

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF

MUNICIPAL AFFAIRS

Local Government Act

Ministerial Order No. M453

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 the Thompson-Nicola Regional District has a pending assent vote that must take place during 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 on December 3, 2020 statutory approval was given by the Inspector of Municipalities for the Black Pines Community Water System Loan Authorization Bylaw No. 2726, 2020 to proceed to electoral approval;

AND WHEREAS on February 20, 2021 there is to be an assent vote to approve a loan for the Black Pines Community Water System service in the Thompson-Nicola Regional District in accordance with section 170 and section 54 of the Act (“the Thompson-Nicola Regional District assent vote”);

December 16, 2020

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

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 paragraph 10 of the "Thompson-Nicola Regional District Election and Assent Voting Bylaw 2648, 2018", or an applicable provision of any other bylaw, the Board may, for mail ballot voting in the Thompson-Nicola Regional District 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) Despite paragraph 12 of the "Thompson-Nicola Regional District Election and Assent Voting Bylaw 2648, 2018", or an applicable provision of any other bylaw, the Board may, for mail ballot voting in the Thompson-Nicola Regional District assent vote, by resolution permit the Thompson-Nicola Regional District Chief Election Officer to establish procedures by which an elector may request a mail ballot, at their sole discretion.
- 3) As an exception to section 125 (1) (b) and (c) of the Act, or any applicable provision of any other bylaw, the Board may, for the Thompson-Nicola Regional District 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.