

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF

MUNICIPAL AFFAIRS

Local Government Act

Ministerial Order No. M051

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 4 [Assent Voting] 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 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 on January 25, 2021 the Regional District of Okanagan-Similkameen was given statutory approval by the Inspector of Municipalities for the Apex Mountain Fire Protection Service Establishment Bylaw No.2920, 2020 and the Apex Mountain Fire Protection Loan Authorization Bylaw No. 2921, 2020 (collectively the ‘service and loan bylaws’) to proceed to electoral approval;

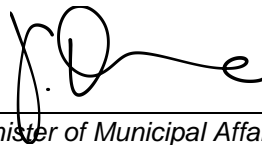
AND WHEREAS the Regional District of Okanagan-Similkameen now has a pending assent vote, set for March 27, 2021, to approve the service and loan bylaws for the Apex Mountain Fire Protection Service which must take place in accordance with s.170 and s.54 of the Act, during the period of COVID-19 response and recovery;

AND WHEREAS the nature of assent votes 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, 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 4 [Assent Voting] of the Act, it is appropriate for me to make the following order;

Feb 5, 2021

Date



Minister of Municipal Affairs

(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 167

Other: Local Government Act, sections 54, 170, 110, 125

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 sections 7.1 and 7.2 of the “Regional District of Okanagan-Similkameen Election Procedure Bylaw 2798, 2018”, or an applicable provision of any other bylaw, the Board may, for mail ballot voting in the Regional District of Okanagan-Similkameen assent vote, by resolution 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.
- 2) As an exception to section 125 (1) (b) and (c) of the Act, or an applicable provision of any other bylaw, the Board may, for the Regional District of Okanagan-Similkameen assent vote, by resolution permit the elector, as directed by the election official responsible, to make an oral declaration that the elector is entitled to vote in the by-election when obtaining a ballot for voting, in which case the election official responsible must make a record that the elector made an oral declaration.