

# Report to Council



**Date:** June 13, 2022  
**To:** Council  
**From:** City Manager  
**Subject:** 2022 General Election Officer Appointments and Election Bylaw  
**Department:** Office of the City Clerk

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## **Recommendation:**

THAT Council receives, for information, the report from the Office of the City Clerk, dated June 13, 2022 regarding the 2022 Election Officer Appointments and Election Bylaw;

AND THAT Council appoints Laura Bentley, Deputy City Clerk as Chief Election Officer for the 2022 General Local Election;

AND THAT Council appoints Stephen Fleming, City Clerk, Rebecca Van Huizen, Legislative Coordinator Confidential (FOI) and Suzanne Woods, Corporate Records & Information Coordinator as Deputy Chief Election Officers for the 2022 General Local Election;

AND THAT the Chief Election Officer be authorized to enter into agreements with relevant third parties for the purposes of conducting the 2022 General Local Election;

AND FURTHER THAT Council gives reading consideration to Bylaw No. 12393 being the 2022 General Local Government Election Bylaw.

## **Purpose:**

To appoint the Chief Election Officer and Deputy Chief Election Officers and establish procedures for the conduct of the 2022 General Local Election.

## **Background:**

Each local government in BC is responsible for conducting its own general local election under the *Local Government Act*. Several authorities play a role in local government elections:

- The City of Kelowna, through the appointment of the Chief Election Officer, ensures the election is conducted in accordance with the *Local Government Act* and the *School Act* with responsibility for nominations, voting, and election results;

- Elections BC administers campaign financing and advertising rules for local elections and assent voting in B.C. under the *Local Elections Campaign Financing Act* (LECFA); and
- The Ministry of Municipal Affairs oversees the legislation for general local elections and the Ministry of Education does the same for school trustees\*/school board elections.

\* The City of Kelowna will conduct the Kelowna School Trustee election on behalf of the Board of Education, in accordance with the *School Act*.

### 2022 Key Dates

Jan. 1 – Sept. 16, 2022	Election period
July 22, 2022	Candidate nomination packages available
Aug. 30 – Sept. 9, 2022	Nomination period
Sept. 17 – Oct. 15, 2022	Campaign period
Oct. 5 and 12, 2022	Required advance voting opportunities
<b>Oct. 15, 2022</b>	<b>General Voting Day</b>
Jan. 13, 2023	Campaign financing disclosure statement filing deadline

### Discussion:

The 2022 General Local Government Election Bylaw No. 12393 sets the procedures for the conduct of the election and establishes the following:

- Names of candidates on the ballot will be in alphabetical order;
- Any tie vote after a judicial recount will be determined by lot;
- Number of nominators required will be ten (10);
- A refundable \$100.00 nomination deposit will be required;
- Mail ballot and additional advance voting options will be offered with the Chief Election Officer authorized to establish the voting locations and times; and
- Special voting opportunities may be available to qualified electors who are residents, patients, family members or staff at the facility being used.

Two legislative changes since the 2018 election are noteworthy. First, residents who have lived in Kelowna for less than 30 days are now eligible to vote provided they meet all other eligibility requirements. These include being 18 years old as of October 15, 2022, a Canadian citizen, a resident of BC for at least 6 months before voting, a resident of the City or a qualified non-resident property elector, and not disqualified from voting.

Second, mail ballot voting is now open to all voters if the local government chooses to allow it. Mail ballot voting was previously limited to voters who were unable to vote in-person due to physical disability, illness, injury, or being out of town for all voting opportunities. With this expanded eligibility staff expect more residents to make use of mail ballot voting and it provides a possible alternative to special voting.

Numerous advance and general voting opportunities will be provided to ensure elector accessibility to voting opportunities on multiple days and in a variety of convenient locations. All voting opportunities are from 8:00 am to 8:00 pm unless otherwise listed.

<b>Date</b>	<b>Voting Opportunity</b>	<b>Location</b>
Wednesday October 5	Required Advance	Parkinson Recreation Centre, 1800 Parkinson Way
Saturday October 8	Additional Advance	Dr. Knox Middle School, 121 Drysdale Blvd Hollywood Road Education Centre, 1040 Hollywood Rd S Parkinson Recreation Centre, 1800 Parkinson Way
Wednesday October 12	Required Advance	Black Box Theatre, 1375 Water St Parkinson Recreation Centre, 1800 Parkinson Way
Wednesday October 12	Additional Advance (8:00 am to 6:00 pm)	Okanagan College, Centre for Learning Atrium – 1000 KLO Rd UBC Okanagan, Nechako Building – Gathering Room – 1255 International Mews
Thursday October 13 & Friday October 14	Additional Advance	Parkinson Recreation Centre, 1800 Parkinson Way
Saturday October 15	General Voting	Black Box Theatre, 1375 Water St Capital News Centre, 4105 Gordon Dr Dr. Knox Middle School, 121 Drysdale Blvd East Kelowna Community Hall, 2704 East Kelowna Rd Ellison Community Hall, 4411 Old Vernon Rd Evangel Church, 3261 Gordon Dr Hollywood Road Education Centre, 1040 Hollywood Rd S Kelowna Senior Citizens' Society, 1353 Richter St Mission Creek Alliance Church, 2091 Springfield Rd Okanagan Mission Community Hall, 4409 Lakeshore Rd Parkinson Recreation Centre, 1800 Parkinson Way Rutland Elementary School, 620 Webster Rd Springvalley Middle School, 350 Ziprick Rd Watson Road Elementary School, 475 Yates Rd

New this year, the City will hold a joint voting location with the Regional District of Central Okanagan at Ellison Community Hall on general voting day. This will provide a closer voting location option for residents in the north part of the City and staff will consider the effectiveness of this initiative for future election planning.

Automated Voting Machine Bylaw No. 10970 permits the use of automated vote counting machines and sets the procedures electors and election staff will follow. As in the previous three general local elections (2011, 2014, and 2018), a voter assist terminal will be available for voters with differing abilities to provide an electronic option to mark their ballot privately and independently. The voter assist terminal will be at Parkinson Recreation Centre.

Elector registration takes place at the time of voting, in accordance with Elector Registration Bylaw No. 10547. The City does not use a voter list. Election Sign Bylaw No. 10411 regulates the timing, size, type, form, and location of election and election event signs.

**Conclusion:**

The General Local Election is an opportunity for all qualified electors in Kelowna to exercise their right to vote and, as a community, elect their 2022-2026 City Council. Relevant and timely information will be provided in multiple formats to engage and inform our residents of opportunities to vote.

The Chief Election Officer and Deputy Chief Election Officers are committed to ensuring multiple voting opportunities are available to provide voting accessibility to all electors, and ensuring that all voting opportunities are conducted in a fair and open manner respecting the integrity of the individual vote.

Staff will continue to follow and monitor recommended protocols and health guidelines to prioritize the health and safety of voters, election staff, and candidates throughout the election process.

**Legal/Statutory Authority:**

*Local Government Act*, Part 3 Electors and Election

**Legal/Statutory Procedural Requirements:**

*Local Government Act*, s.56(2) – election bylaws must be adopted a minimum of 56 days prior to the first day of the nomination period

**Financial/Budgetary Considerations:**

Funding in support of the four-year election cycle is provided through regular annual budget contributions to the Election reserve fund.

**Personnel Implications:**

The election budget includes a seven month Election Clerk position, with Office of the City Clerk staff assigned as needed and under restricted leave during August, September, and October to assist with the election and provide continuity for our regular duties.

**Considerations not applicable to this report:**

*Communications Comments*

*External Agency/Public Comments*

Submitted by:

L. Bentley, Deputy City Clerk

**Approved for inclusion:** S. Fleming, City Clerk

cc:

C. Judson, Communications