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## Local Elections Amendments and More

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### **Bill 7: Local Government Statutes Amendment Act**

Bill 7, the Local Government Statutes Amendment Act, 2008, was introduced in the Legislative Assembly on March 4, 2008. This Bill includes amendments to the elections provisions of the Local Government Act, School Act, and Vancouver Charter. The Bill also includes amendments to other statutes relevant to local governments. The following provides highlights of the Act.

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### **Local Elections Amendments**

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#### **Non-Resident Property Elector Certificate**

Non-resident property electors will no longer be required to produce a non-resident property elector certificate in order to register at time of voting; however, proof of eligibility will still be required.

#### **Public Inspection Copies of Elector Documents**

Copies of the list of registered electors are no longer available to the general public as a consequence of public inspection; a copy of the list will remain available for viewing and copies are still provided to candidates.

#### **Nominations and Declaration of Election**

- the number of nominators required may be increased by local bylaw.
- candidates must include in their nomination package a solemn declaration of intent to take office if elected.

- additional public access to nomination documents, including publication on a local government website, may be provided by local bylaw.

#### **Campaign Finance**

- campaign finance rules are extended to apply to "campaign organizers" in addition to candidates and elector organizations. A "campaign organizer" is an individual or group running an election campaign that is intended to support a candidate or elector organization, but is not run directly by a candidate or an elector organization.
- individuals and organizations that undertake election campaigns will be required to provide the chief election officer with up-to-date contact information.
- campaign accounts will only be required when a candidate or elector organization is ready to deposit a contribution or is about to commit to incur an expense. If there are no contributions to deposit, and if there is no commitment to incur any expenses, then it is not necessary to open a campaign account.
- additional public access to campaign financing disclosures, including publication on a local government website, may be provided by local bylaw.
- candidates, elector organizations, and campaign organizers that fail to file a campaign financing disclosure statement will be prohibited from campaign fundraising and spending until after the next general local election.

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## Voting Opportunities

- all electors will be eligible to participate in advance voting. Official declaration of advance voting eligibility is no longer necessary at these voting opportunities.
- mail ballot voting, where authorized by local bylaw, is extended to snowbirds and other electors who will be absent throughout the voting period

## Final Proceedings

Copies of the documents generated at voting opportunities will no longer be available to the general public as a consequence of public inspection.

## Note to Members

**M**inistry of Community Services staff have indicated that they will work with the LGMA Elections Committee to revise forms and summarize changes as a supplement to the Elections Manual. The Ministry will revise the Candidate's Guide and Voter's Guide, and will also produce a separate guide to outline the campaign and campaign financing rules for elector organizations and campaign organizers.

## Other Amendments

### Bylaw Processes

- the same requirements now apply in order to adopt a new bylaw, or amend or repeal an existing bylaw
- municipalities and regional districts may delegate the holding of public hearings on proposed bylaws

### Water District Payments to Municipalities

The Greater Vancouver Water District may make payments in lieu of taxes to municipalities, without requiring the approval of the Lieutenant Governor in Council. This is retroactively effective for the 2007 taxation year.

### Improvement Districts

- improvement districts must adopt a bylaw in order to establish a reserve fund.
- the Minister of Community Services may regulate that improvement district bylaws can be effective without requiring those bylaws to be registered with the Inspector of Municipalities.

- improvement districts are no longer required to raise amounts annually for renewal of works. Amounts must still be raised, but only when works require renewal.
- disbursement of renewal funds for improvement district works no longer requires the approval of the Inspector of Municipalities.

### Regional Districts

- regional districts will submit requisitions for electoral areas to the Surveyor of Taxes, not the Inspector of Municipalities.
- property owners in an electoral participating area may petition a regional district to borrow for a specified purpose related to a particular service.

### Elk Valley Tax Sharing Agreement

The Districts of Sparwood and Elkford, the City of Fernie, and the Regional District of East Kootenay may enter into an agreement to share property tax revenue from coal mines, works and related infrastructure in the Elk Valley.

## Wildfire Act Amendment

Section 33 of Bill 8, the *Forests and Range Statutes Amendment Act*, amends the *Wildfire Act* to clarify that the rules for open fires apply to:

- a municipality or local government, except in areas where there is a related bylaw which meets prescribed criteria; and
- private managed forest land, except in prescribed circumstances.