

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF

MUNICIPAL AFFAIRS

Local Government Act

Ministerial Order No. M177

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 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 the Bear Lake Local Community Commission within the Regional District of Fraser-Fort George has a pending by-election that must take place during the COVID-19 pandemic;

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 moving forward with by-elections, as soon as practicable, after a vacancy occurs serves the democratic interests of the Bear Lake Local Community;

AND WHEREAS on June 5, 2021 there is to be a by-election to fill vacant commissioner offices for the Bear Lake Local Community Commission within the Regional District of Fraser-Fort George in accordance with sections 54 and 243 of the Act (the “Bear Lake Local Community Commission by-election”);

AND WHEREAS Part 3 [*Electors and Elections*] of the Act applies in its entirety to elections for commissioners of the Bear Lake Local Community Commission;

April 26, 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, section 54, 110, 125, 243

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 sections 7(2) and 7(3) of the “Election and Voting Procedure Bylaw No. 2900, 2014” as amended, or any applicable provision of any other bylaw, the Regional District of Fraser-Fort George Board may, in relation to the Bear Lake Local Community Commission by-election, by resolution permit:
 - a. voting by all eligible electors under the Act to be done by mail ballot;
 - b. the Regional District of Fraser-Fort George’s Chief Election Officer to establish time limits in relation to voting by mail ballot at their sole discretion.
- 2) As an exception to section 125 (1) (b) and (c) of the Act, and despite any applicable provision of any bylaw, the Regional District of Fraser-Fort George Board may, for the Bear Lake Local Community Commission by-election, 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.