit is valid and any Acceptable Marks contained on such Automated Ballots will be counted in the election subject to any determination made under a judicial recount.
- 6.8 Once the Ballot has been inserted into the Vote Counting Unit and the Vote Counting Unit indicates that the Ballot has been accepted, the Elector must immediately leave the voting place.
- 6.9 During any period that a Vote Counting Unit is not functioning, the election official supervising the unit must direct Electors to insert their Automated Ballots into the Emergency Ballot Compartment.
- 6.10 When the Vote Counting Unit which was not functioning becomes operational, or is replaced with another Vote Counting Unit, the Automated Ballots in the Emergency Ballot Compartment must, as soon as the voting place is closed, and prior to generating the results tape, be removed by an election official and under the supervision of the Chief Election Officer or designate, be inserted into the Vote Counting Unit to be counted.
- 6.11 Any Ballots which were temporarily stored in the Emergency Ballot Compartment and are returned by the Vote Counting Unit when being counted must, through the use of the Automated Ballot Return Override Procedure, and under the supervision of the Chief Election Officer or designate be reinserted into the Vote Counting Unit to ensure that any Acceptable Marks are counted.

## **7. MANUAL VOTING PROCEDURES**

- 7.1 As soon as an Elector enters the voting place they must proceed to an election official responsible for issuing Ballots, who:

- (a) must ensure that the Elector:
    - (i) is qualified to vote in the election;
    - (ii) completes the appropriate voting book; and
  - (b) upon fulfillment of the requirements above must:
    - (i) provide a Ballot to the Elector, and
    - (ii) provide any further instructions the Elector requests.
- 7.2 Upon receiving a Ballot, the Elector must immediately proceed to a voting booth to mark the Ballot.
- 7.3 The Elector may vote only by making an Acceptable Mark on the Ballot:
- (a) beside the name of each candidate of choice up to the maximum number of candidates to be elected for each of the offices to be filled; and
  - (b) if applicable, beside either “yes” or “no” in the case of each bylaw or other matter on which the assent voting of the Electors is sought.
- 7.4 Once the Elector has finished marking the Ballot, the Elector shall, fold their Ballot in half, and proceed to the Ballot Box.
- 7.5 If before inserting the Ballot into the Ballot Box, an Elector determines that a mistake has been made when marking the Ballot, the Elector may request a replacement Ballot by advising the election official in attendance.
- 7.6 Once the Ballot has been deposited into the Ballot Box, the Elector must immediately leave the voting place.

**8. ADVANCE VOTING**

- 8.1 As authorized under the *Local Government Act*, one advance voting opportunity will be held, and shall be held on the 10th day before General Voting Day.
- 8.2 If the Chief Election Officer determines that automated voting will be held for the General Local Election, By-Election or Assent Voting, Vote Counting Units are to be used at advance voting, and voting procedures at the advance voting must follow the procedures described in Section 7, Clauses 7.1 to 7.11 of this Bylaw.

- 8.3 At the close of advance voting where automated voting was used, the Chief Election Officer must secure the Vote Counting Unit so that no more Ballots can be inserted; and ensure that the results tapes in the Vote Counting Unit are not generated.
- 8.4 If the Chief Election Officer determines that manual voting will be held for the General Local Election, By-Election or Assent Voting, voting procedures at the advance voting must follow the procedures described in Section 8, Clauses 8.1 to 8.6.
- 8.5 At the close of advance voting where manual voting was used, the Chief Election Officer must secure the Ballot Box so that no more Ballots can be inserted and secure the Ballot Box until the close of voting on General Voting Day.

**9. PROCEDURES FOR AUTOMATED VOTING AFTER THE CLOSE OF GENERAL VOTING**

- 9.1 After the close of voting on General Voting Day, the Chief Election Officer must:
  - (a) ensure that any remaining Ballots in the Emergency Ballot Compartment are inserted into the Vote Counting Unit;
  - (b) secure the Vote Counting Unit so that no more Ballots can be inserted;
  - (c) generate two copies of the results tape from the Vote Counting Unit;
  - (d) remove the Memory Pack from the Vote Counting Unit;
  - (e) complete the Ballot account for the voted Ballots, unused Ballots, spoiled Ballots and unaccounted for Ballots;
  - (f) package and seal separately the unused, spoiled and voted Ballots and place each package into a Ballot Box, along with the following:
    - (i) one copy of the Ballot account;
    - (ii) one copy of the results tape;
    - (iii) the Memory Pack;
    - (iv) any keys used for the Vote Counting Unit;
    - (v) the voting books;
    - (vi) any copies of the list of registered electors used for the purposes of voting procedures; and
    - (vii) any solemn declarations taken and any signed written statements required by or under Part 3 of the *Local Government Act* in relating to voting proceeding.



9.2 At the close of General Voting Day, the Chief Election Officer will generate the results tape for the advance voting opportunity, following the procedures as applicable in Clause 10.1 of this bylaw.

**10. PROCEDURES FOR MANUAL VOTING AFTER THE CLOSE OF GENERAL VOTING DAY**

10.1 After the close of General Voting Day, the Chief Election Officer must:

- (a) secure the Ballot Boxes so that no more Ballots can be inserted;
- (b) complete the Ballot account for the voted Ballots, unused Ballots, spoiled Ballots and unaccounted for Ballots;
- (c) package and seal separately the unused, spoiled and voted Ballots and place each package into a Ballot Box, along with the following:
  - (i) one copy of the Ballot account;
  - (ii) the voting books;
  - (iii) any copies of the list of registered electors used for the purposes of voting procedures; and
  - (iv) any solemn declarations taken and any signed written statements required by or under Part 3 of the *Local Government Act* in relating to voting proceeding.

**11. RECOUNT PROCEDURE FOR AUTOMATED VOTING**

11.1 If a recount is required it shall be conducted under the direction of the Chief Election Officer using the Automated Vote Counting System and in accordance with the following procedure:

- (a) the memory packs of all Vote Counting Units must be reinserted into the designated Vote Counting Unit, to be cleared;
- (b) a results tape must be generated to ensure there are no votes recorded;
- (c) all voted Automated Ballots must be removed from the sealed Ballot Box, and reinserted in the Vote Counting Unit under the supervision of the Chief Election Officer;
- (d) any Automated Ballots returned by the Vote Counting Unit during the recount process must, through the use of the Automated Ballot Return Override Procedure, be reinserted into the Vote Counting Unit to ensure that any Acceptable Marks are counted; and

- (e) to obtain the election results, two copies of the results tape is to be generated from the Vote Counting Unit.

**12. RECOUNT PROCEDURE FOR MANUAL VOTING**

If Chief Election Officer determines a recount is required, the Chief Election Officer will determine which Ballot will be recounted and when the recount will take place.

**13. RECOUNT PROCEDURE FOR MANUAL VOTING**

- 13.1 For each election or assent voting, persons who meet the criteria set out in the *Local Government Act* may vote by mail and register as electors by mail.
- 13.2 The time limits in relation to voting by mail will be determined by the Chief Election Officer including a time limit for persons to apply for a mail ballot and elector registration package.
- 13.3 The following procedures for mail ballot voting and registration must apply and the Chief Election Officer may set additional procedures:
  - i. A person who qualifies under the *Local Government Act* may challenge the right of a person to vote by mail on the grounds set out in the *Local Government Act* up until 4:00 p.m. two days before the General Voting Day;
  - ii. The Chief Election Officer must keep sufficient records so that challenges of an elector's right to vote may be made in accordance with the *Local Government Act*.
- 13.4 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.

**14. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT**

In the event of a tie vote after a judicial recount, the results of the election are to be determined by lot in accordance with the *Local Government Act*.

**15. ELECTRONIC ACCESS TO NOMINATION DOCUMENTS**

Public access to nomination documents will be made available on the Village's website from the time of filing until 30 days after the declaration of the election results as authorized by the *Local Government Act*.

**16. PUBLIC ACCESS TO DISCLOSURE STATEMENTS AND OTHER INFORMATION**

- 16.1 Public access to election materials provided by the candidates shall be made available on the Village's website.
- 16.2 Pursuant to the *Local Elections Campaign Financing Act*, Elections BC is responsible for the oversight related to candidate and Elector organization campaign financing, third party advertising sponsors, assent voting advertising sponsors and election advertising during the election proceedings period in Local General Elections, By-Elections and Assent Voting.

**17. ADVERTISING BY FEDERAL, PROVINCIAL, MUNICIPAL CANDIDATES**

- 17.1 No person shall advertise a candidate or assent voting by way of the use of a mobile amplification system, except that a mobile amplification system may be used to provide a sound amplification system at an outdoor rally or meeting, provided that the mobile amplification system remains in a stationery position.
- 17.2 Political signs promoting any candidate, or party or issue at a federal election, provincial election, local government election, By-Elections or assent voting are permitted; provided that:
- (a) No person shall:
    - (i) In the case of Local Government Elections, By-Elections or Assent Voting, erect a sign more than twenty-one (21) days prior to General Voting Day; and
    - (ii) In the case of Federal and Provincial Elections, before the election is officially declared.
  - (b) If on public property, the sign may only be permitted in the locations identified in Schedule "A" of this bylaw;
  - (c) If on public property, signs for a candidate, party or issue may be printed on two-sided signs on a single frame;
  - (d) No more than one sign is placed, per candidate, or party or issue, per location on public property;
  - (e) The sign is not posted within 100 metres (328 feet) from an active polling station on Advance Voting Day and General Voting Day;

- (f) The sign does not exceed 1.49 square metres (16 square feet) and does not exceed 2.44 metres (8 feet) in height from the ground, including support material;
- (g) The sign must not be illuminated;
- (h) The sign is not unsightly or dilapidated;
- (i) The sign is not within 1 metre (3.28 feet) of a fire hydrant;
- (j) The sign is not within 1 metre (3.28 feet) from a Village Sign Board;
- (k) The placement of the sign does not interfere with traffic sightlines at street intersections or with the safety of vehicles, pedestrians or cyclists;
- (l) The placement of the sign does not obstruct, simulate or detract from any traffic control device;
- (m) The sign is not attached in any way to a tree, bush, planter, solid waste receptacle, newspaper box, sign post, or in any garden, park or boulevard unless authorized in Schedule "A" of this bylaw.

## **18 REMOVAL OF SIGNS**

- 18.1 Signs that are permitted under Section 17 above are to be removed within three days after the election.
- 18.2 The Chief Election Officer or designate may require a candidate to remove an offending sign by 10 am the following morning by providing instruction and reasons in writing. If the candidate fails to do so, the Chief Election Officer or designate may remove any election sign which the Chief Election Officer or designate has reasonable grounds to believe is erected or placed in contravention of this bylaw, or in the opinion of the Chief Election Officer or designate is considered hazardous. The Chief Election Officer or designate may store the sign for a period of one week after voting day and the candidate or agent may claim same during that period, following which the material may be destroyed or otherwise disposed of by the Chief Election Officer who may bill the candidate for expenses of the removal, storage and disposal, except if the sign has been vandalized. The Village will not be held liable for any costs associated with the removal and/or destruction of the offending sign(s).

- 18.3 No person shall, within 100 metres (328 feet) of an active polling station:
- (a) Canvass or solicit votes or otherwise attempt to influence how an Elector votes;
  - (b) Carry, wear, or supply a flag, badge or other thing indicating that the person using it is a supporter of a particular candidate or Elector organization;
  - (c) Display or distribute a sign, a document, or other material regarding a candidate or Elector organization, except as authorized by the Chief Election Officer; or
  - (d) Display, distribute, post, or openly leave a representation of a Ballot marked for a particular candidate in an election.

**19. USE OF VILLAGE OF ANMORE LOGO**

No person shall display on any election sign or other election advertising, a logo, trademark or official mark, in whole or in part, owned or licensed by the Village, unless prior written authorization is granted by the Village,

**READ** a first time this 3rd day of November, 2015

**READ** a second time this 3rd day of November, 2015

**READ** a third time this 3rd day of November, 2015

**RECONSIDERED, FINALLY PASSED AND ADOPTED** this 17th day of November, 2015

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MAYOR

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CORPORATE OFFICER

November 26<sup>th</sup>, 2015

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Date

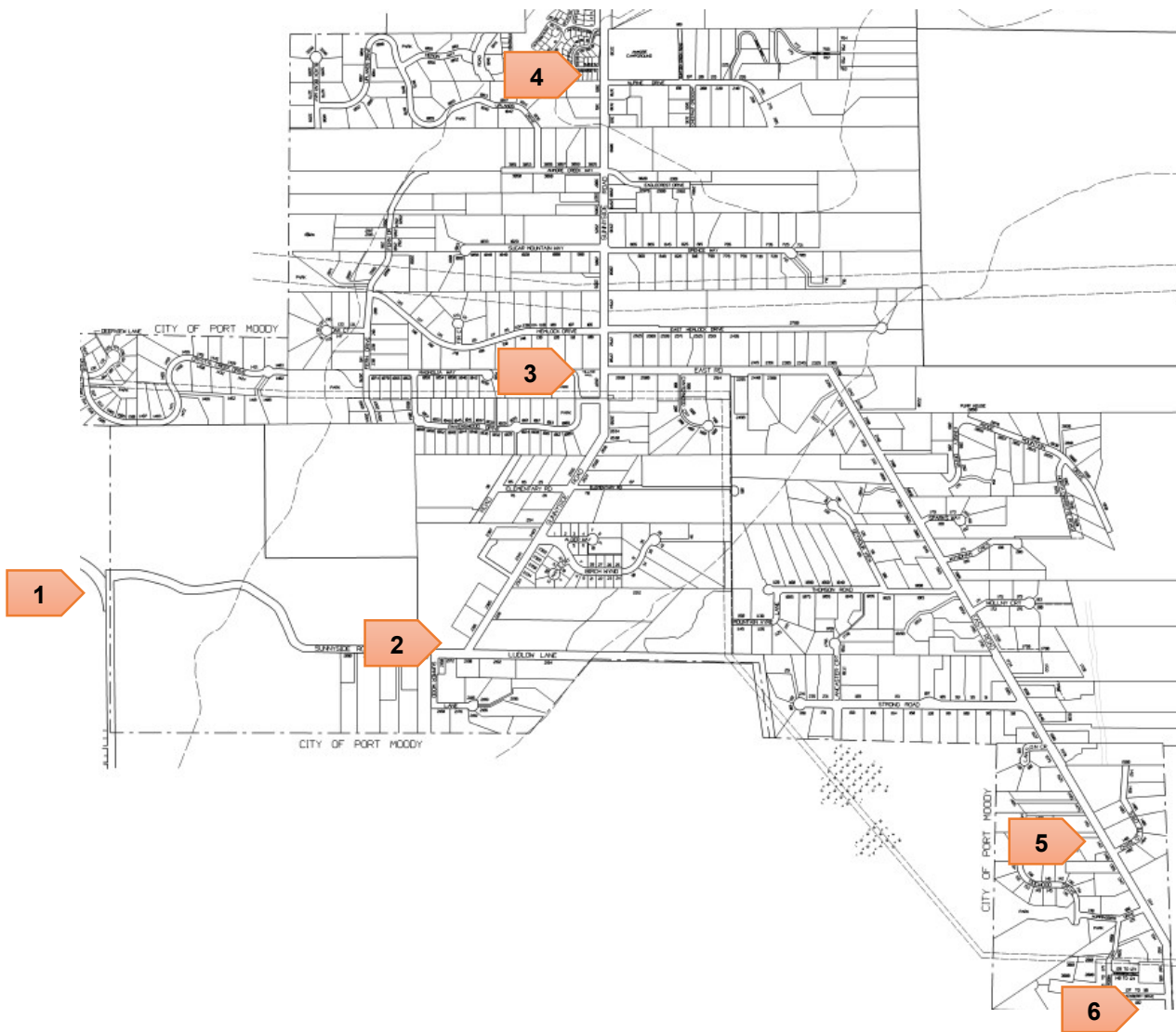
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Corporate Officer

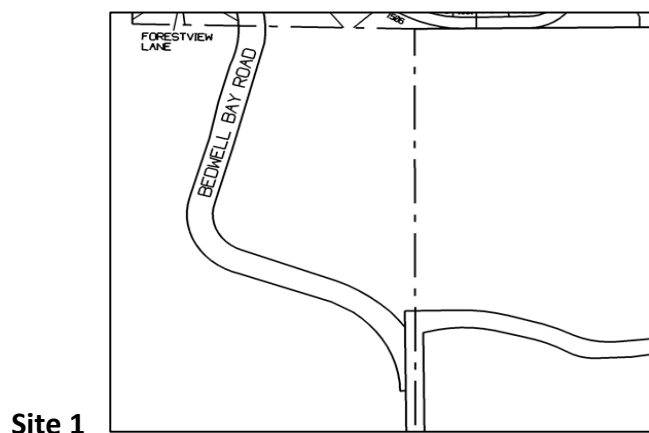
**SCHEDULE "A"**

**ELECTION SIGNS - PERMITTED AREAS**

- Site 1 - Sunnyside Road at First Avenue, to the south of the 'Village of Anmore' sign
- Site 2 - Sunnyside Road north of Ludlow Lane, to the north or south of the Village Sign Board
- Site 3 - Sunnyside Road adjacent to East Road, to the north or south of the Village Sign Board
- Site 4 - Sunnyside Road north of Alpine Drive, to the north or south of the postal boxes
- Site 5 - East Road at Charlotte Crescent, north of the easternmost stop sign
- Site 6 - East Road south of Blackberry Drive, to the north of the Village Sign Board



**Reference for Election Signs – Permitted Sites**

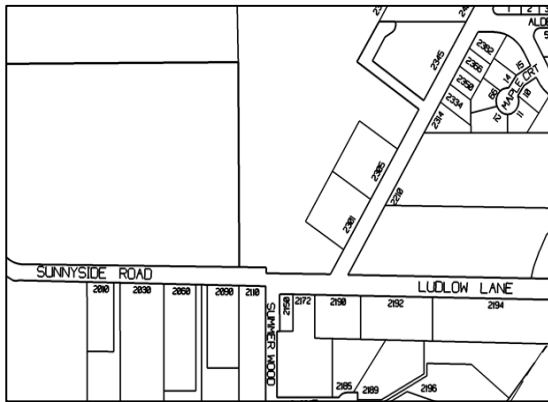


**Site 1**

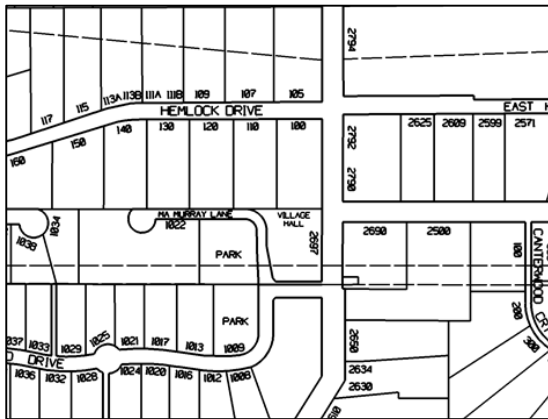




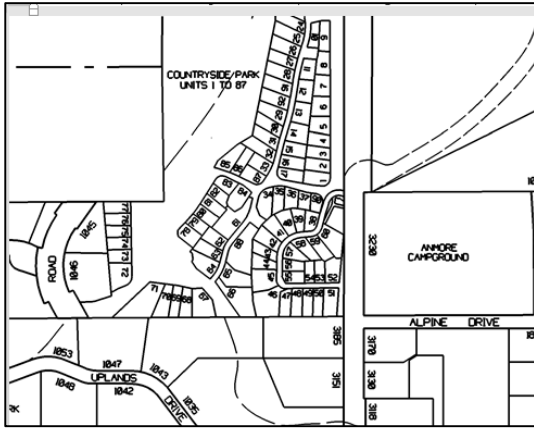
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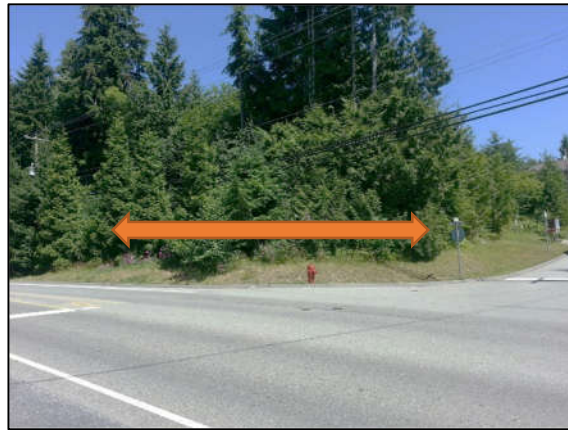
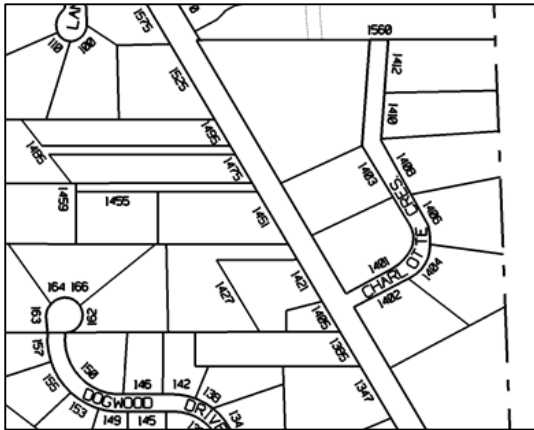
Site 3



Site 4



Site 5



Site 6

