

DATE OF MEETING JUNE 20, 2022

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

SUBJECT GENERAL ELECTION BYLAW AMENDMENT – MAIL BALLOT PROVISIONS

OVERVIEW

Purpose of Report

To present an amendment to General Election Bylaw to bring the mail ballot provisions in line with the new provincial legislation.

Recommendation

That “General Election Bylaw Amendment Bylaw 2022 No. 7129.04” (a bylaw to bring the mail ballot provisions in line with the new provincial legislation) pass first reading.

That ‘General Election Bylaw Amendment Bylaw 2022 No. 7129.04” pass second reading.

That “General Election Bylaw Amendment Bylaw 2022 No. 7129.04” pass third reading.

BACKGROUND

On May 13, 2021, Bill 10 – 2021: *Municipal Affairs Statutes Amendment Act* was introduced that included several legislative amendments to the *Community Charter* and *Local Government Act* to help support communities through the COVID-19 pandemic and to provide greater flexibility for local governments and the Province to respond to future extraordinary circumstances.

One of the amendments through that Bill that passed on June 17, 2021 was to Section 110 of the *Local Government Act* which removed the legislated limitations for mail ballot voting (for those municipalities that authorize mail ballot voting within their General Election Bylaws) by enabling local governments to expand eligibility to all electors. Previously, only electors who were absent or had an illness, injury or disability could vote by mail.

The City’s General Election Bylaw currently provides the option for mail ballot voting based on the old legislation so in order to comply with the new legislation, a bylaw amendment to portions of section 5 (mail ballot voting) and the procedures for how mail ballots are processed is required (see Attachment 1).

DISCUSSION

As noted in the background section of the report, in order to comply with the new legislation that expands the opportunity for mail ballot voting to all electors, amendments to the City’s General Election Bylaw, along with the procedures for how the mail ballots will be accepted and processed is required.

Given that Elections BC saw almost a 100-fold increase in the number of residents intending to vote by mail in the 2020 provincial election, it is anticipated that more residents will want the ability to vote by mail in the local government election in the fall. Mail ballot voting also helps with efforts to avoid large crowds of people standing in line at the voting location and should COVID cases rise again in the fall, having the option to vote by mail provides electors with another option for casting their vote.

The mail ballot provisions in section 5 were vetted by the City's solicitor who also put forward a few other suggested housekeeping changes to provide clarity in section 9 – voting procedures, section 12 - post-vote procedures, and section 13 recount procedures. For Council's convenience, the consolidated bylaw has the proposed changes highlighted in red and strikethrough (see Attachment 2).

OPTIONS

Option 1:

That "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" (a bylaw to accommodate expanded legislation for mail ballot voting) pass first reading.

That 'General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass second reading.

That "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass third reading.
As the City's General Election Bylaw provides for the ability to utilize mail ballot voting, changes to the bylaw were required in order to comply with the new legislative requirements as outlined in the *Local Government Act*. Other housekeeping amendments identified will also provide clarity, and as such, there are no disadvantages to supporting this option.

Option 2:

Council direction is sought.

SUMMARY POINTS

- On June 17, 2021, amendments were made to the *Local Government Act* that removed the legislated limitations for mail ballot voting.
- All electors will now have the option to vote by mail in the local government election in the fall.
- An amendment to the General Election Bylaw was required to bring the City's bylaw in line with the new legislation.

ATTACHMENTS:

Attachment 1 – B7129_04 – General Election Bylaw Amendment

Attachment 2 – B7129 Consolidated Mark Up

Submitted by:

Karen Robertson, Deputy City Clerk

Concurrence by:

Sheila Gurrie, Director of Legislative Services