



Memo

TO: Chair, Finance and Administration Committee

SUBJECT: Voting by Mail

DATE: September 4, 2020

FROM: Chief Elections Officer

Given that special circumstances warrant the need to take as many precautions as we could, I had discussions with staff at Ministry of Municipal Affairs and Housing on this matter. It only seemed prudent to take mail voting into consideration. A Ministerial Order has hence been issued, subject to council approval.

Had the MO been received by the time of the last council meeting the need to bring this subject up at this time would have been unnecessary. As the next meeting is not until September 29th, 2020, a recommendation from council would be helpful in getting us prepared for this form of voting.

Recommendation

that council recommend the addition of a provision to permit voting by mail of all eligible electors and to allow for elector registration to be done in conjunction with this voting for the by-election that is slated for October 2020 and as per the Ministerial Order No. M330.

A handwritten signature in black ink, appearing to read "Joseph A. Fernandez".

Joseph A. Fernandez

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE MINISTER OF
MUNICIPAL AFFAIRS AND HOUSING

Local Government Act

Ministerial Order No. M330

WHEREAS pursuant to section 167 of the *Local Government Act* (the “Act”), if the minister considers that special circumstances exist regarding an election, the minister may make any order the minister considers appropriate to achieve the purposes of Part 3 [*Electors and Elections*] of the Act;

AND WHEREAS on March 11, 2020 the World Health Organization declared the spread of the coronavirus communicable disease (“COVID-19”) to be a pandemic;

AND WHEREAS on March 16, 2020 the British Columbia Provincial Health Officer issued an order prohibiting gatherings in excess of 50 people due to the COVID-19 pandemic;

AND WHEREAS on March 18, 2020 the Minister of Public Safety and Solicitor General declared that a state of emergency exists throughout the whole of the Province of British Columbia;

AND WHEREAS numerous regional districts and municipalities, including the Town of Lake Cowichan, have pending by-elections that have been delayed due to public health concerns relating to COVID-19;

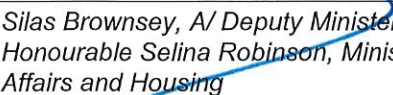
AND WHEREAS the nature of by-elections requires in-person interactions that can increase the transmission risks of COVID-19 and put electors and election officials at increased levels of risk;

AND WHEREAS local governments are required to move forward with by-elections, as soon as practicable, after a vacancy occurs and to serve the democratic interests of their communities;

AND WHEREAS on October 24, 2020 there is to be a by-election to fill a vacancy in an elected local government office for the Town of Lake Cowichan in accordance with section 54 of the Act (the “Town of Lake Cowichan by-election”);

September 1, 2020

Date


Silas Brownsey, A/ Deputy Minister on behalf of
Honourable Selina Robinson, Minister of Municipal
Affairs and Housing

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Local Government Act, section 54, 110, 167

Other: _____

AND WHEREAS, I believe that the COVID-19 pandemic constitutes a 'special circumstance' for the purposes of s.167 of the Act, and that in order to achieve the purposes of Part 3 [*Electors and Elections*] of the Act, it is appropriate for me to make the following order;

NOW THEREFORE I HEREBY ORDER, pursuant to section 167 of the Act, that:

- 1) As an exception to section 110 of the Act, and despite an applicable provision of any other bylaw, Council may, for the Town of Lake Cowichan by-election permit voting by all eligible electors under the Act to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.