



VILLAGE OF ANMORE
SPECIAL COUNCIL MEETING AGENDA

PLEASE NOTE

The Anmore Village Hall
Is a Scent-Free Building.

Please respect our policy.

Agenda for the Special Council Meeting scheduled for Wednesday, July 20th, 2011 at 9:30 a.m. in the Council Chamber at Village Hall, 2697 Sunnyside Road, Anmore, B.C.

1. **CALL TO ORDER**

2. **APPROVAL OF THE AGENDA**

RESOLUTION: *"THAT THE AGENDA BE APPROVED."*

3. **COMMENTS FROM THE PUBLIC REGARDING THE AGENDA**

4. **BYLAWS**

(a) **Anmore Election Procedure Bylaw No. 515-2011**

The purpose of this bylaw is to establish procedures regarding Local Government Elections and the use of automated voting machines.

RESOLUTION: *"THAT ANMORE ELECTION PROCEDURE BYLAW NO. 515-2011 BE RECONSIDERED AND ADOPTED."*

4. **PUBLIC QUESTION PERIOD**

5. **CONCLUSION**

**CONDUCT OF THE PUBLIC DURING
COUNCIL MEETINGS AND
PUBLIC QUESTION PERIOD**

The following are the rules that must be followed:

No member of the public attending a Council Meeting may speak to Council unless that person has been recognized by the Mayor or the person presiding.

When recognized by the Mayor or person presiding, the person shall approach the podium and state their name and address for the record. The person may only ask 1 question to Council and will be allowed 2 minutes to speak. After which the person must resume their seat. When all other people have had an opportunity to ask questions, only then can a person return to the podium to ask an additional question.

No member of the public attending a Council Meeting may cause a disturbance, disrupt or in any manner delay the conduct of the business at a meeting.

No member of the public attending a Council Meeting who has been permitted or invited to speak on any matter coming before Council may use any rude or offensive language, or by tone or manner of speaking, express any point of view or opinion or make any allegation which, directly or indirectly, reflects upon the public conduct of private character of any person.

If a member of the public attending a Council Meeting resists or disobeys an order of the Mayor or other person presiding to leave a meeting of Council, that person may be removed by the Chief Administrative Officer and/or the Manager of Corporate Services or, if necessary by a Peace Officer at the direction of the Mayor or other person presiding.

The purpose of the Public Question Period is to provide the public with an opportunity to ask questions of Council on items that are of concern to them.

Public Question Period will be suspended from the beginning of the nomination period of a General Local Government Election or By-Election, until the meeting of Council following the Election.

VILLAGE OF ANMORE

BYLAW NO. 515-2011

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 Village of Anmore, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “Anmore Election Procedure Bylaw No. 515-2011”.
2. The provisions of this bylaw shall be deemed to be supplemental and complimentary to the provisions of the *Local Government Act* respecting the conduct of Local Government Elections and Other Voting and not in replacement thereof.

DEFINITIONS

3.1 In this bylaw :

“Acceptable Mark” means a completed arrow which the vote counting 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 bylaw and 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 counting units, each of which rests on a two-compartment ballot box, one compartment of which is for:
 - (i) voted ballots; and
 - (ii) returned ballots which have been reinserted using the ballot override procedure;and the other compartment is for the temporary storage of voted ballots during such time as the vote counting unit is not functioning; and

- (b) a number of storage ballot compartments into which voted ballots are deposited where a vote counting unit is not functioning or being used which will therefore be counted after the close of voting on general voting day.

“Ballot” means a ballot designed for use in an automated vote counting system which shows:

- (a) the names of all of the candidates for each of the offices to be filled; 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 counting unit, which causes the unit to accept a returned ballot.

“By-Election” means an election under the provisions of Section 37 of the *Local Government Act*.

“Election Headquarters” means the Anmore Village Hall, 2697 Sunnyside Road, Anmore, BC.

“Elector” means a resident or property elector of the jurisdiction as defined under the *Local Government Act*.

“Election” means an election of the number of persons required to fill a local government office and/or Board of School Trustees;

“Emergency Ballot Compartment” means a separate designed compartment in the ballot box under each vote counting unit into which voted ballots are temporarily deposited in the event that the vote counting unit ceases to function.

“General Local Election” means the elections held for the Mayor, all Councillors and 1 School Trustee for School District No. 43, of the Village which must be held in 2011 and in every third year after that;

“General Voting Day” means:

- (a) for a General Local Election, the third Saturday of November in the year of the election;
- (b) for other elections, the date set under Sections 37(5) or 142(5) of the *Local Government Act*;
- (c) for Other Voting, the date set under Section 162 of the *Local Government Act*;

“Memory Pack” means a computer software cartridge, which is inserted into the vote counting unit and into which is pre-programmed:

- (a) the names of all the candidates for each of the Offices of Mayor, Councillor and School Trustee, whichever is applicable;
- (b) if applicable, the alternatives of “yes” or “no” for each bylaw and question;

and a mechanism to record and retain information on the number of acceptable marks made for each.

“Memory Pack Receiver (Accumulator)” means a tabulation device which reads the recorded values contained within each memory pack, and which automatically accumulates the totals of those recorded votes to produce a final vote count for all of the offices on the ballot and on each of the bylaws and questions, if applicable.

“Other Voting” means voting on a matter referred to in Section 158 of the *Local Government Act* and includes voting on a referendum.

“Portable Ballot Box” means a ballot box, which is used in the election where a vote counting unit is not being used at the time of voting.

“Results Tape” means a printed record generated from a vote counting unit at the close of voting on General Voting Day, which shows the number of votes for each candidate for each of the offices of Mayor, Councillor, School Trustee, whichever is applicable, and the number of votes for and against each bylaw and questions, if applicable.

“Returned Ballot” means a voted ballot which was inserted into the vote counting unit but which was not accepted and which was returned with an explanation of the ballot marking error which caused the ballot to be returned.

“Secrecy Sleeve” means an open-ended folder used to cover ballots to conceal the choices made by an elector.

“Village” means the Council of the Village of Anmore;

“Vote Counting Unit” means the device into which voted ballots are inserted and which scans each ballot and counts and records the number of votes for each candidate and for and against each bylaw and question.

“Voted Ballot” means a ballot on which an elector has made acceptable marks.

- 3.2 Unless otherwise provided, words and phrases used herein have the same meanings as in the Local Government Act, as the context and circumstances may require. A reference to a statute in this bylaw refers to a statute of the Province of British Columbia

unless otherwise indicated, and a reference to any bylaw or other enactment refers to the enactment as it may be amended or replaced from time to time. Headings in this bylaw are for convenience only and must not be construed as defining or limiting its scope or intent. If any part of this bylaw is held invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

PROCEEDINGS BEFORE THE POLL

4. The Chief Election Officer will order ballot papers and other supplies for the purposes of the Election and shall see to the provision of ballot boxes and polling booths, the rental of necessary premises and all other physical arrangements for the holding of the Election. The Chief Election Officer will arrange for polling clerks to efficiently and expeditiously conduct the Election.

USE OF PROVINCIAL LIST OF VOTERS AS THE REGISTER OF RESIDENT ELECTORS

5.
 - (a) As authorized under Section 59 of the *Local Government Act*, the most current list of voters prepared under the *Election Act*, existing at the time an election or other voting to be held, is deemed to be the register of resident electors for the municipality;
 - (b) The Provincial List of Voters becomes the register of resident electors by 52 days prior to the date of general voting day for any election to which this bylaw applies.

ELECTRONIC ACCESS TO NOMINATION DOCUMENTS, DISCLOSURE STATEMENTS AND SUPPLEMENTARY REPORTS AUTHORIZATION

6.
 - (a) As authorized by Section 73(7) of the *Local Government Act*, public access to nomination documents, will be available via the internet or other electronic means.
 - (b) As authorized by Section 93(2) of the *Local Government Act*, public access to disclosure statements, signed declarations, and supplementary reports, will be available via the internet or other electronic means.

ADVANCE VOTING OPPORTUNITY ESTABLISHMENT

7.
 - (a) As authorized under Section 97 of the *Local Government Act*, an Advance Voting Opportunity will be held on the 10th day before General Voting Day for a General Local Election, By-Election or Other Voting.
 - (b) In accordance with Section 97(3) of the *Local Government Act* [population of jurisdiction less than 5,000], a second voting opportunity will not be held in Anmore..

- (c) The Advanced Voting Opportunity established in Clause 7(a) above will be held at the Anmore Village Hall, 2697 Sunnyside Road, Anmore BC between the hours of 8:00 a.m. and 8:00 p.m.

RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT

- 8. 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*.

AUTOMATED VOTING PROCEDURES

- 9. As soon as a person enters the Voting Place they must proceed to an Election Official who is responsible for issuing ballots, state their purpose and provide identification if requested. The Election Official must ensure that the person:
 - (a) is qualified to vote in the Election;
 - (b) completes the appropriate voting book; andupon fulfillment of the requirements of (a) and (b) above must:
 - (c) offer a demonstration of how to use the automated vote counting system; and
 - (d) provide a ballot to the Elector, a secrecy sleeve to the elector if requested and any further instructions the Elector requests.
- 10. Upon receiving a ballot, every Elector must immediately proceed to a voting booth to mark the ballot.
- 11. An 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 of Mayor, Councillor and School Trustee, whichever is applicable; and
 - (b) if applicable, 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.
- 12. Once an Elector has finished marking the ballot, the Elector may place the ballot into the Secrecy Sleeve, proceed to the vote counting unit and under the supervision of an Election Official insert the ballot directly from the Secrecy Sleeve into the Vote Counting Unit without the acceptable marks on the ballot being exposed.

13. Once the ballot has been inserted into the Vote Counting Unit and the Vote Counting Unit indicates that the ballot has been accepted, every Elector must immediately leave the Voting Place.

REPLACEMENT OF SPOILED BALLOT

14. If:
- (a) before inserting the ballot into the vote counting unit, an Elector determines that a mistake has been made when marking the ballot; or
 - (b) the ballot has been inserted into the vote counting unit and returned,
- the Elector may request a replacement ballot by advising the Election Official in attendance.
15. Upon being advised of a request for a replacement ballot, the Election Official will:
- (a) issue a replacement ballot to the Elector;
 - (b) mark the returned ballot as spoiled; and
 - (c) retain all such spoiled ballots separately from all other ballots.
16. 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 Counting Unit, the Election Official must, using the ballot return over-ride procedure, reinsert the returned ballot into the Vote Counting Unit to count any acceptable marks.

MALFUNCTION OF VOTE COUNTING UNIT

17. During any period that a Vote Counting Unit is not functioning, the Election Official supervising the unit will direct electors to insert their ballots into the emergency ballot compartment.
18. Where a Vote Counting Unit which was not functioning:
- (a) becomes operational; or
 - (b) is replaced with another Vote Counting Unit;
- the ballots in the emergency ballot compartment must, as soon as reasonably possible, be removed by an Election Official and under the supervision of the Chief Election Officer, be reinserted into the Vote Counting Unit to be counted.

19. Any ballots which were temporarily stored in the emergency ballot compartment during a period when the Vote Counting Unit was not functioning, which are returned by the Vote Counting Unit when being counted, must through the use of the ballot return override procedure and under supervision of the Chief Election Officer, be reinserted into the Vote Counting Unit to ensure that any acceptable marks are counted.

ADVANCE VOTING PROCEDURES

20. Vote Counting Units are to be used at Advance Voting and voting procedures at the Advance Voting must follow the procedures described in Sections 9 through 19 of this bylaw.
21. At the close of Advance Voting, the Chief Election Officer will:
- (a) ensure that any remaining ballots in the emergency ballot compartment are inserted into the Vote Counting Unit;
 - (b) secure the Vote Counting Unit so that no more ballots can be inserted; and
 - (c) ensure that the results tape in the Vote Counting Unit is not generated;

PROCEDURES AFTER THE CLOSE OF VOTING

22. After the close of voting on General Voting Day, the Chief Election Officer will:
- (a) ensure that any remaining ballots in the emergency ballot compartment are inserted into the Vote Counting Unit;
 - (b) secure the Vote Counting Unit so that no more ballots can be inserted;
 - (c) generate two copies of the results tape from the Vote Counting Unit;
 - (d) remove the memory pack from the Vote Counting Unit;
 - (e) complete the ballot account for the voted ballots, unused ballots, spoiled ballots and unaccounted for ballots;
 - (f) package and seal separately the unused, spoiled and voted ballots and place each package, along with the following items, into separate ballot boxes:
 - (i) one copy of the ballot account;
 - (ii) one copy of the results tape;
 - (iii) the memory pack;
 - (iv) any keys used for the Vote Counting Unit;
 - (v) the voting books;

- (vi) any copies of the List of Registered Electors used for the purposes of voting procedures;
 - (vii) any solemn declarations taken and any signed written statements required by or under Part 3 of the *Local Government Act* in relating to voting proceeding; and
- (g) seal the Ballot Box.
23. At the close of General Voting Day, the Chief Election Officer will generate the results tape for the Advance Voting Opportunity, following the procedures as applicable in Section 22.

RECOUNT PROCEDURE

24. 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 procedures:
- (a) the memory packs of all Vote Counting Units will be cleared;
 - (b) a results tape must be generated to ensure that no votes are recorded for any candidate in the election, or beside either "yes" or "no" in the case of the bylaw and question;
 - (c) all ballots will be removed from the sealed ballot box;
 - (d) all ballots, except spoiled ballots, will be reinserted into the Vote Counting Unit under the supervision of the Chief Election Officer; and
 - (e) any ballots returned by the Vote Counting Unit during the recount process must, through the use of the ballot return override procedure be reinserted into the Vote Counting Unit to ensure that any acceptable marks are counted; and
 - (f) generate two copies of the results tape from the Vote Counting Unit.

USE OF VILLAGE OF ANMORE LOGO

25. Other than authorized in writing by the Village, no person shall display on any election sign or other election advertising a logo, trademark or official mark, in whole or in part, owned or licensed by the Village.

ELECTION SIGNS

- 26. Election signs for Village Elections or By-Elections may not be erected before the first day of the month in the year of the Local General Election or By-Election.
- 27. All Local Government election signs must be removed within 72 hours after General Voting Day.

REPEALMENT

- 28. That "Anmore Elections Bylaw No. 110-1993", Anmore Local Government Election Signs Regulation Bylaw No. 343-2003 and "Anmore Provincial Voters List Adoption Bylaw No. 440-2008" are hereby repealed in their entirety.

READ a first time this 12th day of July , 2011

READ a second time this 12th day of July , 2011

READ a third time this 12th day of July , 2011

RECONSIDERED, FINALLY PASSED AND ADOPTED this day of
, 2011

MAYOR

MANAGER OF CORPORATE SERVICES

Certified a true and correct copy of "Anmore Election Procedure Bylaw No. 515-2011".

DATE

MANAGER OF CORPORATE SERVICES