

The Council of the City of White Rock, in an open meeting, enacts as follows:

1. CITATION

This bylaw may be cited as "*Mail Ballot Authorization and Procedure Bylaw, 2022, No. 2427*".

2. AUTHORIZATION AND DEFINITIONS

- 2.1 Voting may be done by mail ballot and registration of election may be done by mail in conjunction with mail ballot voting.
- 2.2 The following time limits shall apply in relation to voting by mail:
- a) A person wishing to vote by mail ballot shall complete an Application for Mail Ballot Form during the period commencing sixty (60) days before the first day of advance voting and ending at 4:00 p.m. on the Thursday two (2) days before general voting day.
- 2.3 In this bylaw:
- Applicant means an elector who want to vote by mail and makes a request for a mail ballot
- Authorized Person means a person that the applicant has authorized, on the applicant's behalf, to:
- a) pick up a mail ballot package; or
 - b) drop off a completed mail ballot package
- Register of Mail Ballots means the records that the Chief Election Officer must keep in order to address any challenges to an elector's right to vote
- 2.4 The definitions contained in the *Local Government Act* shall apply to this bylaw.

3. APPLICATION PROCEDURE

- 3.1 An Applicant shall apply by giving their name and address to the Chief Election Officer or designate during the period:
- a) commencing sixty (60) days before the first day of advance voting,
 - b) ending at 4:00 p.m. on the Thursday before general voting day.
- 3.2 Upon the Applicant making a request for a mail ballot, the Chief Election Officer or designate shall between the time when the ballots are ready and 4:00 p.m. the Thursday before general voting day:
- a) Make available to the Applicant, a mail ballot package which contains:
 - i) the content set out in section 110(7) of the *Local Government Act*;

- ii) additional instructions; and
- iii) a statement advising the elector that
 - a. the elector must meet the eligibility to vote criteria, and
 - b. the elector must attest to such fact; and

Record in the Register of Mail Ballots and, upon request, make available for inspection:

- i) the name and address of the elector to whom the mail ballot package was issued;
- ii) the number of the elector, or “new elector”, if that person is not registered as an elector; and
- iii) any other information that the Chief Election Officer deems helpful to maintain the register of mail ballots

3.3 The Chief Election Officer or designate will determine which way to forward mail ballot packages (ex. regular mail, priority post, hand delivery, pick up by the applicant or Authorized Person), after consideration of estimated time allowance and where the mail ballot package is to be delivered. It is the voter’s responsibility to return the ballot to the Chief Election Officer prior to 8:00 p.m. on general voting day in order for it to be eligible to be counted in the election.

3.4 The Chief Election Officer may request that the Authorized Person picking up a ballot on someone’s behalf to show identification and sign a form before providing the Authorized Person with the mail ballot package.

4. VOTING PROCEDURE

- 4.1 To vote by mail ballot using a mail ballot the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer or designate.
- 4.2 After marking the mail ballot, the elector shall:
- a) place the ballot in the secrecy envelope provided, and seal the secrecy envelope;
 - b) place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
 - c) place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
 - d) mail, or have delivered, the outer envelope and its contents to the Chief Election Officer at the address specified so that it is received no later than the close of voting on general voting day.

5. MAIL BALLOT ACCEPTANCE OR REJECTION

- 5.1 Until 4:00 p.m. on the Thursday before general voting day, the Chief Election Officer or designate shall, upon receipt of the return envelope and its contents,
- a) immediately record the date of receipt in the Register of Mail Ballots; and
 - b) open the outer envelope and remove and examine the certification envelope
- 5.2 When the Chief Election Officer or designate examines the certification envelope, the Chief Election Officer shall:
- a) confirm the identity of the elector as an Applicant on the Register of Mail Ballots;
 - b) determine the fulfilment of the requirements in section 70 of the *Local Government Act* and the completeness of any application to register, if required; and
 - c) determine the completeness of the certification envelope.
- 5.3 If the Chief Election Officer or designate is satisfied that the elector has met the requirements in section 5.2, the Chief Election Officer or designate shall:
- a) mark the certification envelope as “accepted”;
 - b) place the accepted certification envelope the other certification envelopes in a portable / sealed ballot box
- 5.4 If the Chief Election Officer or designate determines that:
- a) they are not satisfied as to the identity to the elector; or

b) the elector has not completed the application to register properly;

The certification envelope will be marked “rejected”, along with the reason for the rejection and set aside the certification envelope unopened.

- 5.5 The Chief Election Officer shall retain in their custody all opened and unopened certification envelopes.
- 5.6 After 4:00 p.m. on the Thursday before general voting day, the Chief Election Officer or designate, in the presence of at least one (1) other person, including any permitted candidate representatives, shall:
- a) address any challenges to the electors involving the accepted certification envelopes;
 - b) open the certification envelopes;
 - c) remove the secrecy envelope containing the ballots; and
 - d) open the secrecy envelope and run the ballot through the automated voting machine
- 5.7 If the Chief Election Officer receives a return envelope with its contents after 4:00 p.m. on the Thursday before general voting day but before the close of general voting, the Chief Election Officer or designate shall:
- a) handle those return envelopes in accordance with section 5.1 at the time that the Chief Election Officer or designate received the return envelopes;
 - b) retain all accepted certification envelopes until the close of general voting day;
 - c) process the accepted certification envelopes in accordance with section 5.2 to 5.5 after the close of general voting day.
- ~~5.8 On the Friday before the general voting day at 10:00 a.m. in the presence of at least one (1) other person and any candidate representatives permitted to attend, the Chief Election Officer or designate shall supervise:~~
- ~~a) the opening of the portable / sealed ballot box;~~
 - ~~b) the opening of the secrecy envelopes; and~~
 - ~~c) placing the ballots in the vote tabulation machine designated for the mail ballot voting. (Deleted by Bylaw 2432)~~

5.8 As soon as possible after all of the secrecy envelopes have been placed in the designated portable sealed ballot box, in the presence of at least one (1) other person and any candidate representatives, the Chief Election Officer or Designate shall supervise:

- a) the opening of the designated portable sealed ballot box;
- b) the opening of the secrecy envelopes and
- c) run the ballots through the automated voting machine.
(Added by Bylaw 2432)

5.9 If a return envelope with its contents is received after the close of general voting day, the Chief Election Officer or designate shall:

- a) mark the return envelope as “rejected”
- b) indicate the reason why the return envelope was rejected on the return envelope; and
- c) place the unopened return envelope with the other rejected return envelopes

6. CHALLENGE OF ELECTOR

6.1 A person who qualifies under section 126 of the *Local Government Act* may challenge the right of a person to vote by mail ballot on the grounds set out in section 126 of the *Local Government Act* up until 4:00 p.m. on the Thursday prior to general voting day.

7. ELECTOR'S NAME ALREADY USED

7.1 If, upon receiving a request for a mail ballot, the Chief Election Officer or designate determines that another person has voted or has already been issued a mail ballot in the elector’s name, the Chief Election Officer or designate shall comply with section 127 of the *Local Government Act*.

8. REPLACEMENT OF SPOILED BALLOT

8.1 If an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer or designate the elector may request a replacement ballot by:

- a) advising the Chief Election Officer or designate of the ballot spoilage; and
- b) mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the Chief Election Office or designate.

8.2 Upon receipt of a spoiled ballot package, the Chief Election Officer or designate shall, record such fact, and proceed in accordance with Part 4 of this bylaw.

9. REPEAL

9.1 “*Mail Ballot Authorization and Procedure Bylaw 2008, No. 1849*” and all amending bylaws are hereby repealed.

RECEIVED FIRST READING on the	25 th	day of	April, 2022
RECEIVED SECOND READING on the	25 th	day of	April, 2022
RECEIVED THIRD READING on the	25 th	day of	April, 2022
ADOPTED on the	9 th	day of	May, 2022

DARRYL WALKER, MAYOR

TRACEY ARTHUR, DIRECTOR OF
CORPORATE ADMINISTRATION