

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF

MUNICIPAL AFFAIRS

Local Government Act

Ministerial Order No. M451

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 January 9, 2021 there is to be a by-election to fill one 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 after the end of the nomination period for the Village of Zeballos by-election at 4 p.m. on December 4, 2020 and after the declaration of candidates, the sole candidate for council withdrew from being a candidate;

AND WHEREAS, I, Josie Osborne, Minister of Municipal Affairs, believe that it is in the interest of democracy to provide the electors of the Village of Zeballos with the possible opportunity to vote for a councillor or have a candidate acclaimed as councillor rather than having the council of the Village of Zeballos appoint a person as councillor;

AND WHEREAS I am satisfied that the withdrawal by the sole candidate for council was not foreseen and I consider this to be a special circumstance, and that 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) The nomination period established in section 84(1) of the Act is waived for the purposes of nominations for the Village of Zeballos by-election and the new nomination period established begins at 9 a.m. on Wednesday December 16, 2020 and ends at 4 p.m. on Friday December 18, 2020 (the “new nomination period”).

December 15, 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, 84, 85, 89, 91, 97, 98

- 2) The requirement in section 85(1) of the Act of issuing notice of nomination in accordance with section 50 of the Act is hereby waived and notice of the new nomination period must be issued by the Village of Zeballos as soon as practicable upon the making of this Order and is to be issued by providing such notice on social media, on its website, and in its public notice posting places;
- 3) The requirement in section 89(5) of the Act to deliver the originals of nomination documents “before the end of the 29th day before general voting day” is waived and the new time and date established is “before 4 p.m. on December 18, 2020”
- 4) Sections 97 (2), (3), and (4) of the Act are waived for the purposed of nominations for the Village of Zeballos by-election;
- 5) The application of 91(2) [*Challenge of nomination*] of the Act is waived and the time period during which a challenge to nomination may be made is between the time of the delivery of the nomination documents in accordance with section 89 of the Act and 4 p.m. on December 22, 2020;
- 6) The time of “At 4 p.m. on the Monday following the last day for determining a challenge under section 91 [challenge of nomination]” in section 98(1) of the Act is waived and the new time established is “At 4 p.m. on December 28, 2018”
- 7) All other sections in Part 3 of the Act continue to apply to the nomination process for the Village of Zeballos by-election