

# Staff Report to Council

Legislative Services

FILE: 09-4200-21/22

**REPORT DATE:** May 25, 2022      **MEETING DATE:** June 07, 2022  
**TO:** Mayor and Council  
**FROM:** Kate Barchard, Chief Election Officer  
**SUBJECT:** Election Bylaw Amendment to Incorporate Mail Ballot Procedures

**CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:**



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**RECOMMENDATION(S):**

THAT Council:

- A. Grant first, second, and third readings to Election and Assent Voting Amendment Bylaw 2924, 2022 to incorporate provisions for mail ballot voting; OR
- B. Other.

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**PURPOSE**

To present to Council an amendment to their Election Bylaw that will incorporate fulsome procedures for the processing of mail ballots for the upcoming election.

☐ Information Report      ☒ Decision Report      ☐ Direction Report

**DISCUSSION**

**Background:**

Council adopted their new Election and Assent Voting Bylaw No. 2922, 2022 on May 17, 2022. Staff have now worked through the necessary procedures required to confidently manage a 300%+ increase in mail ballot requests, and are now asking Council to incorporate these changes into the Election Bylaw. Please see the recommended bylaw amendment in **Attachment A**.

Section 110 of the *Local Government Act [mail ballot voting]* grants Council the authority to establish procedures for mail ballot voting that vary from the provisions otherwise established for local elections. Timelines for various aspects of the mail ballot procedure can and should be

delegated to the Chief Election Officer (to allow for flexibility around unforeseen circumstances e.g. delay in receipt of printed ballots, larger than anticipated volume of mail ballots to be processed, etc.), but the procedures themselves should be clearly outlined in Council's Election Bylaw.

The proposed mail ballot procedures in the attached bylaw amendment closely follow the bylaw template included in the Local Government Management Association (LGMA) 2022 Election Manual, which has been legally reviewed and approved by the LGMA Election Committee.

**Relevant Policy, Bylaw or Legislation:**

- *Local Government Act*
  - *Part 3 [Electors and Elections]* – provides for the administration of local government elections
  - In particular, *Section 110 [mail ballot voting]* – provides for mail ballot voting

*“110 (1) Subject to this section and any regulations under section 168 [election regulations], a local government may, by bylaw, permit voting to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.*

*(2) and (3) [Repealed 2021-16-5.]*

*(4) A bylaw under subsection (1) may*

*(a) establish procedures for voting and registration that differ from those established under other provisions of this Part, and*

*(b) establish, or authorize the chief election officer to establish, time limits in relation to voting by mail ballot.”*

**Highlights:**

As a quick summary, here are the key components to the recommended mail ballot procedures:

- Electors who wish to vote by mail will fill out an application form and provide one piece of ID to prove their identity and residency (minimizes attempts at voter fraud);
- A Mail Ballot Register or database will be maintained that lists all electors who request mail ballots, when packages are mailed out, and when they are returned (important for both transparency and security of the election process);
- Mail ballot packages will be mailed out or available at City Hall for pick up as soon as printed ballots are available (near the end of September);
- A Certification Envelope will be completed by the elector that identifies the elector by name and address, and confirms their eligibility to vote in the election (required by legislation);
- Election staff will then confirm that the elector is indeed on the List of Registered

Electors and that all paperwork is in order before accepting the mail ballot;

- Accepted mail ballots will be processed in batches in advance of the close of voting on general voting day; ballots will be placed in a designated ballot box through the use of a vote tabulator (scrutineers will be invited to witness this process); results tapes will not be generated until after close of polls on general voting day (similar to how we manage advance polls).

Components that remain at the discretion of the Chief Election Officer include:

- The timeframe for receiving requests for mail ballots;
- The specific application form to be used to request a mail ballot;
- The timeframe for distributing mail ballot packages;
- The timeframe for opening the mail ballot envelopes and putting the ballots in the designated ballot box.

#### **COUNCIL STRATEGIC PLAN ALIGNMENT**

☒ Principled Governance    ☐ Balanced Economic Prosperity    ☒ Corporate Excellence  
☐ Community Spirit & Wellbeing    ☐ Transportation & Infrastructure Initiatives

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#### **FINANCIAL IMPLICATIONS**

☐ None    ☒ Budget Previously Approved    ☐ Referral to Business Planning

The cost of materials for mail ballot packages are included within the approved election budget.

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#### **PUBLIC PARTICIPATION**

☒ Inform    ☐ Consult    ☐ Involve    ☐ Collaborate    ☐ Empower

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#### **KATZIE FIRST NATION CONSIDERATIONS**

Referral    ☒ Yes    ☐ No

Information regarding the upcoming election, including mail ballot voting opportunities, will be shared with Katzie First Nation.

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**SIGN-OFFS****Written by:**

Kate Barchard,  
Chief Election Officer

**Reviewed by:**

Mark Roberts,  
Chief Administrative Officer

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**ATTACHMENT(S):**

- A. Election and Assent Voting Amendment Bylaw 2924, 2022