

CITY OF FORT ST. JOHN

BYLAW NO. 2634, 2026

A Bylaw to Provide for the Administration of Local Government Elections, Assent Voting, Automated Vote Counting, and Mail Ballot Voting

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

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

NOW THEREFORE the Council of the City of Fort St. John, in open meeting assembled, enacts as follows:

PART 1 – CITATION AND INTERPRETATION

1. CITATION

1.1 This Bylaw may be cited for all purposes as “**City of Fort St. John Election and Assent Voting Bylaw No. 2634, 2026.**”

2. DEFINITIONS

2.1 In this Bylaw the following terms have the following meanings:

Acceptable mark means a mark as defined in section 139 of the *Local Government Act* and which the vote counting unit is able to identify, which has been made by an *elector* in the space provided on the ballot opposite the name of any candidate, or opposite either “yes” or “no” on any other voting question.

Assent voting means voting under Part 4 of the *Local Government Act* on a bylaw or other matter for which the assent of the electors is required or may be obtained.

Automated vote counting system means a system that counts and records votes and processes and stores election or any voting results which comprises:

- (a) a number of ballot scan vote counting units, each of which rests on a two-compartment ballot box, one compartment of which is for:
 - (i) voted ballots; and
 - (ii) returned ballots which have been reinserted using the ballot override procedure;and the other compartment is for the temporary storage of voted ballots during such time as the vote counting unit is not functioning; and
- (b) a number of storage ballot compartments into which voted ballots are deposited where a vote counting unit is not functioning or being used, which will therefore be counted after the close of voting on general voting day.

Authorized drop-off location means a location specified by the chief election officer in accordance with section 110 (5.1) of the *Local Government Act*.

Ballot means a single ballot card designed for use in an automated vote counting system, which shows:

- (a) the names of all of the candidates for each of the offices to be filled; and
- (b) all of the choices on all of the bylaws or other matters on which the opinion or assent of the electors is sought.

Ballot return override procedure means the use, by an election official, of a device on a vote counting unit, which causes the unit to accept a returned ballot.

Election headquarters means the City of Fort St. John City Hall located at 10631 – 100 Street, Fort St. John.

Elector means a resident or non-resident property elector qualified under the *Local Government Act*.

General voting day means the day defined by the *Local Government Act* for general local elections or assent voting.

Memory pack means a computer software cartridge which is inserted into the vote counting unit and into which is pre-programmed the names of all the candidates for each of the offices to be filled, and the alternatives of “yes” or “no” for each question on the ballot, and which records and retains information on the number of acceptable marks made for each.

Portable ballot box means a ballot box, for use in an election, where a vote counting unit is not being used at the time of voting.

Register of mail ballots means the records maintained by the chief election officer for mail ballot administration and challenges.

Results tape means the printed record generated from a vote counting unit at the close of voting on general voting day, which shows the number of votes for each candidate for each of the offices to be filled, and the number of votes for and against each bylaw or other matters on which the opinion or assent of the electors is sought.

Returned ballot means a voted ballot which was inserted into the vote counting unit, but which was not accepted and which was returned to the elector with an explanation of the ballot marking error which caused the ballot not to be accepted.

Secrecy enclosure means an open-ended folder or envelope used to cover ballots to conceal the choices made by each elector.

Storage ballot compartment means a ballot box under each vote counting unit into which voted ballots are temporarily deposited in the event that the unit ceases to function.

Vote counting unit means the device into which voted ballots are inserted and which scans each ballot and records the number of votes for each candidate and for and against each question on which the opinion or assent of the electors is sought.

- 2.2 A reference to the chief election officer in this bylaw includes the deputy chief election officer acting in their absence, and a person who has been delegated a duty or power of the chief election officer under Part 3 of the *Local Government Act*.

PART 2 – NOMINATIONS AND ACCESS TO DOCUMENTS

3. NOMINATION DEPOSITS

- 3.1 A person who wishes to be nominated for mayor or councillor in an election shall pay a nomination deposit in the amount of \$50.00.

4. ACCESS TO NOMINATION AND ENDORSEMENT DOCUMENTS

- 4.1 Nomination documents and elector organization endorsement documents may be inspected in person at City Hall during regular business hours.
- 4.2 The chief election officer is authorized to publish nomination and endorsement documents on the city’s website from the time of filing until 30 days after the declaration of results.
- 4.3 Residential addresses will be redacted from documents published online, other than municipality or electoral area, and additional personal information may be redacted at the discretion of the Chief Election Officer.

5. ELECTOR REGISTRATION

- 5.1 As authorized under section 69 of the *Local Government Act*, a person may register as an elector only at the time of voting for all elections and assent voting.

PART 3 – VOTING OPPORTUNITIES

6. ADVANCE VOTING OPPORTUNITIES

- 6.1 Pursuant to section 107 of the *Local Government Act*, advance voting opportunities will be held:

- (a) on the 10th day before general voting day; and
- (b) on the 3rd day before general voting day unless that day is a holiday, in which case the required advance voting opportunity will be held on the 4th day before general voting day;

and voting hours on those days will be from 8:00 am to 8:00 pm at locations designated by the Chief Election Officer.

7. SPECIAL VOTING OPPORTUNITIES

- 7.1 As authorized under section 109 of the *Local Government Act*, special voting opportunities will be provided, and the chief election officer is hereby authorized to establish the dates, locations, and voting hours within the limits set out in section 99 of the *Local Government Act*, for the special voting opportunities.
- 7.2 The number of candidate representatives who may be present at a special voting opportunity is limited to one.

8. ADDITIONAL GENERAL VOTING OPPORTUNITIES

8.1 The chief election officer may establish additional voting opportunities for general voting day and for this purpose may designate the voting places and set the voting hours, subject to the voting hours closing at 8:00 pm on that day. Notice of the date, places, and voting hours for these additional general voting opportunities may be given in any manner the chief election officer considers appropriate.

9. CURBSIDE VOTING

9.1 Pursuant to section 132 of the *Local Government Act*, an elector who attends a voting place but is unable to enter the voting place because of physical disability or impaired mobility may request to vote at the nearest location to the voting place, within the grounds of the voting place, to which the elector has access.

9.2 Upon receiving a request for curbside voting, the presiding election official or another election official must attend the elector at the nearest accessible location for the purpose of permitting the elector to meet the requirements of section 125 of the *Local Government Act* to obtain a ballot.

9.3 After the ballot is issued, the elector must:

- (a) sign the voting book or otherwise meet the applicable statutory voting record requirements;
- (b) mark the ballot in private; and
- (c) place the marked ballot in a secrecy enclosure or secrecy sleeve, if applicable.

9.4 The presiding election official must immediately return the ballot to the voting place and insert the ballot into the vote counting unit in accordance with the automated vote counting procedures set out in this Bylaw.

9.5 The presiding election official must announce that a curbside ballot has been received before inserting the ballot into the vote counting unit.

9.6 At the elector's request, a person who accompanied the elector may observe the presiding election official returning to the voting place and inserting the ballot into the vote counting unit.

PART 4 – MAIL BALLOT VOTING

10. AUTHORIZATION

10.1 Subject to section 110 of the *Local Government Act* and the restrictions and requirements of this Bylaw, voting by mail ballot is permitted. Accordingly, the chief election officer is authorized to establish dates, time limits, authorized drop-off locations, and procedures in relation to voting by mail ballot.

10.2 In accordance with section 110(9) of the *Local Government Act*, a mail ballot must be received by the chief election officer or designate before the close of voting on general voting day in order to be counted for the election.

11. MAIL BALLOT APPLICATION AND ISSUANCE

- 11.1 An elector wishing to vote by mail ballot shall apply by giving their name and address to the chief election officer during the period:
- (a) commencing 30 days before general voting day; and
 - (b) ending at 4:00 pm on the Wednesday before general voting day.
- 11.2 Upon receipt of a request for a mail ballot, the chief election officer will, between the day following the receipt of the ballots and 4:00 pm on the Wednesday before general voting day, make available to an elector, a mail ballot package as specified in section 110 (7) of the *Local Government Act*.
- 11.3 As per the electors 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 elector;
 - (c) having the mail ballot package picked up by the elector at a location designated by the Chief Election Officer;
 - (d) having the mail ballot package picked up by a person authorized in writing by the elector at a location designated by the Chief Election Officer. The authorized person must show identification and sign a declaration before the mail ballot package will be released.
- 11.4 The chief election officer may establish authorized mail ballot drop-off locations.
- 11.5 The chief election officer shall keep a register of mail ballots which includes:
- (a) the name and address of all electors who request and are issued a mail ballot; and
 - (b) any other information that the chief election officer deems appropriate.

12. MAIL BALLOT VOTING PROCEDURE

- 12.1 To vote using 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.
- 12.2 After marking the ballot, the elector shall:
- (a) place the ballot in the secrecy enclosure provided and seal the secrecy enclosure;
 - (b) place the secrecy enclosure in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
 - (c) place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope;
 - (d) mail, or have delivered, the outer envelope and its contents to the chief election officer so that it is received no later than the close of voting on general voting day.

13. MAIL BALLOT ACCEPTANCE OR REJECTION

- 13.1 Where a mail ballot and its contents are received by the chief election officer before general voting day, the chief election officer shall, upon receiving the mail ballot envelope and its contents:

- (a) immediately record the date of receiving the returned mail ballot in the register of mail ballots;
- (b) open the outer envelope and remove and examine the certification envelope; and
- (c) if satisfied as to:
 - (i) the identity and entitlement to vote of the elector whose ballot is enclosed, and
 - (ii) the completeness of the certification,

the chief election officer will mark the certification envelope as “accepted” and place the accepted and unopened certification envelope with the other certification envelopes in a designated mail ballot box.

- (d) the accepted certification envelopes will be secured in a mail ballot box marked “accepted certification envelopes”. The chief election officer will retain such mail ballot boxes in a secure location.

13.2 The unopened certification envelopes shall remain in the custody of the chief election officer or designate until 4:00 pm on the Thursday two days before general voting day, at which time the certification envelopes containing the secrecy enclosures shall be opened in the presence of at least one other person, including any scrutineers present.

13.3 At 4:00 pm on the Thursday two days before general voting day, the chief election officer or designate shall place all secrecy enclosures received up until that time into a ballot box specified for such purposes, where such secrecy enclosures were received from persons whose right to vote using a mail ballot has not been challenged, or where such challenge has been resolved and the challenged person permitted to vote.

13.4 Where an outer envelope and its contents are received by the chief election officer or designate between 4:00 pm on the Thursday two days before general voting day and the close of voting on general voting day, the provisions of section 13.1 of this Bylaw with regard to ballot acceptance shall apply and the chief election officer or designate shall retain such envelopes in their possession until the close of voting and at that time shall open such certification envelopes in the presence of at least one other person, including any scrutineers present, and place the secrecy enclosure containing the ballot into the ballot box containing the other unopened secrecy enclosure.

13.5 As soon as possible after all of the secrecy enclosure have been placed in the ballot box designated for that purpose, the ballot box shall be opened under the supervision of the chief election officer or designate, and in the presence of at least one other person and any scrutineers present, the secrecy enclosure shall be opened and the ballots contained therein counted in accordance with the provisions of the *Local Government Act*.

13.6 Where:

- (a) upon receipt of an outer envelope, the chief election officer is not satisfied as to the identity of the elector whose ballot is enclosed; or
- (b) in the case of a person required to complete an application for registration as an elector, such application has not been completed in accordance with section 70 of the *Local Government Act*; or

(c) the outer envelope is received by the chief election officer or designate after the close of voting on general voting day, the certification envelope shall remain unopened, and the chief election officer shall mark such envelope as “rejected”, and shall note the reasons therefore, and the ballot contained therein shall not be counted in the election.

13.7 Any certification envelopes and their contents rejected in accordance with section 13.6 of this bylaw shall remain unopened and shall be subject to the provisions of section 160(2) of the *Local Government Act* with regard to their destruction.

14. CHALLENGE OF ELECTOR

14.1 A person exercising the right to vote by mail ballot may be challenged in accordance with and on the grounds specified in Section 126 of the *Local Government Act*, until 4:00 pm on the Thursday two days before general voting day.

14.2 The provisions of sections 126(2) to (5) inclusive of the *Local Government Act* shall apply where a challenge of an elector using a mail ballot has been made.

15. ELECTOR’S NAME ALREADY USED

15.1 Where, 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 provisions of section 127 of the *Local Government Act* shall apply, so far as applicable.

16. SPOILED MAIL BALLOT

16.1 Where an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by advising the chief election officer or designate of the ballot spoilage and by mailing or otherwise delivering by any appropriate means, the spoiled ballot package in its entirety to the chief election officer or designate.

16.2 The chief election officer shall, upon receipt of the spoiled ballot package, record such fact, and proceed in accordance with section 11.2 of this Bylaw.

PART 5 – AUTOMATED VOTE COUNTING SYSTEM

17. AUTHORIZATION

17.1 Council authorizes the use of an automated vote counting system for the conduct of elections and assent voting in accordance with the *Local Government Act* and this Bylaw.

18. AUTOMATED VOTING PROCEDURES

18.1 The presiding election official for each voting place shall offer, and if requested, ensure that a demonstration of how to vote using a vote counting unit is provided to an elector, as soon as such elector enters the voting place and before a ballot is issued.

18.2 Upon completion of the voting demonstration, if any, the elector shall proceed as instructed, to the election official responsible for issuing ballots, who, upon fulfilment of the requirements of the *Local Government Act*, shall then provide a ballot to the elector, a

secrecy enclosure if requested by the elector, the ballot marking instrument, and any further instructions the elector requests.

- 18.3 Upon receiving a ballot the elector shall immediately proceed to a voting compartment to vote.
- 18.4 The elector may vote only by making an acceptable mark on the ballot:
 - (a) beside the name of each candidate of choice, up to the maximum number of candidates to be elected for each of the offices to be filled; and
 - (b) beside either “yes” or “no” in the case of each bylaw or other matter on which the assent or opinion of the electors is sought.
- 18.5 Once the elector has finished marking the ballot, the elector must either place the ballot into the secrecy enclosure, if one has been requested, or turn the ballot upside down and proceed to the vote counting unit, and under the supervision of the election official in attendance, insert the ballot directly from the secrecy enclosure, if applicable, into the vote counting unit without the acceptable marks on the ballot being exposed.
- 18.6 If, before inserting the ballot into the vote counting unit, an elector determines that a mistake has been made when marking the ballot, or if the ballot is returned by the vote counting unit, the elector may return to the voting compartment to correct the ballot or request a replacement ballot by informing the election official in attendance.
- 18.7 Upon being informed of the replacement ballot request, the presiding election official shall issue a replacement ballot to the elector and mark the returned ballot “spoiled” and shall retain all such spoiled ballots separately from all other ballots, and they shall not be counted.
- 18.8 If the elector declines the opportunity to obtain a replacement ballot and has not damaged the ballot to the extent that it cannot be reinserted into the vote counting unit, the election official shall, using the ballot return override procedure, reinsert the returned ballot into the vote counting unit to count any acceptable marks which have been made correctly.
- 18.9 Any ballot counted by the vote counting unit is valid and any acceptable marks contained on such ballots will be counted, subject to any determination made under a judicial recount.
- 18.10 Once the ballot has been inserted into the vote counting unit and the unit indicates that the ballot has been accepted, the elector must immediately leave the voting place.
- 18.11 During any period that a vote counting unit is not functioning, the election official supervising the unit shall insert all ballots delivered by the electors during this time, into the storage ballot compartment, on the understanding that if the vote counting unit:
 - (a) becomes operational, or
 - (b) is replaced with another vote counting unit,the ballots in the storage ballot compartment shall, as soon as reasonably possible, be removed by an election official and, under the supervision of the presiding election official, shall be inserted into the vote counting unit to be counted.

18.12 Any ballots which were temporarily stored in the storage ballot compartment during a period when the vote counting unit was not functioning, which are returned by the vote counting unit when being counted shall, through the use of the ballot return override procedure and under the supervision of the presiding election official, be reinserted into the vote counting unit to ensure that any acceptable marks are counted.

19. ADVANCE VOTING OPPORTUNITY PROCEDURES

19.1 Vote counting units shall be used at all advance voting opportunities and voting procedures at the advance voting opportunities shall follow, as closely as possible, those described in Section 18 of this Bylaw.

19.2 At the close of voting at each advance voting opportunity, the presiding election official in each case shall ensure that:

- (a) no additional ballots are inserted in the vote counting unit;
- (b) the storage ballot compartment is locked to prevent insertion of any ballots;
- (c) the results tapes in the vote counting unit are not generated; and
- (d) the memory pack of the vote counting unit is secured.

19.3 At the close of voting at the final advance voting opportunity, the presiding election official shall:

- (a) ensure that any remaining ballots in the storage ballot compartment are inserted into the vote counting unit;
- (b) secure the vote counting unit so that no more ballots can be inserted; and
- (c) deliver the vote counting unit together with the memory pack and all other materials used in the election to the chief election officer at election headquarters.

20. SPECIAL VOTING OPPORTUNITY PROCEDURES

20.1 Unless the chief election officer determines it is practical to use a vote counting unit, a portable ballot box as defined herein, shall be used for all special voting opportunities. The presiding election official appointed to attend at each special voting opportunity shall proceed in accordance with Sections 18.2, 18.3, 18.4 and 18.5 of this Bylaw so far as applicable, except that the voted ballots shall be deposited into the portable ballot box supplied by the presiding election official.

20.2 Voting may be conducted by carrying the portable ballot box to the bedside, workstation, or other location of the patient, resident, and staff of the location.

20.3 The presiding election official at a special voting opportunity shall ensure that the portable ballot box is secured when not in use and at the close of voting at the final special voting opportunity, the presiding election official shall seal the portable ballot box and return it together with all other election materials to the custody of the chief election officer.

20.4 If a vote counting unit is in use at a special voting opportunity, the presiding election official appointed to attend the special voting opportunity shall follow the procedures outlined in Section 19 of this Bylaw as if it were an advance voting opportunity.

21. PROCEDURES AFTER CLOSE OF VOTING ON GENERAL VOTING DAY

- 21.1 After the close of voting on general voting day, each presiding election official, except those responsible for advance and special voting opportunities, shall undertake all of the following, generally in the order stipulated:
- (a) ensure that any remaining ballots in the storage ballot compartment are inserted into the vote counting unit;
 - (b) secure the vote counting unit so that no more ballots can be inserted;
 - (c) generate three copies of the results tape from the vote counting unit;
 - (d) communicate the result to election headquarters immediately;
 - (e) account for the unused, spoiled, and voted ballots and place them, packaged and sealed separately, together with the memory pack from the vote counting unit and one copy of the results tape, into the ballots and results box;
 - (f) complete the ballot account and place the duplicate copy in the ballots and results box;
 - (g) seal the ballots and results box;
 - (h) place the voting books, list of electors, the original copy of the ballot account, one copy of the results tape, completed registration cards, keys, and all completed forms into the election materials box; and
 - (i) deliver, or have available for pick-up, the sealed ballots and results box, vote counting unit, and the election materials box, to the chief election officer at election headquarters.
- 21.2 At the close of voting on general voting day, the chief election officer shall direct the presiding election official for the advance voting opportunity and any special voting opportunities where vote counting units were used, to proceed in accordance with Section 21.1 of this Bylaw.
- 21.3 All portable ballot boxes used in the election will be opened under the direction of the chief election officer at the close of voting on general voting day and all ballots shall be removed and inserted into a vote counting unit to be counted, after which the provision of Sections 21.1 (a) to (h), so far as applicable, shall apply.
- 21.4 Upon the fulfilment of the provisions of Section 21.1 to 21.3 inclusive, the chief election officer shall, to obtain the election results, direct an election official to place the results in a spreadsheet, which may be used for display in the voting place, indicating the total results.

22. RECOUNT PROCEDURE

- 22.1 If a recount is requested by a candidate after the preliminary election results are announced, it shall be conducted under the direction of the chief election officer using the automated vote counting system and generally in accordance with the following procedure:
- (a) the memory packs of all vote counting units will be cleared;
 - (b) a vote counting unit will be designated for each voting place;
 - (c) all voted ballots will be removed from the sealed election materials boxes, except spoiled ballots, and reinserted in the appropriate vote counting unit under the supervision of the chief election officer;

- (d) any ballots returned by the vote counting unit during the recount process shall, through the use of the ballot return override procedure, be reinserted in the vote counting unit to ensure that any acceptable marks are counted; and
- (e) to obtain election results, the chief or deputy chief election officer shall place the results of each voting place on spreadsheets so as to tally the total election results.

23. TIE VOTES

23.1 A tie vote after a judicial recount will be resolved by lot in accordance with the *Local Government Act*.

24. ORDER OF CANDIDATES ON BALLOTS

24.1 The order of names of candidates on the ballot for each office must be determined by lot in accordance with section 117 of the *Local Government Act*.

PART 6 – GENERAL AND REPEAL

25. SEVERABILITY

25.1 If any portion of this Bylaw is held invalid, the remainder continues in force.

26. REPEAL

26.1 The following bylaws are repealed:

- (a) Election and Assent Voting Bylaw No. 2413, 2018;
- (b) Automated Vote Counting System Authorization and Procedure Bylaw No. 2415, 2018; and
- (c) Mail Ballot Authorization and Procedure Bylaw No. 2416, 2018.

READ FOR THE FIRST THREE TIMES THIS 25TH DAY OF MAY, 2026

ADOPTED THIS 8th DAY OF JUNE, 2026

LILIA HANSEN
MAYOR

BONNIE MCCUE
CORPORATE OFFICER