

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF

MUNICIPAL AFFAIRS

Local Government Act

Ministerial Order No. M186

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 on April 5, 2021 statutory approval was given by the Inspector of Municipalities for the “Cariboo Regional District North Cariboo Recreation and Parks Service Amendment Bylaw No. 5315, 2021” and “North Cariboo Recreation and Parks Loan Authorization Bylaw No. 5316, 2021” (collectively the ‘service and loan bylaws’) to proceed to electoral approval;

AND WHEREAS on June 19, 2021 there is to be an assent vote to approve the service and loan bylaws for the North Cariboo Recreation and Parks Services in the Cariboo Regional District in accordance with section 170 and section 54 of the Act (“the Cariboo Regional District assent vote”);

AND WHEREAS the Cariboo Regional District assent vote will take place during the COVID-19 pandemic;

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;

May 4, 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, 170, 110, 125

AND WHEREAS mail ballot voting reduces in-person interactions and the Cariboo Regional District anticipates that a significant number of electors will vote by mail ballot;

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;

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 section 5 of the “Election and Assent Voting Bylaw No. 5149, 2018”, or any applicable provision of any other bylaw of the Cariboo Regional District, the Board may by resolution, for the Cariboo Regional District assent vote permit:
 - a. 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;
 - b. the Cariboo Regional District’s Chief Election Officer to establish time limits in relation to voting by mail ballot at their sole discretion;
 - c. a secrecy sleeve to be used instead of a secrecy envelope in accordance with this Order and if a secrecy sleeve is permitted any requirement under the Act and the “Election and Assent Voting Bylaw No. 5149, 2018”, pertaining to a secrecy envelope must be read as pertaining to a secrecy sleeve for the purposes of this Order; and
 - d. the Cariboo Regional District’s Chief Election Officer to establish procedures for voting, processing and securing mail ballots at their sole discretion including, but not limited to, establishing times for opening certification envelopes and placing secrecy sleeves in the ballot boxes.
- 2) As an exception to section 125 (1) (b) and (c) of the Act, or an applicable provision of any bylaw, the Board may, for the Cariboo Regional District, 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.