

CITY OF KELOWNA

BYLAW NO. 10234

A Bylaw to provide for the procedures for the conduct of the 2009 Local Government By-Election and other voting

WHEREAS under the *Local Government Act*, the Council of the City of Kelowna may, by bylaw, determine various procedures and requirements to be applied in the administration and conduct of local government elections and other voting;

AND WHEREAS the Council of the City of Kelowna wishes to establish various procedures and requirements in relation to the 2009 local government by-election and any other voting under that authority;

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

1. CITATION

1.1 This bylaw may be cited for all purposes as "2009 Local Government By-Election Bylaw No. 10234".

2. ADVANCE VOTING OPPORTUNITIES

2.1 The following days are hereby established as advance voting opportunities for the 2009 local by-election and other voting:

(a) November 18, 2009; and

(b) November 25, 2009.

2.2 All advance voting opportunities established in section 2.1 of this Bylaw shall be available at the Parkinson Recreation Centre, 1800 Parkinson Way, Kelowna, B.C., between the hours of 8:00 a.m. and 8:00 p.m. The Chief Election Officer may establish an alternate location for an advance voting opportunity if necessary.

3. SPECIAL VOTING OPPORTUNITIES

3.1 To give electors who may otherwise be unable to vote an opportunity to do so, the Council will provide special voting opportunities for each election and other voting and authorizes the Chief Election Officer to establish the special voting opportunities for each election and other voting and to designate the locations, the dates, and the voting hours within the limits set out in the *Local Government Act*, for the special voting opportunities.

3.2 Persons who may vote at a special voting opportunity shall be qualified electors who are residents or patients at the facility being used as a special voting opportunity or qualified electors who are family members of residents or patients at the facility being used as a special voting opportunity or qualified electors who are employed at the facility being used as a special voting opportunity.

3.3 The Chief Election Officer is hereby authorized to limit the number of candidate representatives who may be present at a special voting opportunity.

4. NOMINATION DEPOSITS

4.1 Nominations for Councillor must be accompanied by a nomination deposit of One Hundred Dollars (\$100.00).

5. ORDER OF NAMES ON BALLOT

5.1 The order of names of candidates on the ballot will be alphabetical.

6. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT

6.1 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*.

7. MAIL BALLOT VOTING

7.1 Mail ballot voting shall be permitted in accordance with the provisions of the *Local Government Act*, and elector registration shall be permitted to be conducted in conjunction with the voting.

7.2 Sufficient record shall be kept by the Chief Election Officer so that challenges to the elector's right to vote may be made in accordance with the intent of section 116 of the *Local Government Act*.

7.3 A person exercising the right to vote by mail under the provisions of the *Local Government Act* may be challenged in accordance with, and on the grounds specified in section 116 of the *Local Government Act*, until 4:00 p.m. two days before general voting day.

7.4 The Chief Election Officer is hereby authorized to establish time limits in relation to voting by mail ballot.

Read a first, second, and third time this day of , 2009.

Adopted by the Council of the City of Kelowna this day of , 2009.

Mayor

City Clerk