

**SCHOOL DISTRICT NO. 53 (Okanagan Similkameen)**  
**Trustee Elections Bylaw No. 20**

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A bylaw to provide for the determination of various procedures required for the conduct of general school elections and by-elections.

**PREAMBLE:**

Under the *School Act*, the Board of Education may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections. In School District No. 53 (Okanagan Similkameen), trustee elections in the following trustee electoral areas are the responsibility of the Board of Education:

Name and Composition of Trustee Electoral Area		Number of Trustees
Trustee Electoral Area No. 1	Portion of Area D of Regional District of Okanagan-Similkameen lying within School District No. 53 (Okanagan Similkameen)	One
Trustee Electoral Area No. 2	Town of Oliver and Area C of Regional District of Okanagan-Similkameen	Two
Trustee Electoral Area No. 3	Town of Osoyoos and Area A of Regional District of Okanagan-Similkameen	Two
Trustee Electoral Area No. 4	Village of Keremeos and Areas B and G of Regional District of Okanagan-Similkameen	Two

Trustee elections which are the responsibility of the Board of Education may be conducted by the Board directly, or by or in conjunction with a local government under an agreement with the Board made pursuant to Sections 37 and 38 of the *School Act*.

The Board of Education wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

The Board of Education enacts as follows:

1. Definitions

The terms shall have the meanings assigned by the *School Act* and the *Local Government Act*, except as the context indicates otherwise.

“Board” means the Board of Education of School District No. 53 (Okanagan Similkameen);

“Elector” means a resident elector or property elector of the jurisdiction as defined under the *School Act*;

“Election” means a trustee election;

“Jurisdiction” means, in relation to an election, the school district trustee electoral area for which an election is held.

## 2. Resolution of Tie Votes After Judicial Recount

In the event of a tie vote after a judicial recount which prevents the results of the election from being declared, resolution will be by lot in accordance with Section 141 of the *Local Government Act*.

## 3. Advance Voting Opportunities

a) In jurisdictions where the population is under 5,000, pursuant to Section 97(3) of the *Local Government Act* a second advance voting opportunity is not to be held.

b) Notwithstanding 3(a) of this bylaw, the Chief Election Officer is authorized pursuant to Section 98(1)(a) of the *Local Government Act* to establish dates for additional voting opportunities in advance of general voting day, and pursuant to Section 99(1) of the *Local Government Act* is authorized to establish one or more special voting opportunities.

4. Inasmuch as jurisdictions of School District No. 53 (Okanagan Similkameen) include all or part of a municipality and all or part of a rural area, and therefore no single register of electors or voters' list is available, registration is hereby limited to registration at the time of voting, pursuant to Section 54 of the *Local Government Act*.

## 5. Application of Local Government Bylaws

Where the Board of Education enters into an agreement with a local government under Section 38(4) of the *School Act*, under which a school trustee election is conducted in conjunction with a local government election, the elections bylaws of the local government, as they may be amended from time to time, and not this elections bylaw, apply to any trustee election carried out under that agreement, to the extent authorized by Section 38(5) of the *School Act*, in accordance with the following:

a) Trustee Electoral Area No. 1 (Okanagan Falls): The elections bylaws of the Regional District of Okanagan-Similkameen apply for the purposes of school trustee electors of Area D,

b) Trustee Electoral Area No. 2 (Oliver): The elections bylaws of the Town of Oliver apply for the purposes of school trustee electors of that area, and the elections bylaws of the Regional District of Okanagan-Similkameen apply for the purposes of school trustee electors of Area C,

c) Trustee Electoral Area No. 3 (Osoyoos): The elections bylaws of the Town of Osoyoos apply for the purposes of school trustee electors of that area, and the elections bylaws of the Regional District of Okanagan-Similkameen apply for the purposes of school trustee electors of Area A, and

d) Trustee Electoral Area No. 4 (Keremeos): The elections bylaws of the Village of Keremeos apply for the purposes of school trustee electors of that area, and the elections bylaws of the Regional District of Okanagan-Similkameen apply for the purposes of school trustee electors of Areas B and G.

6. The use of automated voting machines, voting recorders, or other devices for voting in a school trustee election conducted in conjunction with a local government election is authorized in accordance with the procedures for voting, the form of ballot, and the procedures, rules, and requirements for counting of votes which are established by the bylaw adopted by that local government pursuant to Sections 102(1) and 102(2) of the *Local Government Act*.
7. This bylaw rescinds School District No. 53 (Okanagan Similkameen) Trustee Elections Bylaw No. 16.
8. This bylaw may be cited as School District No. 53 (Okanagan Similkameen) Trustee Elections Bylaw No. 20.

Read a first time the 28th day of May, 2008.

Read a second time the 28<sup>th</sup> day of May, 2008.

Read a third time, passed and adopted this 28th day of May, 2008.

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Chairperson of the Board

(Corporate Seal)

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Secretary-Treasurer