

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

Local Government Act

Ministerial Order No. M429

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 numerous regional districts and municipalities, including the Village of Belcarra, have pending by-elections that must take place during COVID-19 response and recovery;

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;

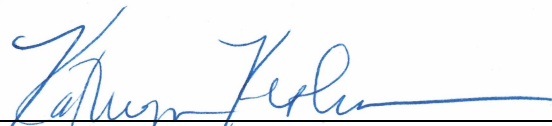
AND WHEREAS local governments are required to move forward with by-elections, as soon as practicable, after a vacancy occurs and to serve the democratic interests of their communities;

AND WHEREAS on January 23, 2021 there is to be a by-election to fill one or more vacancies in an elected local government office for the Village of Belcarra in accordance with section 54 of the Act (“the Village of Belcarra by-election”);

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;

November 26, 2020

Date



*Kaye Krishna, Deputy Minister on behalf of Minister,
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 167

Other: Local Government Act, sections 54, 110, 120, 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 paragraph 7 of the “Village of Belcarra Election Procedures Bylaw No. 515, 2018”, or an applicable provision of any other bylaw, Council may, for mail ballot voting in the Village of Belcarra by-election, 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) Despite paragraph 9.1 of the “Village of Belcarra Election Procedures Bylaw No. 515, 2018”, or an applicable provision of any other bylaw, Council may, for the Village of Belcarra by-election, by resolution allow only one scrutineer for each candidate to be present at each ballot box in use at a voting place while voting proceedings are being conducted in accordance with section 120 (3) of the Act.
- 3) As an exception to section 125 (1) (b) and (c) of the Act, or any applicable provision of a bylaw, Council may, for the Village of Belcarra 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 and has not voted before in the same 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.