

BYLAW

Elections and Other Voting Bylaw No. 504, 2011

Consolidated for convenience only April 2026

This Consolidation includes the following Bylaw Amendments:

504-1, 2018

504-2, 2022

504-3, 2026

This version of this bylaw is a consolidation of amendments to the original bylaw as of the date specified. This consolidation is done for the convenience of users and accurately reflects the status of this bylaw as of the specified date but must not be construed as the original bylaw and is not admissible in Court unless specifically certified by the Corporate Officer for the District of Sechelt. Persons interested in the definitive wording of this bylaw and its amendments should view the original bylaws at the District of Sechelt.

DISTRICT OF SECHELT

BYLAW NO. 504, 2011

**A bylaw to establish procedures for the conduct of
local government elections and other voting**

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 District of Sechelt, in open meeting assembled, enacts as follows:

1. Title

This Bylaw may be cited for all purposes as "District of Sechelt Elections and Other Voting Bylaw No. 504, 2011".

2. Definitions

Acceptable mark means a mark that: an elector makes in the space provided on a ballot opposite the name of any candidate or opposite either "yes" or "no" on any question, and the tabulator is able to identify.

Ballot means a single automated ballot card designed for use in an automated vote counting system and conforms to the requirements of the *Local Government Act*, which shows:

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

Ballot box means a container for ballots that have been marked by electors.

Certification envelope means an envelope in which the secrecy envelope is to be placed during mail ballot voting, and is printed with:

- spaces to record the person's full name and residential address;
- a statement to be signed by the person voting declaring that the person is entitled to be registered as an elector for the election, and has not previously voted in the election.

Council means the District of Sechelt Council.

Chief election officer means the chief election officer for the District of Sechelt appointed by a resolution of Council.

Deputy chief election officer means the deputy chief election officer for the District of Sechelt appointed by a resolution of Council.

District means the District of Sechelt.

Election means a general local election or by-election held in accordance with the Local Government Act.

Election headquarters means the Municipal Hall, 5797 Cowrie Street, Sechelt, British Columbia.

Election Sign means any sign installed to support the election of a candidate or political party at a municipal, provincial or federal level or public authority office, or providing information related to an election, political initiative, or referendum.

Elector means a resident elector, or property owner of the jurisdiction as defined by the Local Government Act.

General Local Election means the election held for the offices of the Mayor and all the Councillors of the District, which was held in 2014 and must be held in every fourth year after that.

General Voting Day means

- (a) for a general local election, the third Saturday in October in the year of an election;
- (b) for by-elections or elections ordered by the Minister, the date set in accordance with the appropriate provisions of the *Local Government Act*.

Mail Ballot Return Locations are locations, as specified by the chief election officer in the public notice of mail ballot voting, where mail ballots will be accepted.

Portable ballot box means a ballot box that is used at a voting place where a vote tabulating unit is not being used or is not functioning.

Returned ballot means a voted ballot that was inserted into the vote counting unit by the elector but was not accepted and was returned to the elector with an

explanation of the ballot marking error that caused the ballot not to be accepted.

Secrecy sleeve means an open-ended folder or envelope used to cover ballots to conceal the choices made by each elector.

Vote Tabulating Unit means the device into which voted ballots are inserted and which scans each ballot and records the number of votes for each candidate, and for and against each other voting question.

3. Access to Nomination and Endorsement Documents

As authorized under the Local Government Act, public access to nomination documents required under the *Act* will be provided by making copies available at the District of Sechelt offices during regular office hours on request of any person and by posting on the District's website from the time of delivery of any nomination documents to the chief election officer until 30 days after the declaration of the election results.

4. Provincial Voters List

The most current available Provincial list of voters prepared under the Election Act of British Columbia becomes the register of resident electors no later than 52 days before general voting day.

5. Signs

An election sign for an election or municipal referendum is permitted on property only in accordance with the specifications and requirements in Schedule A of this Bylaw, and in accordance with Sign Bylaw 456,2006 and its amendments.

6. Advance Voting Opportunities

(a) In addition to the required advance voting opportunity on the 10th day before general voting day, the following day is hereby established as an additional advance voting opportunity for the general local election and other voting the 3rd day before general voting day.

(b) Voting hours for the advance voting opportunities shall be from 8am to 8pm.

(c) As authorized under section 107 of the Local Government Act, the Council authorizes the chief election officer to designate the voting places for these advance voting opportunities.

7. Special Voting Opportunities

- (a) To give electors who may otherwise be unable to vote an opportunity to do so, the Council will provide a special voting opportunity as authorized under section 109 of the Local Government Act by establishing the following places as special voting places for the general local election.
 - (i) Silverstone Care Centre
5625 Derby Road,
Sechelt, BC
 - (ii) Sechelt / shíshálh Hospital
5544 Sunshine Coast Highway
Sechelt, BC
- (b) Subject to the Local Government Act, the chief election officer may limit the number of candidates' representatives who may be present at a special voting opportunity, which shall not be less than one per candidate.
- (c) Only electors who are residents, patients or workers at the special voting locations may vote at the special voting opportunities.
- (d) The Council authorizes the chief election officer to establish the date, the voting hours and procedures within the limits set out in section 109 of the Local Government Act, for the special voting opportunities authorized in section 6(a) of this bylaw.
- (e) Ballots cast during Special Voting Opportunities will be inserted into a tabulator in accordance with Bylaw No. 443, 2005 - Use of Automated Voting Machines for General Local Elections and Other Voting, and its amendments, or during general voting day in the presence of at least one other person and any scrutineers present.

8. Mail Ballot Voting

- (a) As authorized under section 110 of the Local Government Act, voting may be done by mail ballot and registration of electors may be done by mail in conjunction with mail ballot voting.
- (b) The chief election officer is authorized to:
 - i. establish time limits in relation to voting by mail; and
 - ii. specify mail ballot return locations; and
 - iii. specify mail ballot procedures in accordance with the Local Government Act.

- (c) Notice of mail ballot voting must be issued in accordance with the Local Government Act and must include the mail ballot return locations and deadlines.
- (d) Mail ballots may be issued until 4pm on the Thursday, two days before general voting day.
- (e) A person wishing to vote by mail ballot must submit an application to the chief election officer within the timeframe noted in the public notification in accordance with section 8 (c) of this bylaw and the chief election officer or their delegate will add the person's name and address to a list of all mail ballot applicants.
- (f) Mail ballot acceptance or rejection
 - (i) In order to be counted for an election, an elector's mail ballot must be:
 - A. Marked with acceptable marks for each portion of the ballot; and
 - B. Contained within the secrecy envelope; and
 - C. The secrecy envelope must be contained within the certification envelope; and
 - D. The certification envelope must be filled out with the person's name and residential address, and the declaration that the person is entitled to be registered as an elector for the election, and has not previously voted in the election must be signed to the satisfaction of the chief election officer; and
 - E. Accompanied by any documentation required for the person to register as an elector, including but not limited to a resident elector registration form, a non-resident property elector registration form, a non-resident property elector joint ownership consent form and any supporting documents required; and
 - F. Mailed to PO Box 129, 5797 Cowrie St, Sechelt BC, arriving at the post office no later than noon on general voting day or delivered to a mail ballot return location before the close of general voting day.
 - (ii) Until the close of general voting day, upon receipt of the outer envelope and its contents, the chief election officer or designate shall record the date of such receipt and shall then open the outer envelope and remove and examine the certification envelope and the completed elector registration application.
 - (iii) If the chief election officer or their designate is satisfied as to:
 - A. The identity and entitlement to vote of the elector whose ballot is enclosed; and
 - B. The completeness of the certification; and

C. The fulfillment of the requirements of Section 70 of the *Local Government Act*;

the chief election officer or designate or their designate shall mark the certification envelope as “accepted”, and shall retain in their custody all such certification envelopes in order to deal with any challenges made in accordance with *Local Government Act* section 126.

(g) Mail Ballot Counting Process

- (i) Certification envelopes containing the secrecy envelopes shall only be opened in the presence of at least one other person, including any scrutineers present.
- (ii) The chief election officer or designate shall schedule the opening of certification envelopes and notify candidates and their official agents of the times and location where certification envelopes will be opened and verified.
- (iii) After a certification envelope has been opened, any secrecy ballots accepted in accordance with section 8 (d) of this bylaw must be placed into a ballot box specified for such purpose, where such secrecy envelopes were received from persons whose right to vote using a mail ballot has not been challenged, or where such challenge has been resolved and the challenged person permitted to vote.
- (iv) As soon as possible after all of the secrecy envelopes have been placed in the ballot box designated for that purpose, the ballot box shall be opened under the supervision of the chief election officer or designate, and in the presence of at least one other person and any scrutineers present, the secrecy envelopes shall be opened and the ballots contained therein counted in accordance with the provisions of the *Local Government Act*.
- (v) Once all the certification envelopes have been opened, the secrecy envelopes may be randomized if needed to protect the identity of the electors, and as soon as possible inserted into the tabulator for counting.

(h) Mail ballot – replacement of spoiled ballot

- (i) Prior to Ballot Counting
 - (A) Where an elector unintentionally spoils a mail ballot before returning it to the chief election officer, the elector may request a replacement ballot by advising the chief election officer or

designate of the ballot spoilage and by mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the chief election officer or designate.

(B) The chief election officer shall, upon receipt of the spoiled ballot package, record such fact, and issue a new ballot.

(ii) During Ballot Counting

(A) Where an elector has clearly identified the candidate(s) they wish to vote for, or which response they have selected for any other “yes” or “no” question on the ballot, but the tabulator does not accept the mark, the chief election officer or their designate is authorized to:

1. mark the ballot as spoiled, record such fact and issue a new ballot. The new ballot shall be marked by the chief election officer or their designate using acceptable marks for the elector’s selections.
2. The ballot must be inserted into the tabulator as soon as possible for counting.

(iii) Any certification envelopes and their contents rejected in accordance with Section section 8 (d) of this bylaw shall be marked as ‘rejected’, remain unopened and shall be subject to the provisions of Section 160 of the Local Government Act with regard to their destruction.

(i) Mail ballot challenge of elector

(i) A person exercising the right to vote under the provisions of this bylaw may be challenged in accordance with and on the grounds specified in Section 126 of the Local Government Act, until 4pm on the Friday the day before general voting day.

(ii) The provisions of Section 126 (2) to (5), inclusive, of the Local Government Act shall apply where a challenge of an elector using a mail ballot has been made.

(j) Mail ballot – elector’s name already used

Where, upon receiving a request for a mail ballot, or upon receiving a completed mail ballot, the chief election officer determines that another person has voted or has already been issued a mail ballot in the elector’s name, the provisions of Section 127 of the Local Government Act shall apply, so far as applicable.

9. Curbside Voting

- (a) Curbside voting will be available to any elector who can not access the voting place.
- (b) Upon request to the presiding election official, the presiding election official will assist the elector to register and vote in the presence of one witness.

10. Resolution of the 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 151 of the Local Government Act.

11. Repeal

Election Bylaw No. 208, 1993, and all amendments thereto, are hereby repealed.

READ A FIRST TIME THIS	20 th	DAY OF	July, 2011
READ A SECOND TIME THIS	20 th	DAY OF	July, 2011
READ A THIRD TIME THIS	20 th	DAY OF	July, 2011
ADOPTED THIS	27 th	DAY OF	July, 2011

'Darren Inkster'

Mayor

'Jo-Anne Frank'

Corporate Officer

SCHEDULE A - Election Signage

GENERAL REQUIREMENTS

- Sign permits are not required.
- Signs must remain in compliance with District of Sechelt Sign Bylaw 456, 2006 and its amendments at all times.
- Signs must not be visible from any voting place.
- Signs must not be illuminated, animated, rotating, flashing or have moving lights or other electrical features.
- Signs must meet the requirements of the Local Election Campaign Financing Act.
- Elections signs for municipal or school trustee elections or by-elections, or referenda are permitted only within the municipal election period, beginning with the first day of the nomination period.
- Signs must be removed within seven (7) days after the election or referendum vote.

GENERAL PROHIBITIONS

- Signs are prohibited on:
 - medians and traffic islands, and in municipal planting beds;
 - boulevard trees, or within one (1) metre of a boulevard tree;
 - all District facilities or structures, parks, and playing fields, including the adjoining boulevard area.
- Signs are prohibited on public or private property that:
 - are within one (1) metre of a fire hydrant;
 - obstruct or detract from any traffic control device or signage;
 - obstruct the line of vision at an intersection; or
 - are placed in a manner that may constitute a hazard to pedestrians, cyclists or vehicles.

GENERAL ENFORCEMENT

- Signs installed in prohibited areas will be removed by District staff if not removed or relocated within 24 hours notice to the applicable candidate or campaign office.
- Where there are immediate safety concerns or damage to municipal property, District staff will immediately remove the signs and then contact the candidate or campaign office.
- The District will assume no responsibility for any damage to election signs where they are removed by District staff in prohibited locations.

ADDITIONAL CANDIDATE RESPONSIBILITIES

- Persons installing signs on municipal property must be aware of the risk of damage to underground utilities. A call must be made by the candidate or their agent to the District at least 48 hours in advance of the installation in order to confirm that the location chosen is safe.

- Any damage to underground utilities or services as a result of election signs being placed on municipal property is the responsibility of the candidates and their agents.
- Candidates and their agents are liable for any damage done to District property in placement of election signs on municipal property.
- Candidates and their agents should also reference applicable Provincial and Federal statutes and regulations for additional requirements.