

CORPORATION OF THE DISTRICT OF MAPLE RIDGE

BYLAW NO. 7072 – 2014

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*, 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 Corporation of the District of Maple Ridge enact as follows:

1. Citation

This bylaw may be cited for all purposes as “Maple Ridge General Local Government Election Bylaw No. 7072 -2014”

2. Existing Bylaw

“Maple Ridge General Local Government Election Bylaw No.6586- 2008” and amendments thereto is hereby repealed in its entirety

3. Use of Provincial List of Voters as the Register of Resident Electors

For the purposes of all local elections and submissions to the electors under the *Local Government Act*, the most current available list of voters prepared under the *Election Act* of British Columbia shall become the register of resident electors on the 52nd day prior to the general voting day.

4. Number of Nominators

The minimum number of qualified nominators required to make a nomination for office shall be 2.

5. Access to Nomination Documents

The Chief Election Officer is hereby authorized to make nomination documents available for public inspection via the internet or other electronic means.

6. Additional General Voting Opportunities

The Chief Election Officer is hereby authorized to establish additional voting opportunities for general voting day for each election and to designate the voting hours and locations for these opportunities.

7. Advance Voting Opportunities

- a) The required advance voting opportunities shall be held on the 14th and 10th days before general voting day
- b) The Chief Election Officer is hereby authorized to establish additional advance voting opportunities for each election to be held in advance of general voting day and to designate the date, voting hours and locations for these opportunities.

8. Special Voting Opportunities

- a) The Chief Election Officer is hereby authorized to establish special voting opportunities for each election and designate the voting hours and locations for these opportunities.
- b) The Chief Election Officer is hereby authorized to set restrictions on who may vote at each Special Voting Opportunity and to set procedures in relation to the Special Voting Opportunity.

9. Mail Ballot Voting

- a) Voting by mail ballot is hereby authorized and elector registration may be done in conjunction with this voting.
- b) The chief election officer is hereby authorized to set procedures, time limits and delivery limits in relation to voting by mail ballot.
- c) A person wishing to vote by mail ballot must apply to the chief election officer in writing on the form provided.

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 the *Local Government Act*

11. Severance

If any section, subsection, clause or other part of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw

READ A FIRST TIME the 24th day of June, 2014.

READ A SECOND TIME the 24th day of June, 2014.

READ A THIRD TIME the 24th day of June, 2014.

ADOPTED the 8th of July, 2014.



A handwritten signature in black ink, appearing to read "Steve Hartke", is written over a horizontal line. Below the line, the text "PRESIDING MEMBER" is printed in a bold, sans-serif font.



A handwritten signature in black ink, appearing to read "Ceri Marlo", is written over a horizontal line. Below the line, the text "CORPORATE OFFICER" is printed in a bold, sans-serif font.



CORPORATION OF THE DISTRICT OF MAPLE RIDGE

BYLAW NO. 6046 - 2002

A bylaw to provide for the use of automated voting machines for general local elections and other voting.

WHEREAS under the *Local Government Act*, the Council may, by bylaw, provide for the use of automated voting machines, voting recorders or other devices for voting in an election;

AND WHEREAS the Council of the District of Maple Ridge wishes to establish various procedures and requirements under that authority;

NOW THEREFORE, the Council of the District of Maple Ridge, in open meeting assembled, enacts as follows:

1. CITATION

- 1.1 This Bylaw may be cited as "Maple Ridge Automated Voting Machines Authorization Bylaw No. 6046 - 2002"

2. DEFINITIONS

- 2.1 In this Bylaw all definitions shall be in accordance with the *Local Government Act*, except for the following:

Acceptable mark means a completed oval which the **vote tabulating unit** is able to identify, which has been made by an elector in the space provided on the **ballot** opposite the name of any candidate or opposite either 'yes' or 'no' on any other voting question.

Automated vote counting system means a system that counts and records votes and processes and stores election results which comprises:

- (a) a number of **ballot scan vote tabulating units**, each of which rests on a **ballot box**; and
- (b) a number of **portable ballot boxes** into which voted **ballots** are deposited where a **vote tabulating unit** is not functioning or being used which will therefore be counted after the close of voting on general voting day.

Ballot means a single automated ballot card designed for use in an **automated vote counting system**, which shows:

By-law No. 6046 - 2002

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

Ballot return override procedure means the use, by an election official, of a device on a **vote tabulating unit**, which causes the unit to accept a **returned ballot**.

Election headquarters means the Council Chamber of the Maple Ridge, Municipal Hall, located at 11995 Haney Place, Maple Ridge, B.C.

Memory card means the storage device which stores all the permanent results for the **vote tabulating unit**.

Portable ballot box means a ballot box which is used as a voting place where a **vote tabulating unit** is not being used or is not functioning.

Register tape means the printed record generated from a **vote tabulating unit** at the close of voting on general voting day which shows the number of votes for each candidate for each of the offices, and the number of votes for and against each bylaw or other matter on which the assent of the electors is sought.

Returned ballot means a voted **ballot** which was inserted into the **vote tabulating unit** by the elector but which was not accepted and which was returned to the elector with an explanation of the **ballot** marking error which 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. USE OF VOTING MACHINES

- 3.1 Council hereby authorizes the conducting of general local elections and other voting in the District of Maple Ridge using an **automated vote counting system**.

By-law No. 6046 - 2002**4. AUTOMATED VOTING PROCEDURES**

- 4.1 The presiding election official for each voting place and at each advance voting opportunity shall, as soon as the elector enters the voting place and before a **ballot** is issued, offer and if requested, direct an election official to provide a demonstration to an elector of how to vote using an **automated vote counting system**.
- 4.2 Upon completion of the voting demonstration, if any, the elector shall proceed as instructed, to the election official responsible for issuing **ballots**, who:
- (a) shall ensure that the elector:
 - (i) is qualified to vote in the election; and
 - (ii) is voting in the correct voting division [if applicable]; and
 - (iii) completes the voting book as required by the *Local Government Act*; and
 - (b) upon fulfilment of the requirements of subsection (a), shall provide a **ballot** to the elector, a **secrecy sleeve** if requested by the elector, and any further instructions the elector requests.
- 4.3 Upon receiving a **ballot**, and **secrecy sleeve** if so requested, the elector shall immediately proceed to a voting compartment to vote.
- 4.4 The elector may vote only by making an **acceptable mark** on the **ballot**:
- (a) beside the name of each candidate of choice up to the maximum number of candidates to be elected for each of the offices; and
 - (b) beside either 'yes' or 'no' in the case of each bylaw or other matter on which the assent or opinion of the electors is sought.
- 4.5 Once the elector has finished marking the **ballot**, the elector must place the **ballot** into the **secrecy sleeve**, if applicable, proceed to the **vote tabulating unit** and under the supervision of the election official in attendance, insert the **ballot** directly from the **secrecy sleeve**, if applicable, into the **vote tabulating unit** without the **acceptable marks** on the **ballot** being exposed.
- 4.6 If, before inserting the **ballot** into the **vote tabulating unit**, an elector determines that he has made a mistake when marking a **ballot** or if the **ballot** is returned by the **vote tabulating unit**, the elector may request a replacement **ballot** by advising the election official in attendance.

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- 4.7 Upon being advised of the replacement **ballot** request, the presiding election official [or alternate presiding election official] shall issue a replacement **ballot** to the elector and mark the **returned ballot** “spoiled” and shall retain all such spoiled **ballots** separately from all other **ballots** and they shall not be counted in the election.
- 4.8 If the elector declines the opportunity to obtain a replacement **ballot** and has not damaged the **ballot** to the extent that it cannot be reinserted into the **vote tabulating unit**, the election official shall, using the **ballot return override procedure**, reinsert the **returned ballot** into the **vote tabulating unit** to count any **acceptable marks** which have been made correctly.
- 4.9 Any **ballot** counted by the **vote tabulating unit** is valid and any acceptable marks contained on such **ballots** will be counted in the election subject to any determination made under a judicial recount.
- 4.10 Once the **ballot** has been inserted into the **vote tabulating unit** and the unit indicates that the **ballot** has been accepted, the elector must immediately leave the voting place.
- 4.11 During any period that a **vote tabulating unit** is not functioning, the election official supervising the unit shall insert all **ballots** delivered by the electors during this time, into a **portable ballot box**, provided that if the **vote tabulating unit**:
- (a) becomes operational, or
 - (b) is replaced with another **vote tabulating unit**,
- the **ballots** in the **portable ballot box** shall, as soon as reasonably possible, be removed by an election official and under the supervision of the presiding election official be inserted into the **vote tabulating unit** to be counted.
- 4.12 Any **ballots** which were temporarily stored in a **portable ballot box** which are returned by the **vote tabulating unit** when being counted shall, through the use of the **ballot return override procedure** and under the supervision of the presiding election official, be reinserted into the **vote tabulating unit** to ensure that any **acceptable marks** are counted.
- 4.13 A sample **ballot** that may be used in an **automated vote counting system** is attached as Schedule “A” to this Bylaw.

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5. ADVANCE VOTING OPPORTUNITY PROCEDURES

5.1 **Vote tabulating units** shall be used to conduct the vote at all advance voting opportunities and voting procedures at the advance voting opportunities shall follow as closely as possible those described in Section 4 of this Bylaw.

5.2 At the close of voting at each advance voting opportunity the presiding election official in each case shall ensure that:

- (a) no additional **ballots** are inserted in the **vote tabulating unit**;
- (b) the **portable ballot box** is sealed to prevent insertion of any **ballots**;
- (c) the **register tapes** in the **vote tabulating unit** are not generated; and
- (d) the **memory card** of the **vote tabulating unit** is secured.

5.3 At the close of voting at the final advance voting opportunity the presiding election official shall:

- (a) ensure that any remaining **ballots** in the **portable ballot box** are inserted into the **vote tabulating unit**;
- (b) secure the **vote tabulating unit** so that no more **ballots** can be inserted; and
- (c) deliver the **vote tabulating unit** together with the **memory card** and all other materials used in the election to the chief election officer at **election headquarters**.

6. SPECIAL VOTING OPPORTUNITY PROCEDURES

6.1 Unless the Chief Election Officer determines it is practical to use a **vote tabulating unit**, a **portable ballot box** as defined herein, shall be used for all special voting opportunities. The presiding election official appointed to attend at each special voting opportunity shall proceed in accordance with Sections 4.2, 4.3, 4.4 and 4.5 of this Bylaw so far as applicable, except that the voted **ballots** shall be deposited into the **portable ballot box** supplied by the presiding election official.

6.2 The presiding election official at a special voting opportunity shall ensure that the **portable ballot box** is secured when not in use and at the close of voting at the final special voting opportunity, the presiding election official shall seal the **portable ballot box** and return it together with all other election materials to the custody of the chief election officer.

6.3 If a **vote tabulating unit** is in use at a special voting opportunity, the presiding election official appointed to attend the special voting opportunity shall follow the procedures outlined in Section 5 of this Bylaw as if it were an advance voting opportunity.

By-law No. 6046-2002**7. PROCEDURES AFTER CLOSE OF VOTING ON GENERAL VOTING DAY**

7.1 After the close of voting on general voting day at voting opportunities where a **vote tabulating unit** was used in the election, but excluding advance and special voting opportunities,

(a) each presiding election official shall:

- (i) ensure that any remaining **ballots** in the **portable ballot box** are inserted into the **vote tabulating unit**;
- (ii) secure the **vote tabulating unit** so that no more **ballots** can be inserted;
- (iii) generate three copies of the **register tape** from the **vote tabulating unit**; and
- (iv) deliver one copy of the **register tape** along with the **vote tabulating unit** to the chief election officer at **election headquarters**; and

(b) each alternate presiding election official shall:

- (i) account for the unused, spoiled and voted **ballots** and place them, packaged and sealed separately, into the election materials transfer box along with one copy of the **register tape**;
- (ii) complete the ballot account and place the duplicate copy in the election materials transfer box;
- (iii) seal the election materials transfer box;
- (iv) place the voting books, the original copy of the ballot account, one copy of the **register tape**, completed registration cards (if applicable), keys and all completed administrative forms into the chief election officer portfolio; and
- (v) transport all equipment and materials to **election headquarters**.

7.2 At the close of voting on general voting day the chief election officer shall direct the presiding election official for the advance voting opportunity and any special voting opportunities where **vote tabulating units** were used, to proceed in accordance with Section 7.1 of this Bylaw.

7.3 At the close of voting on general voting day all **portable ballot boxes** used in the election will be opened under the direction of the chief election officer and all **ballots** shall be removed and inserted into a **vote tabulating unit** to be counted, after which the provisions of Sections 7.1, so far as applicable, shall apply.

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8. RECOUNT PROCEDURE

8.1 If a recount is required it shall be conducted under the direction of the chief election officer using the **automated vote counting system** and generally in accordance with the following procedure:

- (a) the **memory cards** of all **vote tabulating units** will be cleared;
- (b) **vote tabulating units** will be designated for each voting place;
- (c) all **ballots** will be removed from the sealed ballot boxes; and
- (d) all **ballots**, except spoiled **ballots**, will be reinserted in the appropriate **vote tabulating units** under the supervision of the chief election officer.

9. GENERAL

9.1 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.

9.2 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 it 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 the 14th day of May, 2002.

READ A SECOND TIME the 14th day of May, 2002.

READ A THIRD TIME the 14th day of May, 2002.

ADOPTED the 28th day of May, 2002.



MAYOR



Acting CLERK

SCHEDULE "A"

MAPLE RIDGE AUTOMATED VOTING MACHINES AUTHORIZATION
BY-LAW NO. 6046 - 2002

THE CITY OF KELOWNA

SATURDAY, NOVEMBER 16, 1996

Three year term

VOTE LIKE THIS > ●

IF YOU ACCIDENTALLY SPOIL THIS BALLOT, YOU MAY RETURN IT TO THE ELECTION STAFF AND OBTAIN ANOTHER BALLOT

MAYOR Do Not Vote for more than ONE (1)	SCHOOL TRUSTEE Do Not Vote for More Than FOUR (4)	COUNCILLOR Do Not Vote for More Than EIGHT (8)
<input type="radio"/> ADAMSON, John	<input type="radio"/> ATCHESON, Laura	<input type="radio"/> ANDOVER, Lewis
<input type="radio"/> ATKINS, Leah	<input type="radio"/> BOSNIAK, Aliston	<input type="radio"/> ARTHURS, Bill
<input type="radio"/> BELANGER, Mike	<input type="radio"/> CAMERON, Deborah	<input type="radio"/> BAKER, Sam
<input type="radio"/> CORRIGAN, Harold	<input type="radio"/> COLCHESTER, Christopher	<input type="radio"/> BUTLER, Jim
<input type="radio"/> DONOVAN, Arthur	<input type="radio"/> DAVIDSON, Don	<input type="radio"/> CARLSON, Julie
<input type="radio"/> FOSTER, Brew	<input type="radio"/> FRIESEN, Ken	<input type="radio"/> DONALDSON, Connie
	<input type="radio"/> HUDSON, Henry	<input type="radio"/> FRASER, Tim
	<input type="radio"/> HUGHES, Howard	<input type="radio"/> GALLOWAY, Mary
	<input type="radio"/> LINES Stella	<input type="radio"/> HARRIS, Robert
	<input type="radio"/> MacLEAN, David	<input type="radio"/> DUTKA, Marcel
REFERENDUM		
<p>DO YOU BELIEVE THAT OGOPOGO REALLY EXISTS?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>		
		<input type="radio"/> JOYCE, Ron
		<input type="radio"/> KETCHINSON, Donald
		<input type="radio"/> LINDSTROM, Jackie
		<input type="radio"/> MORRISS, Sarah
		<input type="radio"/> KELLEY, Red
		<input type="radio"/> NORTON, Garth
		<input checked="" type="radio"/> OLSON, Ollie
		<input checked="" type="radio"/> PARKINSON, Dean
		<input type="radio"/> PLUMMER, Christopher
		<input type="radio"/> RICHTER, Lori
		<input type="radio"/> SWANSON, Gordon
		<input type="radio"/> TUPPERWARE, Delores
		<input type="radio"/> UNGER, Joseph
		<input type="radio"/> VOISIN, Roch
		<input type="radio"/> WATER, Lily
		<input type="radio"/> YORKSHIRE, Brent
		<input type="radio"/> ZAMBONI, Wayne

DEMONSTRATION BALLOT

Excerpt from the Sign Bylaw regarding Election Signage

13.11 Election Signs

13.11.1 **Election Signs** for federal, provincial, municipal and school trustee elections are permitted provided that:

- (a) in the case of provincial or federal elections, the **signs** are not erected more than thirty (30) days prior to the election or event and are removed within four (4) days after the election;
- (b) in the case of municipal and school trustee elections, the **signs** are not erected more than twenty (20) days prior to the general local election or event and are removed within four (4) days after the election;
- (c) the **sign** size does not exceed 1.48 sq. m. (16 sq. ft.). This is for any single sign or combination of signs that when viewed together form a single message but when viewed independently provide no single cohesive message;
- (d) the **maximum height** of the election sign, above **grade**, does not exceed 2.44 metres (8 feet) and the **minimum clearance** above **grade** is not less than 300mm (1 foot);
- (e) the maximum number of election signs permitted per candidate is 300 (three hundred);
- (f) the maximum number of **election signs** that are the size set out in section (c) per candidate is 100 (one hundred);
- (g) the **sign** is not illuminated;
- (h) the placement of the **sign** does not interfere with traffic sightlines at street intersections or with the safety of pedestrians;
- (i) the placement of **signs** are permitted on private property with the consent of the owner or occupant of the property;

- (j) **Elections Signs** are not permitted on any vehicles or trailers attached to vehicles or any roof top or any existing sign, with the exception of magnetic vehicle signs;
- (k) **Election signs** are prohibited on any municipal park land including land dedicated as conservation land or buildings owned or leased by the City;
- (l) regulations regarding the size, placement and permitted dates for posting **Election Signs** apply to those posted on private property as well as public;
- (m) the **Bylaw Compliance Officer**, or their designate, may remove any **election sign** that the **Bylaw Compliance Officer** has reasonable grounds to believe is erected, placed or installed in contravention of municipal Bylaws;
- (n) **Election signs** that have not been removed in accordance with clause ‘m’ above will be stored for a period of four (4) days and the candidate or their agent may claim the **sign(s)** during that period, following which the material may be destroyed or otherwise disposed of by the **City**. The Candidate or their Agent will be notified of the compliance issue with the **sign** and where the **sign** can be claimed; and
- (o) other than as authorized in writing by the City, no person shall display on any **election sign** or other election advertising, logo, trademark or official mark, in whole or in part, owned or licenced by the City.

Part 14 Penalty and Enactment

14.1 Every person who violates a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw, and is guilty of a separate offence each day that a violation continues to exist.

14.2 Every person who commits an offence is liable on summary conviction to a fine not exceeding the maximum allowed by the Offence Act.

READ a first time the 14th day of April, 2020.

READ a second time the 14th day of April, 2020.

READ a third time the 14th day of April, 2020.

ADOPTED, the 28th day of April, 2020.

PRESIDING MEMBER

CORPORATE OFFICER