THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 2236

Amended by: Bylaw No. 2448, adopted on December 9, 2025

WHEREAS pursuant to Section 110 of the *Local Government Act,* the Municipal Council of the District of Peachland may, by bylaw, permit voting by mail ballot and establish procedures;

NOW THEREFORE the Council of the District of Peachland in open meeting, enacts as follows:

1. CITATION

1.1 This bylaw may be cited as "Mail Ballot Procedure Bylaw No. 2236, 2018".

2. AUTHORIZATION

2.1 Voting by mail ballot and elector registration by mail in conjunction with mail ballot voting are hereby authorized.

3. APPLICATION PROCEDURE

3.1 A person wishing to vote by mail ballot shall apply by giving their name and address to the chief election officer or to the person designated by the chief election officer for such purposes, during the period commencing 30 days before the first day of advance voting and ending at 4:00 pm on the Thursday two days before general voting day.

3.2 Upon receipt of a request for a mail ballot, the Chief Election Officer or designate shall make the following available, as soon as possible once the printed ballots are ready, and 4:00 p.m. on the Thursday, two days before general voting day:

(a) make available to the applicant, a mail ballot package as specified in Section 110(7) of the *Local Government Act*; and

(b) immediately record and, upon request, make available for inspection the name and address of the person to whom the mail ballot package was issued.

4. VOTING PROCEDURE

4.1 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.

4.2 After marking the ballot, the elector shall:

(a) place the ballot in the secrecy envelope provided and seal the secrecy envelope, place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;

(b) place the certification envelope, together with a completed elector registration application in the outer envelope, and then seal the outer envelope;

(c) mail, or have delivered, the outer envelope and its contents to the chief election officer at the address specified so that it is received no later than the close of voting on general voting day.

(d) Mail, or have delivered, the outer envelope and its contents to the chief election officer at the address specified so that it is received no later than the close of voting on general voting day.

5. BALLOT ACCEPTANCE OR REJECTION

5.1 Until 4:00 pm on the Thursday two days before general voting day, upon receipt of the outer envelope and its contents, the chief election officer or designate shall immediately record the date of such receipt and shall then open the outer envelope and remove and examine the certification envelope and the completed elector registration application and if satisfied as to:

(a) the identity and entitlement to vote of the elector whose ballot is enclosed; and
(b) the completeness of the certification;
(c) the fulfilment of the requirements of Section 70 of the *Local Government Act.*

the chief election officer or designate shall mark the certification envelope as "accepted", and shall retain in his custody all such certification envelopes in order to deal with any challenges made in accordance with Section 6 of this bylaw.

5.2 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 envelopes shall be opened in the presence of at least one other person, including any scrutineers present.

5.3 At 4:00 pm on the Thursday two days before general voting day, the chief election officer or designate shall place all secrecy envelopes received up until that time into a ballot box specified for such purpose, where such secrecy envelopes 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.

5.4 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 5.1 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 envelope containing the ballot into the ballot box containing the other unopened secrecy envelopes.

5.5 As soon as possible after all of the secrecy envelopes 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 envelopes shall be opened and the ballots contained therein counted in accordance with the provisions of the *Local Government Act.*

5.6 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) 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.

5.7 Any certification envelopes and their contents rejected in accordance with Section 5.6 of the bylaw shall remain unopened and shall be subject to the provisions of Section 160(6) of the *Local Government Act* with regard to their destruction.

6. CHALLENGE OF ELECTOR

6.1 A person exercising the right to vote under the provisions of this bylaw 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.

6.2 The provisions of Section 126 of the *Local Government Act* shall apply where a challenge of an elector using a mail ballot has been made.

7. ELECTOR'S NAME ALREADY USED

7.1 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.

8. REPLACEMENT OF SPOILED BALLOT

8.1 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.

8.2 The chief election officer shall, upon receipt of the spoiled ballot package, record such fact, and proceed in accordance with Section 3.2 of this bylaw.

9. Mail Ballot Authorization and Procedure Bylaw No. 1888, 2008 and all amendments is hereby repealed.

10. This Bylaw shall take effect upon its adoption by the Council of the Corporation of the District of Peachland.

READ A FIRST TIME, this 8th day of May, 2018.

READ A SECOND TIME, this 8th day of May, 2018

READ A THIRD TIME, this 8th day of May, 2018.

FINALLY RECONSIDERED AND ADOPTED, this 22nd day of May, 2018.

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Mayor Corporate Officer

Dated at Peachland, B.C.
This 22nd day of May, 2018.