REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 3143, 2026

A bylaw to establish various procedures for the conduct of elections and assent voting in the Regional District of Okanagan-Similkameen.

WHEREAS under the *Local Government Act*, the Board may, by bylaw, determine various procedures and requirements to be applied to the conduct of local government elections and assent voting;

AND WHEREAS the Board wishes to establish voting procedures and requirements under that authority;

NOW THEREFORE, the Board of the Regional District of Okanagan-Similkameen, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Regional District of Okanagan-Similkameen Election and Assent Voting Procedure Bylaw No. 3143, 2026."

2. DEFINITIONS

In this Bylaw, except as provided below, all words, terms, and expressions used in this bylaw shall be interpreted in accordance with the definitions in the *Local Government Act*.

Applicant means an elector who wants to vote by mail and make a request for a mail ballot.

Authorized person means a person that the Applicant has authorized, on the Application's behalf, to:

a. pick up a mail ballot package; or
b. drop off a completed mail ballot package.

Chief Election Officer means the person who has overall responsibility for the administration of the election or assent voting and their deputies.

Register of Mail Ballots means the records that the Chief Election Officer must keep in order to address any challenges to an elector's right to vote.

3. ELECTOR REGISTRATION

3.1 A person may register as an elector only at the time of voting for all elections and assent voting.

4. ADDITIONAL GENERAL VOTING OPPORTUNITIES

4.1 The Chief Election Officer may designate the voting places and set the voting hours within the limits set out in the *Local Government Act* for additional general voting opportunities.

4.2 Curbside voting may be available at the voting place for those electors unable to enter the polling place at the time of voting.

5. ADVANCE VOTING OPPORTUNITIES

5.1 In addition to the required advance voting opportunity on the 10th day before general voting day for elections, a second advance voting opportunity will take place on the 7th day before general voting day.

5.2 As an exception to section 5.1 of this bylaw, and in accordance with Section 107(2) of the *Local Government Act*, the additional voting opportunity on the 7th day before general voting day shall not be held for those Electoral Areas and proposed service areas within the Regional District with a population of less than 5,000.

6. ADDITIONAL ADVANCE VOTING

6.1 The Chief Election Officer may:

a. establish additional voting opportunities to be held in advance of general voting day; and
b. designate the voting places and set the voting hours for these voting opportunities.

7. MAIL BALLOT VOTING

7.1 Voting may be done by mail ballot and registration of elector may be done by mail in conjunction with their mail ballot voting.

7.2 The Chief Election Officer may establish the time limits in relation to voting by mail.

7.3 The Chief Election Officer may specify authorized drop-off locations for completed mail ballot packages, provided that the Chief Election Officer indicates the location and the office hours for a person to drop off the completed mail ballot package in the notice of election by voting.

APPLICATION PROCEDURE

7.4 An Applicant shall apply by submitting a mail ballot application to the Chief Election Officer during the period established by the Chief Election Officer.

7.5 Upon the Applicant making a request for a mail ballot, the Chief Election Officer shall, between the time when the ballots are ready and 4:00 p.m. two days before general voting day:

a. make available to the Applicant a mail ballot package which contains:

i. the content set out in section 110(7) of the *Local Government Act*; and
ii. additional instructions.

b. record in the Register of Mail Ballots and, upon request, make available for inspection:

i. the name and address of the elector to whom the mail ballot package was issued;
ii. the name and address of the Authorized Person; and
iii. any other information that the Chief Election Officer deems helpful to maintain the Register of Mail Ballots.

7.6 As per the Applicant's direction, the Chief Election Officer may distribute the mail ballot package in any of the following ways:

a. sending the mail ballot package by Canada Post;
b. sending the mail ballot package by courier at the expense of the applicant;
c. having the mail ballot package picked up by the Applicant at a designated time and location; or
d. having the mail ballot package picked up by an Authorized Person at a designated time and location.

7.7 The Chief Election Officer shall require that the Authorized Person show identification and sign a form before providing the Authorized Person with the mail ballot package.

7.8 The Chief Election Officer may establish authorized mail ballot drop off locations.

VOTING PROCEDURE

7.9 To vote by a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer.

7.10 After marking the ballot, the elector shall:

a. place the ballot in the secrecy envelope provided and secure the ballot in the secrecy envelope;
b. place the secrecy envelope in the certification envelope, complete and sign the certification printed on such envelope, and then seal the certification envelope;
c. place the certification envelope in the return envelope and then seal the return envelope; and
d. mail or return the return envelope and its contents to the address specified on the return envelope or an authorized drop-off location (if one has been authorized by the Chief Election Officer) and ensure it is returned no later than the close of voting on general voting day.

7.11 It is the elector's responsibility to ensure that the mail ballot is received before the close of voting on general voting day.

BALLOT ACCEPTANCE OR REJECTION

7.12 Until 4:00 p.m. two days before general voting day, the Chief Election Officer shall, upon receipt of the return envelope and its contents:

a. immediately record the date of receipt in the Register of Mail Ballots; and
b. open the return envelope.

7.13 When the Chief Election Officer examines the certification envelope, the Chief Election Officer shall:

a. confirm the identity of the elector as an Applicant on the Register of Mail Ballots;
b. determine the fulfilment of the requirements in section 70 of the *Local Government Act*; and
c. determine the completeness of the certification envelope.

7.14 If the Chief Election Officer is satisfied that the elector has met the requirements in section 7.13, the Chief Election Officer shall:

a. mark the certification envelope as "accepted"; and
b. place the accepted certification envelope in a secure location as designated by the Chief Election Officer.

7.15 If the Chief Election Officer determines that the Applicant has not satisfied the Chief Election Officer as to their identity, the Chief Election Officer shall mark the certification envelope as "rejected" and set aside the rejected certification envelope unopened.

7.16 The Chief Election Officer shall retain in their custody all opened and unopened certification envelopes duly secured.

7.17 After 4:00 p.m. two days before general voting day, the Chief Election Officer, in the presence of at least one other person, including any scrutineers, shall:

a. deal with any challenges to the electors by mail involving the accepted certification envelopes;
b. open the certification envelopes;
c. remove the secrecy envelopes containing the ballots; and
d. place the secrecy envelopes containing the ballot in the ballot box (if manual count) or open the secrecy envelope and run the ballot through the vote counting unit.

7.18 If the Chief Election Officer receives a return envelope with its contents after 4:00 p.m. two days before general voting day but before the close of general voting, the Chief Election Officer shall:

a. handle those return envelopes in accordance with section 7.12 at the time that the Chief Election Officer receives the return envelopes;
b. retain all accepted certification envelopes until the close of general voting day; and
c. process the accepted certification envelopes in accordance with section 7.13 to 7.16 after the close of general voting day.

7.19 As soon as possible after all of the secrecy envelopes have been placed in the ballot box, in the presence of at least one other person and any scrutineers, the Chief Election Officer shall supervise:

a. the opening of the ballot box;
b. the opening of the secrecy envelopes; and
c. the counting of the ballots in accordance with the provisions of the *Local Government Act* or Regional District's Automated Vote Counting System Authorization and Procedure Bylaw.

7.20 If the Chief Election Officer receives a return envelope with its contents after the close of general voting day, the Chief Election Officer shall:

a. mark the return envelope as "rejected";
b. indicate the reason why the return envelope was rejected on the return envelope; and
c. place the unopened return envelope with the other rejected envelopes.

CHALLENGE OF ELECTOR

7.21 A person who qualifies under section 126 of the *Local Government Act* may challenge the right of a person to vote by mail ballot on the grounds set out in section 126 of the *Local Government Act* up until 4:00 pm two days before general voting day.

7.22 If, upon receiving a request for a mail ballot, the Chief Election Officer determines that another person has voted or has already been issued a mail ballot in the elector's name, the Chief Election Officer shall comply with section 127 of the *Local Government Act*.

REPLACEMENT OF SPOILED BALLOT

7.23 If an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by:

a. advising the Chief Election Officer of the ballot spoilage; and
b. mailing or otherwise delivering by any appropriate means the spoiled ballot package in its entirety to the Chief Election Officer.

7.24 Upon receipt of the spoiled ballot package, the Chief Election Officer shall record such fact and proceed in accordance with the Voting Procedure as outlined in this bylaw.

8. ORDER OF NAME ON BALLOTS

8.1 The order of names of candidates on the ballot will be determined by lot in accordance with Section 117 [Order of names on ballot determined by lot] of the *Local Government Act.*

9. NOMINATION DOCUMENTS

9.1 Nomination documents shall be available for public inspection during regular office hours from the time of delivery at the Regional District office until 30 days after the declaration of the election results.

10. ACCESS TO DISCLOSURE STATEMENTS

10.1 As authorized under subsection 59(3) of the *Local Elections Campaign Financing Act*, a fee of $0.25 per page may be imposed for providing a copy or other record of information referred to in subsection 59(1) of the *Local Elections Campaign Financing Act*.

11. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT

11.1 In the event of a tie vote after a judicial recount, the tie vote will be resolved by conducting a lot in accordance with Section 151 of the *Local Government Act*.

12. GENERAL

12.1 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.

12.2 If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion

shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the Bylaw had been adopted without the invalid portion.

13. REPEAL

13.1 Bylaw No. 2798, 2018 and any amendments thereto are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME this 21st day of May, 2026.

ADOPTED BY AT LEAST 2/3 OF THE VOTES this 21st day of May, 2026.

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Board Chair Corporate Officer