

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

Local Government Act

Ministerial Order No. M309

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 two regional districts and thirteen municipalities, including the District of Fort St. James, have pending by-elections that have been delayed due to public health concerns relating to COVID-19;

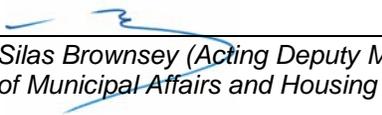
AND WHEREAS the nature of by-elections requires in-person interactions that can increase the transmission risks of COVID-19 and put electors and election officials at increased levels of risk.

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 September 26, 2020 there is to be a by-election to fill a vacant council member’s office for the District of Fort St. James in accordance with section 54 of the Act (the “District of Fort St. James by-election”);

August 14, 2020

Date



*Silas Brownsey (Acting Deputy Minister), delegate of 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, 107, 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 section 1 and section 2 of the “District of Fort St. James Elections Bylaw No. 771, 2002”, or any other applicable provision of a bylaw, Council may, for the District of Fort St. James by-election permit voting by all eligible electors in the by-election to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.
- 2) Despite section 3 of the “District of Fort St. James Bylaw No. 771, 2002”, or an applicable provision of any other bylaw, required advance voting opportunities shall be held 10 days and 5 days before general voting day between the hours of 8:00 am and 8:00 pm.
- 3) Despite section 3 of the “District of Fort St. James Bylaw No. 771, 2002”, or an applicable provision of any other bylaw, the District of Fort St. James’ Chief Election Officer must designate, as soon as practicable, voting places for the required advance voting opportunities.