

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

Local Government Act

Ministerial Order No. M419

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 Zeballos, 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 09, 2021 there is to be a by-election to fill a vacancy in an elected local government office for the Village of Zeballos in accordance with section 54 of the Act (the “Village of Zeballos 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 17, 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, 76, 110

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 paragraphs 5 (a), (b), and (c)(ii) of the Village of Zeballos “General Local Government Elections Bylaw 504, 2015”, or an applicable provision of any other bylaw, Council may, for the Village of Zeballos by-election 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) As an exception to section 76 of the Act, and despite paragraph 3 of the Village of Zeballos “General Local Government Elections Bylaw 504, 2015”, or an applicable provision of any other bylaw, Council may, for the Village of Zeballos by-election, provide by resolution that the most current available Provincial list of voters prepared under the *Election Act* is to be the register of resident electors.
- 3) Despite paragraph 4 (a) of the Village of Zeballos “General Local Government Elections Bylaw 504, 2015”, or an applicable provision of any other bylaw, Council, for the Village of Zeballos by-election, is not required to establish additional advance voting opportunities during the five business days preceding General Voting Day.
- 4) Despite paragraph 4 (b) of the Village of Zeballos “General Local Government Elections Bylaw 504, 2015”, or an applicable provision of any other bylaw, Council may, for the Village of Zeballos by-election, permit the Village of Zeballos’s Chief Election Officer to designate voting places for advance voting opportunities at their sole discretion.