

NO: R103

COUNCIL DATE: **June 23, 2014**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 10, 2014**

FROM: **City Clerk**

FILE: **4200-01**

SUBJECT: **Election Preparedness 2014: Appointment of Officers and Amendments to the Surrey Election Procedure Bylaw.**

RECOMMENDATION

The Legislative Services Division recommends that Council:

1. Appoint Jane Sullivan, City Clerk, as the Chief Election Officer, and Appoint Susan Ho, Assistant City Clerk, as Deputy Chief Election Officer, for the 2014 local government general election, pursuant to Section 41 (i) of the *Local Government Act*; and,
2. Authorize the City Clerk to bring forward amendments, as discussed in this report and provided in Appendix II, to the "Surrey Election Procedures By-law, 2011, No. 17393" for the required readings and adoption.

DISCUSSION

Section 41 (i) of the *Local Government Act* requires that for the purpose of conducting an election, the local government must appoint a Chief Election Officer and a Deputy Chief Election Officer.

These appointments are required at this time to commence preparations for the general local election to be held on Saturday, November 15, 2014. This would allow staff to secure voting places, hire staff and review all documentation and procedures required for the upcoming election.

With the introduction of the *Local Elections Campaign Financing Act* (LECFA), amendments to the Election Procedure Bylaw are in order. Elections BC (EBC) have broader responsibilities under LECFA and will assume responsibility for managing campaign financing disclosure requirements, investigations, and enforcement of campaign finance and election advertising provisions. Accordingly, disclosure statements will be filed with EBC and made public on the EBC website. Local governments will no longer be responsible for retaining or maintaining these records.

In addition, local government elections will be held on November 15, 2014 and every four years thereafter, with a subsequent election to be scheduled in October 2018.

The Ministry of Community, Sport and Cultural Development will be providing webinars to candidates on the processes and requirements involved with local government elections, and EBC will implement a help centre to answer questions about elections advertising, third party sponsors and campaign financing rules.

UPDATE TO BYLAW

In compliance with the new legislation, changes to the Surrey Election Procedures Bylaw No. 17393 are needed along with housekeeping changes in advance of the 2014 election. The changes have been summarized in Appendix 'I' to this report.

CONCLUSION

Council is requested to appoint the Chief and Deputy Chief Election Officers, and to instruct the City Clerk to bring forward amendments to the Surrey Election Procedures Bylaw for the required readings and adoption.

Jane Sullivan
City Clerk

Appendix 'I' – Summary of changes to "Surrey Election Procedures By-law, 2011, No. 17393
Appendix 'II' – "Surrey Election Procedures Bylaw, 2011, No. 17393, Amendment Bylaw, 2014, No. 18242"

Summary of Changes to Bylaw No. 17393

Part 1 - Definitions:

1. "Election Headquarters" location to be changed to new City Hall address, 13450 – 104 Avenue.
2. "General Local Election" to be amended to reflect a 4-year political term.
3. "General Voting Day" to be changed to reflect a 4-year political term.

Part 3 – List of Electors:

1. A new section 3.2 to be inserted to permit electors to register at time of voting

Part 4 – Advance Voting Opportunities:

1. Section 4.3 to be amended to allow the Chief Election Officer to determine the voting hours for additional advance polls.

Part 7: Automated Vote Counting System:

1. Section 7.2 to be simplified to reflect that the presiding election official or designated election official will provide a demonstration, upon request, of how to use the automated voting counting system. This includes instruction on how to mark the ballot and how to insert the ballot into the machine.
2. Sections 7.19 and 7.20 require a housekeeping reference change

Part 9 – Use of the Corporate Website:

1. Section 9.1 to be updated to reflect that information will be linked to the Elections BC website for public access to nomination documents, campaign financial disclosures and signed candidate declarations.

CITY OF SURREY

BYLAW NO. 18242

A bylaw to amend the provisions of "Surrey
Election Procedures By-law, 2011, No. 17393"
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The Council of the City of Surrey ENACTS AS FOLLOWS:

1. "Surrey Election Procedures By-law, 2011, No. 17393," is hereby amended as follows:
 - (a) **Part 1, Definitions** is amended as follows:
 - i. **Election Headquarters** is amended by replacing the address "14245 – 56 Avenue" with the address "13450 – 104 Avenue"
 - ii. **General Local Election** is amended by replacing the words "which must be held in the year 2011 and in every third year after that" with the words "of Surrey".
 - iii. **General Voting Day** is amended by deleting sub-section (a) in its entirety and replacing with:
 - (a) for a general local election, the date set under Section 81 (1) of the *Community Charter, S.B.C. 2003, Chap. 26,*
 - (b) **Part 3 – List of Electors** is amended by adding a new section 3.2 immediately following section 3.1 as follows:

"3.2 Electors not appearing on the provincial list of voters may register at the time of attendance at a voting opportunity in accordance with the requirements of section 57 of the *Local Government Act.*"
 - (c) **Part 4 – Advance Voting Opportunities** is amended in section 4.3 by replacing the words "will be from 8:00 am to 8:00pm." with "will be determined by the Chief Election Officer"

(d) **Part 7 – Automated Vote Counting System** is amended as follows:

i. Section 7.2 is deleted in its entirety and replaced with:

"Upon request, the presiding election official or designate for each voting place shall illustrate the proper making of a ballot, and demonstrate how to insert the ballot into the vote counting unit. This instruction will be offered before a ballot is issued."

ii. Sections 7.19 and 7.20 are amended by replacing the words "Section 7.7(c) to (h)" with "Section 7.18 (c) to (h)"

(e) **Part 9 – Use of Corporate Website** is amended in section 9.1 by replacing the words "placed on" with the words "accessed from".

2. This Bylaw shall be cited for all purposes as "Surrey Election Procedures Bylaw, 2011, No. 17393, Amendment Bylaw, 2014, No. 18242"

PASSED FIRST READING on the th day of , 2014.

PASSED SECOND READING on the th day of , 2014.

PASSED THIRD READING on the th day of , 2014.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 2014.

_____MAYOR

_____CLERK