

CITY OF KELOWNA

BYLAW NO. 10545

A Bylaw to provide for the procedures for the conduct of the 2011 General Local Government Elections 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 2011 general local government elections 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 "2011 General Local Government Election Bylaw No. 10545".

2. MINIMUM NUMBER OF NOMINATORS

2.1 The minimum number of qualified nominators required to make a nomination for office as a member of Council shall be 25 as authorized in section 71 of the *Local Government Act*.

3. NOMINATION DEPOSITS

3.1 As authorized in section 72.1 of the *Local Government Act* nominations for Mayor, Councillor or School Trustee must be accompanied by a nomination deposit.

3.2 The amount of the nomination deposit required under section 3.1 of this bylaw shall be \$100.00 (One Hundred Dollars).

4. ACCESS TO NOMINATION DOCUMENTS

4.1 As authorized under section 73 of the *Local Government Act*, public access to nomination documents will be available at the Office of the City Clerk, 1435 Water Street, Kelowna, BC during normal working hours of 8am to 4pm, Monday to Friday.

5. ADVANCE VOTING OPPORTUNITIES

5.1 The following days are hereby established as advance voting opportunities for the 2011 general local election and other voting:

- (a) November 9, 2011; and
- (b) November 16, 2011.

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- 5.2 All advance voting opportunities established in section 5.1 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.
- 5.3 The following days are hereby established as additional advance voting opportunities for the 2011 general local election and other voting:

- (a) November 16,
- (b) November 17; and
- (c) November 18, 2011

- 5.4 All additional advance voting opportunities established in section 5.3 of this bylaw shall be at City Hall, 1435 Water Street, Kelowna, B.C., between the hours of 8:00 a.m. and 8:00 p.m.

- 5.5 The Chief Election Officer may establish an alternate location for an advance voting opportunity if necessary.

6. SPECIAL VOTING OPPORTUNITIES

- 6.1 Section 99 of the *Local Government Act*, authorizes the Chief Election Officer to establish for electors, who may otherwise be unable to vote, a special voting opportunity. The special voting opportunity is established for each election by the Chief Election Officer who will designate the location, the date, and the voting hours.

- 6.2 Persons who may vote at a special voting opportunity shall be either qualified electors who are 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.

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

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 4:30 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.

- 7.5 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.

8. ORDER OF NAMES ON BALLOT

8.1 The order of names of candidates on the ballot will be alphabetical as in accordance with section 107 of the *Local Government Act*.

9. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT

9.1 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*.

10. ACCESS TO CAMPAIGN FINANCING DOCUMENTS

10.1 As authorized under section 93 of the *Local Government Act* public access to disclosure statements, signed declarations, and supplementary reports required under sections 90 and 90.1 of the *Local Government Act* will be available at the Office of the City Clerk, 1435 Water Street, Kelowna, BC during normal working hours of 8am to 4pm, Monday to Friday.

Read a first, second, and third time this 16th day of May, 2011.

Adopted by the Council of the City of Kelowna this

Mayor

City Clerk