

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE MINISTER OF

MUNICIPAL AFFAIRS

Local Government Act

Ministerial Order No. M456

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 District of Fort St. James, have pending by-elections that must take place during COVID-19 response and recovery;

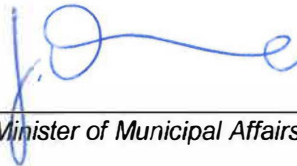
AND WHEREAS the nature of by-elections requires in-person interactions that can increase the transmission risks of COVID-19 and put electors and election officials at increased levels of risk;

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 30, 2021 there is to be a by-election to fill a vacancy in an elected local government office for the District of Fort St. James in accordance with section 54 of the Act (“the District of Fort St. James by-election”);

December 11, 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, 110, 107, 108

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 section 1 and section 2 of the "District of Fort St. James Elections Bylaw No. 771, 2002", or an applicable provision of any other bylaw, Council may, for the District of Fort St. James by-election, by resolution, 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 Elections Bylaw No. 771, 2002", or an applicable provision of any other bylaw, Council may, for the District of Fort St. James by-election, by resolution permit the District of Fort St. James' Chief Election Officer to designate, in accordance with the requirements of s.107 and s.108 of the Act, voting places for advance voting opportunities at their sole discretion.