

CITY OF MISSION

BYLAW 6100-2022-2669(9)

A Bylaw to amend District of Mission
Election Procedures Bylaw 2669-1993

WHEREAS, under the *Local Government Act*, the Council of the City of Mission 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 the District of Mission has adopted "District of Mission Election Procedures Bylaw 2669-1993 and amended same from time to time;

AND WHEREAS the Council of the City of Mission deems it advisable and in the public interest to further amend the said bylaw;

NOW THEREFORE the Council of the City of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

- A. This bylaw may be cited for all purposes as "City of Mission Election Procedures Amending Bylaw 6100-2022-2669(9)".
- B. "District of Mission Election Procedures Bylaw 2669-1993", as amended, is hereby further amended as set out in Appendix "A", attached to and forming part of this Bylaw.

READ A FIRST TIME this 16th day of May, 2022

READ A SECOND TIME 16th day of May, 2022

READ A THIRD TIME this 16th day of May, 2022

ADOPTED this __ day of _____, 2022

PAUL HORN,
MAYOR

JENNIFER RUSSELL,
CORPORATE OFFICER

APPENDIX A
CITY OF MISSION
BYLAW 2669-1993

A bylaw to provide for the determination
of various procedures for the conduct of
local government elections and other voting

WHEREAS, under the *Local Government Act*, the Council of the City of Mission 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 the City of Mission wishes to establish various procedures and requirements under that authority;

NOW THEREFORE the Council of the City of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. DEFINITIONS

In this bylaw:

"**Chief Election Officer**" means the election official appointed by the local government of the City of Mission under Section 58 of the *Local Government Act*;

"**Elector**" means a resident elector or non-resident property elector of the municipality 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 municipality which must be held in the year 2014 and every 4th year after that;

"**General voting day**" means,

- a) for a general local election, the 3rd Saturday of October in the year of the election,
- b) for other elections, the date set under sections 54 or 55 of the *Local Government Act*, and
- c) for other voting, the date set under section 174 of the *Local Government Act*;

"**Other voting**" means voting on a matter referred to in section 170 of the *Local Government Act* and includes seeking assent of the electors under section 85 of the *Community Charter*.

2. REQUIRED ADVANCE VOTING OPPORTUNITIES

- a) Advance voting opportunities will be held in advance of general voting day for each election and other voting:
 - i) on the tenth day before general voting day; and
 - ii) on the seventh day before general voting day.
- b) Council authorizes the Chief Election Officer to establish dates for additional voting opportunities to be held in advance of general voting day and to designate the voting places and set the voting hours for these voting opportunities.

3. SPECIAL VOTING OPPORTUNITIES

- a) Special voting opportunities will be provided and the Chief Election Officer is hereby authorized to establish the dates, locations, and voting hours within the limits set out in section 109 of the *Local Government Act*, for the special voting opportunities.
- b) The only electors who may vote at a special voting opportunity 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, are residents of, or are workers at the location of the special voting opportunity.
- c) The following procedures for voting and for conducting the voting proceedings apply to the special voting opportunities:
 - i) The ballot boxes and necessary supplies for the voting may be carried from room to room by the presiding election official and another election official to afford each elector the opportunity to vote at their bedside, where it is determined by the presiding election official that the elector cannot attend the voting place established at each of the special voting opportunities.
- d) One candidate representative may be present at each of the special voting opportunities, with that candidate representative chosen by agreement of the candidates for that election, or failing such agreement, by the Chief Election Officer.

4. MAIL BALLOT VOTING

- a) As authorized under Section 110 of the *Local Government Act*, the following procedures for voting must apply:
 - i) An elector who wants to vote by mail shall apply for a mail ballot package by giving their name and address to the Chief Election Officer during the time period specified.
 - ii) To vote by a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer, and return the completed mail ballot package to the Chief Election Officer at the address specified so that it is received by the Chief Election Officer no later than the close of voting on general voting day.

- iii) On the day(s) and time(s) specified before general voting day, the Chief Election Officer, in the presence of at least one other person, including any candidate representatives, shall open the certification envelopes, remove the secrecy envelopes containing the ballots, and place the secrecy envelopes containing the ballots into a secure ballot box.
 - iv) On general voting day, in the presence of at least one other person, including any candidate representatives, the Chief Election Officer shall supervise the opening of the ballot box, the opening of the secrecy envelopes, and the insertion of the ballots directly into the vote counting unit in accordance with the provisions of Automated Vote Counting System Authorization and Procedure Bylaw 2978-1996.
 - v) If the Chief Election Officer receives a return envelope with its contents after the close of general voting day, the Chief Election officer shall mark the return envelope as “rejected”, indicate the reason why the return envelope was rejected on the return envelope, and place the unopened envelope with the other rejected return envelopes.
 - vi) A person who qualifies under Section 126 of the *Local Government Act* may challenge the right of a person to vote by mail ballot on the grounds specified in Section 126 of the *Local Government Act*, until 4:00 pm two days before general voting day.
- b) The time limits in relation to voting by mail ballot will be determined by the Chief Election Officer.
 - c) In order to be counted, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day.
 - d) Sufficient record will be kept by the Chief Election Officer so that challenges of an elector’s right to vote may be made in accordance with the intent of Section 126 of the *Local Government Act*,

5. REGISTER OF RESIDENT ELECTORS

For the purposes of all elections and other voting, the most current available Provincial list of voters prepared under the *Election Act* shall become the register of resident electors on the 52nd day prior to the general voting day for such elections and submissions to the electors.

6. ACCESS TO NOMINATION DOCUMENTS

Public access to nomination and/or elector organization endorsement documents will be provided through the internet on the City’s web site from the time of posting until 30 days after the declaration of the election results.

7. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT

In the event of a tie vote after the completion of a judicial recount, the equality of votes shall be resolved by conducting a lot in accordance with Section 151 of the *Local Government Act*.

8. REPEAL

"District of Mission Advance Poll and Mobile Poll Bylaw 2210-1990" is repealed as of the adoption date of this bylaw.

9. CITATION

This Bylaw may be cited as "City of Mission Election Procedures Bylaw 2669-1993".

10. OATH OF OFFICE

The following is established as the oath or solemn affirmation of office for the offices of mayor and councilor:

"I, [name of person elected or appointed] do [solemnly swear] [affirm] that:

1. I am qualified to hold the office of [Mayor] [Councillor] for the City of Mission to which I have been elected or appointed;
2. That I have not, by myself or any other person, knowingly contravened the *Local Government Act* respecting vote buying or intimidation in relation to my election to the office;
3. I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;
4. As required by the *Community Charter*, I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of the matter and will not vote in respect of the matter;
5. I will abide by the statutes, bylaws and policies that govern the City of Mission and will promote openness, accountability, and responsible leadership; and
6. I will abide by and uphold the City of Mission Code of Responsible Conduct."

11. GENERAL

- a) Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
- b) If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the Bylaw had been adopted without the invalid portion.

READ A FIRST TIME this 16th day of August, 1993

READ A SECOND TIME this 16th day of August, 1993

READ A THIRD TIME this 16th day of August, 1993

RECONSIDERED AND FINALLY ADOPTED this 7th day of September, 1993

(original signed by Mayor K. Redl)
MAYOR

(original signed by Dennis Clark)
CLERK

