

**DISTRICT OF LAKE COUNTRY**

**ELECTION PROCEDURES BYLAW 538, 2005**

**CONSOLIDATED VERSION**

*(Includes amendment as of June 19, 2018)*

Consolidated copy to be used for convenience only. Users are asked to refer to the District of Lake Country Elections Procedures Bylaw as amended from time to time to verify accuracy and completeness.

<b>Amending Bylaw</b>	<b>Summary of Amendments</b>	<b>Adoption</b>
690	<ul style="list-style-type: none"><li>• Add the text "Except as authorized by Mail Ballot Voting Bylaw 691, 2008," at the beginning of clause 2 (a)</li><li>• Renumber the existing Section 4. <u>Required Advance Voting Opportunities</u> as 4 (a)</li><li>• Add 4 (b)</li></ul>	July 31, 2008
1058	<ul style="list-style-type: none"><li>• Replace Local Government Act Section numbers 41(1) for 58; 37 for 54; 38 for 55; 142 for 152; 162 for 174; 96 for 106; 96(2) for 106; 99 for 109; 36.1(2) for 53; 141 for 151.</li><li>• Replace bullet a) of definition "General Voting Day"</li><li>• Replace definition "Other Voting"</li><li>• Delete and Replace Sections 2.a) and 4.a)</li><li>• Delete Section 4.b)</li></ul>	June 19, 2018

**DISTRICT OF LAKE COUNTRY**

**BYLAW 538**

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**A BYLAW TO ESTABLISH VARIOUS PROCEDURES  
FOR THE CONDUCT OF ELECTIONS AND OTHER VOTING**

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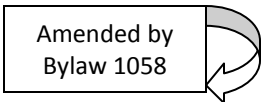
WHEREAS pursuant to Part 3 of the *Local Government Act*, the Council of the District of Lake Country may, by bylaw, determine various procedures and requirements to be applied in the conduct of local government elections and other voting;

AND WHEREAS Council wishes to establish various procedures and requirements under that authority;

NOW THEREFORE the Council of the District of Lake Country, in open meeting assembled, enacts as follows:

1. DEFINITIONS

In this bylaw:



“Chief Election Officer” means the election official appointed by Council under section 58 or designate;

“Council” means the elected Council of the District of Lake Country;

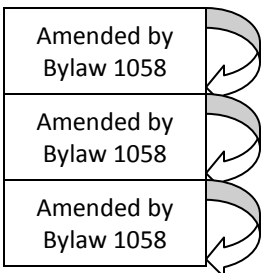
“District” means the municipality of the District of Lake Country;

“Elector” means a resident elector or property elector of the District of Lake Country in relation to the area of the neighbourhood constituency;

“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 for the District of Lake Country and includes any other voting defined herein;

“General Voting Day” means:

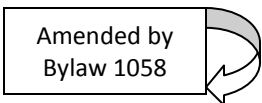


a) for a general local election, the date set by the *Local Government Act*;

b) for other elections, the date set under Sections 54, 55 or 152 of the *Local Government Act*; and,

c) for other voting, the date set under Section 174 of the *Local Government Act*;

“Local Government” means, in relation to a municipality, the Council;




“Other voting” means voting on a matter referred to in Part 4 of the *Local Government Act* and Section 83 of the *Community Charter*.

Except as provided in section 1 above, all words, terms and expressions used in this bylaw shall be interpreted in accordance with the definitions contained in the *Local Government Act*.

2. REGISTRATION AT TIME OF VOTING


Amended by  
Bylaw 690 &  
1058



- a) Except as authorized by Mail Ballot Voting Bylaw 691, 2008 for all elections and assent voting, a person may register as an elector only at the time of voting pursuant to Section 69 of the *Local Government Act*.
- b) Registration as an elector is effective only for the voting or other matters on which the opinion of the electors is being sought at the time of voting.

3. ADDITIONAL GENERAL VOTING OPPORTUNITIES


Amended by  
Bylaw 1058



In accordance with Section 106 of the *Local Government Act*, the Council authorizes the Chief Election Officer to establish additional general voting opportunities for general voting day for each election or other voting, as required, and to designate the voting places and set the voting hours, within the limits set out in Section 106 of the *Local Government Act*, for such voting opportunities.


4. REQUIRED ADVANCE VOTING OPPORTUNITIES

Amended by  
Bylaw 690 &  
1058



- a) In addition to the requirement in Section 107 of the *Local Government Act* to hold an advance voting opportunity on the tenth day before General Voting Day, the Council hereby authorizes the Chief Election Officer to set the date and location of the second day of required advance voting, which is to be between the hours of 8:00 a.m. and 8:00 p.m.


Deleted by  
Bylaw 1058



b)


5. SPECIAL VOTING OPPORTUNITIES

Amended by  
Bylaw 1058



To give electors who may otherwise be unable to vote an opportunity to do so, a special voting opportunity in accordance with Section 109 of the *Local Government Act* may be held as required, for each election or other voting.


Amended by  
Bylaw 1058



- a) The Council authorizes the Chief Election Officer to establish a special voting opportunity for each election or other voting and to designate the location, the date and the voting hours, within the limits set out in Section 109 of the *Local Government Act*, for the special voting opportunity.
- b) Where a special voting opportunity is held in a care facility or rest home, eligibility to vote is restricted to those residents of the facility where the special voting opportunity is conducted.

6. NEIGHBOURHOOD CONSTITUENCIES

Amended by  
Bylaw 1058




Pursuant to section 53 of the *Local Government Act* and as established under section 3.3 and 3.4 of Letters Patent dated February 23, 1995, the District of Lake Country general local elections shall be conducted with neighbourhood constituency representation as follows:

- (i) one (1) Mayor to be elected at large;
- (ii) two (2) Councillors to be elected at large;
- (iii) one (1) Councillor to be elected from each of the Neighbourhood Constituencies of Carr's Landing, Okanagan Centre, Oyama and Winfield.

DETERMINATION OF RESULTS BY LOT IF TIE VOTE AFTER JUDICIAL RECOUNT

In the event of a tie vote after a judicial recount, the tie vote will be determined by lot in accordance with Section 151 of the *Local Government Act*.

Amended by  
Bylaw 1058



7. REPEAL

- a) "District of Lake Country General Elections Bylaw 99-274" is hereby repealed in its entirety.
- b) "District of Lake Country Elector Registration Bylaw 99-267" is hereby repealed in its entirety.

9. CITATION

This bylaw may be cited for all purposes as "Election Procedures Bylaw 538, 2005".

READ A FIRST TIME this 14<sup>th</sup> day of June, 2005.

READ A SECOND TIME this 14<sup>th</sup> day of June, 2005.

READ A THIRD TIME this 14<sup>th</sup> day of June, 2005.

RECONSIDERED AND ADOPTED this 28<sup>th</sup> day of June, 2005.

Original signed by Rolly Hein  
Mayor

Original signed by Wendy Caban  
Deputy Clerk