

Elections to the Board Bylaw

Bylaw No. 201.2

Elections to the Board

A bylaw to provide for the determination of various procedures for the conduct of general school elections and other trustee elections.

WHEREAS under the *School Act*, the Board of Education, School District No. 91 (Nechako Lakes), may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections and other voting.

In School District No. 91 (Nechako Lakes), trustee elections are held in the following trustee electoral areas:

Number of Trustees	Electoral Area	Name of Electoral Area
2 trustees	Area 1	Engen, Mapes, Vanderhoof and Cluculz Lake
1 trustee	Area 2	Topley, Decker Lake and Granisle
1 trustee	Area 3	Burns Lake and Rural Area
1 trustee	Area 4	Grassy Plains and Francois Lake
1 trustee	Area 5	Endako, Fraser Lake and Fort Fraser
1 trustee	Area 6	Fort St. James, Manson Creek, Germanson and Takla Landings

AND WHEREAS the Board of Education, School District No. 91 (Nechako Lakes), wishes to establish various procedures and requirements under that authority.

NOW THEREFORE, the Board of Education, School District No. 91 (Nechako Lakes), in an open meeting of the Board, enacts as follows:

1. Definitions

In this bylaw:

“Board” or “school board” means the Board of Education, School District No. 91 (Nechako Lakes);

“Election” means a trustee election;

“By-Election” means a trustee election to fill a vacancy on the School Board;

“Elector” means a resident elector or non-resident property elector of the trustee electoral area as defined under the *School Act*;

“General Voting Day” means the day on which general voting for a trustee election is to take place, whether part of the general school elections or a by-election.

“Minister” means the Minister of Education.

2. Application

This bylaw applies to both general school elections and by-elections, except as otherwise indicated in this bylaw.

3. Number of Nominators

In accordance with section 86 (1) of the *Local Government Act*, the minimum number of qualified nominators for a trustee candidate for all trustee electoral areas is two.

4. Location of Voting Opportunities on General Voting Day

The Board of Education, School District No. 91 (Nechako Lakes), authorizes the Chief Elections Officer to establish voting opportunities on general voting day for all electoral areas in which elections are being conducted.

5. Special Voting Day Opportunities

- 5.1. To give electors who may otherwise be unable to vote an opportunity to do so, the Board of Education, School District No. 91 (Nechako Lakes), may provide special voting opportunities as authorized under section 109 of the *Local Government Act* for each election and authorizes the Chief Elections Officer to establish the special voting opportunities for each election and to designate the locations, the dates and the voting hours and procedures within the limits set out in section 109 of the *Local Government Act* for the special voting opportunities.
- 5.2. The Board of Education, School District No. 91 (Nechako Lakes), authorizes the Chief Elections Officer to limit the number of candidate representatives who may be present at the special voting opportunity.

6. Additional and Mail Voting Opportunities

The Board of Education, School District No. 91 (Nechako Lakes), authorizes the Chief Elections Officer to establish additional and mail voting opportunities for general voting day for each election and to designate the voting places, voting hours and voting procedures within the limits set out in section 108 and 110 of the *Local Government Act* for such voting opportunities.

7. Required Advance Voting Opportunities

- 7.1. Unless the Board is exempted from the requirement by Order of the Minister of Education, an

advance voting opportunity will be held on the tenth day before the general voting day.

- 7.2. In Trustee Electoral Areas 2 to 6, the required advance voting opportunity will be held on the tenth day before general voting day and no other advance voting opportunity will be held.
- 7.3. In Trustee Electoral Area 1, an advance voting exemption order in accordance with Section 45 (5) of the *School Act* will be considered for each election for the second advance voting opportunity required by section 107 of the *Local Government Act*.
- 7.4. Unless the Board is exempted from the requirement for a second advance voting opportunity by Order of the Minister of Education for Trustee Electoral Area 1, the second advance voting opportunity will be held on the seventh day before general voting day.
- 7.5. Advance Voting Opportunities on the dates specified in subsections 7.2 and 7.4 shall be available between the hours of 8:00 a.m. and 8:00 p.m. at voting stations as determined by the Chief Elections Officer.
- 7.6. As authorized under section 108 of the *Local Government Act*, the Board of Education, School District No. 91 (Nechako Lakes), authorizes the Chief Elections Officer to establish additional advance voting opportunities for each election to be held in advance of general voting day and to designate the voting places and to establish the date and the voting hours for these voting opportunities.

8. Additional General Voting Opportunities

In accordance with section 106 of the *Local Government Act*, the Chief Elections Officer is authorized to establish additional general voting opportunities for general voting day for each election and to designate the voting places and voting hours, within the limits set out in the *Local Government Act*, for such voting opportunities.

9. Order of Names on Ballot

The order of names of candidates on the ballot will be determined by lot in accordance with section 45 (9) (a) of the *School Act* and section 116, 117 of the *Local Government Act*.

10. Scrutineers

In accordance with section 120 (3) of the *Local Government Act*, the number of scrutineers for each candidate that may attend at an election is a maximum of one scrutineer for each ballot box in use.

11. Resolution of Tie Vote after Judicial Recount

In the event of a tie vote after judicial recount, the tie vote will be resolved by conducting a lot in accordance with section 151 (1) of the *Local Government Act*.

12. Repeal

School District No. 91 (Nechako Lakes) Elections to the Board Bylaw 201.1 is hereby repealed.

This bylaw may be cited as “Board of Education, School District No. 91 (Nechako Lakes), *Elections to the Board Bylaw*.”