



Dear Candidate:

August 28, 2020

RE: Local By-Election 2020 for the Town of Lake Cowichan

As Chief Election Officer for the General Local Election to be held on Saturday, October 24th, 2020, I am available, along with the Election Office staff, to assist you in any way we can regarding the election process.

The period during which nomination forms can be filed is from **9:00 a.m. Tuesday, September 8th, 2020, to 4:00 p.m. Friday, September 18th, 2020.** Nominations cannot be accepted before or after these dates and times as per the *Local Government Act*. No exceptions will not be made.

Important Eligibility Dates for Candidates, Nominators and Voters:

Candidate Eligibility:

- *Be 18 years of age or older on general voting day*
- *Be a Canadian citizen*
- *Must have been a resident of B.C. at least six months by filing date;*
- *Nominators must be eligible to vote in the Town as a resident elector or as a non-resident property elector; and*
- *Not be disqualified under the Local Government Act or any other enactment from being nominated for, being elected to, or holding office, or be otherwise disqualified by law.*

Voter Eligibility:

- *Be 18 years of age or older when they register to vote, or 18 years or older on general voting day;*
- *Be a Canadian citizen;*
- *Have been a resident of B. C. for at least six months before they register to vote;*
- *Have either lived or owned property in the Town of Lake Cowichan for at least 30 days before they register to vote;*
- *If there is more than one registered owner of the property, only one of those individuals may, with the written consent of the majority of the owners, register as a non-resident property elector; and*
- *Not be disqualified under the Local Government Act, or any other enactment, or by law from voting in a local election.*

There is no corporate or business vote in local elections.

General Local Election 2020

Due to recent legislative changes, local governments now use standard nomination forms which require detailed contact information for candidates and their representatives. A solemn declaration (included in the nomination package) stating that the candidate is aware of, understands, and intends to comply with the *Local Elections Campaign Financing Act* is also required at the time of filing.

The following forms are included in your package:

Form C2 – Nomination Documents: All three pages of this form must be returned. No nomination deposit is required. This form must be submitted at the time of filing.

Form C3 – Other Information Provided by Candidate: Following submission to the Town of Lake Cowichan, this form will be provided to Elections BC. This form must be submitted at the time of filing.

Form C4 – Appointment of Candidate Financial Agent: Following submission to the Town of Lake Cowichan, this form will be provided to Elections BC. This form must be submitted at the time of filing.

Form C5 – Appointment of Candidate Official Agent: This form is optional and is only required if you are going to appoint an Official Agent. If you choose to appoint an Official Agent later during the election process, you need to submit this form as soon as practicable after the appointment has been made.

Form C6 – Appointment of Candidate Scrutineer: This form is optional and is only required if you are going to appoint a scrutineer. Under the *Local Government Act*, each candidate is permitted to appoint one (1) scrutineer for each ballot box used at a voting place. While you can only have one scrutineer per ballot box per voting place at any one time, you may appoint multiple scrutineers to rotate through the voting place throughout voting day. The Town of Lake Cowichan will have one ballot box at each voting place. If you choose to appoint a scrutineer later during the election process, you must submit this form as soon as practicable after the appointment has been made.

Once you have filed your nomination papers and become a candidate, you should be aware of the following important election information:

Online Information

The Local Government Division of the Ministry of Community, Sport and Cultural Development has the following documents available on their webpage located at:

- General Local Elections: <https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers>
- Conduct of Locally Elected Officials: <https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/conduct-of-locally-elected-officials>
- Candidate's Guide to Local Government Elections in BC: https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/candidates_guide_to_local_elections.pdf
- Elector Organization Guide to Local Government Elections in BC: https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/elector_organization_guide.pdf
- Guide for Local Elections: https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/what_every_candidate_needs_know.pdf

General Local Election 2020

1. VOTING PLACES, DAYS, HOURS

GENERAL VOTING DAY will be open to qualified electors for the above offices of the Town of Lake Cowichan on Saturday, October 24th, 2020 between the hours of 8:00 a.m. and 8:00 p.m. at the following location:

- ◆ Centennial Hall, 309 South Shore Road, Lake Cowichan, BC

Advance Voting Opportunities

Advance voting will be open to qualified electors for the above office of Mayor of the Town of Lake Cowichan on Wednesday, October 14th, 2020 between the hours of 8:00 a.m. and 8:00 p.m. at the following location:

- ◆ Municipal Office, 39 South Shore Road, Lake Cowichan, BC

Additional Advance Voting Opportunities

Further advance voting opportunities are available to qualified electors for the office of Mayor of the Town of Lake Cowichan between 10 a.m. and 4 p.m. on each of:

- October 19th, 2020;
- October 20th, 2020;
- October 21st, 2020;
- October 22nd, 2020; and
- October 23rd, 2020, all of which will be at the following location:
 - ◆ Municipal Office, 39 South Shore Road, Lake Cowichan, BC.
 - ◆ No special circumstances apply for advance voting.

2. CAMPAIGN FINANCING

Disclosure of campaign financing – In accordance with the newly-enacted *Local Elections Campaign Financing Act*, responsibility for campaign financing oversight is now under the jurisdiction of Elections BC.

Section 18 of the *Local Elections Campaign Financing Act* (LECFA) requires financial agents of candidates running in a local election to deposit campaign funds into a separate campaign account in a savings institution. Section 18 also requires that all election related expenditures be paid from this account. Accordingly, Elections BC has requested that all campaign financing inquiries be handled directly by Elections BC staff to ensure consistency of information. If you have any questions or concerns regarding campaign financing, please consult the Elections BC website at www.elections.bc.ca, email lecf@elections.bc.ca or call toll free 1-855-952-0280.

Once you have filed your nomination papers, Elections BC will mail the required campaign financing disclosure forms directly to you. Your completed campaign financing disclosures are due no later than January 22, 2021 and must be filed directly with Elections BC.

In accordance with the *Local Elections Campaign Financing Act*, for the 2020 general local election, the following expense limits for candidates during the campaign period apply: Mayor \$10,000; and Third-Party Advertising \$750.

General Local Election 2020

3. ELECTION ADVERTISING SPONSORSHIP INFORMATION

As part of the newly enacted campaign financing legislation, election advertising must now include sponsorship information during the election proceeding period (September 26 - October 24) (the definition of election advertising is very broad and includes signage, newspaper ads and electronic communications. Please consult the Guide or the legislation for a full definition). The sponsorship information must include: (1) the name and title of the financial agent, (2) the words "authorized by" preceding the name and title of the financial agent, and (3) a BC phone number or mailing address or email address at which the financial agent can be contacted. Sponsorship information must be in English. If the advertising is in another language, then the sponsorship information must also be in that language and in English.

Campaign financing rules apply during the campaign period for candidates, elector organizations and third-party sponsors.

4. UNLAWFUL ELECTION ACTIVITIES

Part 3, Division 18 – of the *Local Government Act* deals with election offences. These sections should be self-explanatory. Please review this information. Please also note Section 163(4) which states that election campaigning cannot take place within 100 metres of a voting place. This includes canvassing or soliciting votes, placement of signs, distribution of documents/material, and carrying, wearing or supplying flags, badges or other things showing support for a particular candidate.

5. ELECTION SIGNS

With regard to the placement of election signs, of paramount importance is the protection of public safety and public amenities. The Town of Lake Cowichan requires a deposit of \$100 for election signs under its Sign Regulation Bylaw No. 945-2014. Please pay attention to the information regarding election signs that is attached to this document.

6. VOTERS LIST

As a candidate you are entitled to one free copy of the Voters List. You should be aware that under the law any person inspecting or using the Voters List must only do so for bona fide election purposes. Candidates (and their official agents) are responsible for protecting the confidentiality of the Voters List, and for ensuring that all persons in their organization who have access to a Voter List, do likewise. A signed "*Undertaking and Acknowledgement of Receipt of Voters List*" must be filed with the Chief Election Officer, Town of Lake Cowichan before such lists are released to candidates. Voters Lists must be stored securely so that only authorized individuals have access to the information contained therein. **As noted on the "Undertaking and Acknowledgement of Receipt of Voters List", information may not be used, copied, or distributed, in whole or in part, by or for any person, in any form whatever, except for civic election purposes. Misuse of the information is subject to serious penalties under the *Election Act*.**

If you wish clarification on any facet of the election proceedings or require additional information, please call

General Local Election 2020

me at 250-749-6681 or email me at electionslc@lakecowichan.ca.

Yours Truly,

A handwritten signature in black ink, appearing to read 'Joseph A. Fernandez', with a stylized flourish at the end.

Joseph A. Fernandez
Chief Election Officer

Enclosure

Town of Lake Cowichan

Guide to Election Sign Placement

Duration of Election and Political Sign Placement

General rule for the 2020 local elections:

- Election signs may only be erected starting on **September 26th, 2020** and must be taken down no later than October **25th, 2020**.

Election Signs on Town Lands, Buildings, or Structures

- Election and political signs **must not be placed:**
 - on highways, roads, lanes, bridges and right of ways;
 - at the Town Square, the two roundabouts and any median medians;
 - in parks, on playing fields, trees or planters;
 - on waste receptacles; or
 - on Town buildings, municipal property or structures.
- Election and political signs that have a sign face of no more than 0.6 metres square in area (approximately 2 x 3 feet) may be placed on a Town-owned boulevard.
- Larger signs may be placed at the entrance wye.

Election Signs on Private Property

- Election signs are permitted on private property, without the need for a sign permit, between the dates of September 26th, 2020 and October 25th, 2020 provided that the property owner consents to the placement of the sign.
- Property owners would be within their rights to remove and/or dispose of signage that has been placed on their property or on boulevards adjacent to their properties without permission.
- Election signs on private property at intersections, must not obstruct sight lines as shown in the diagram, attached to this information sheet.

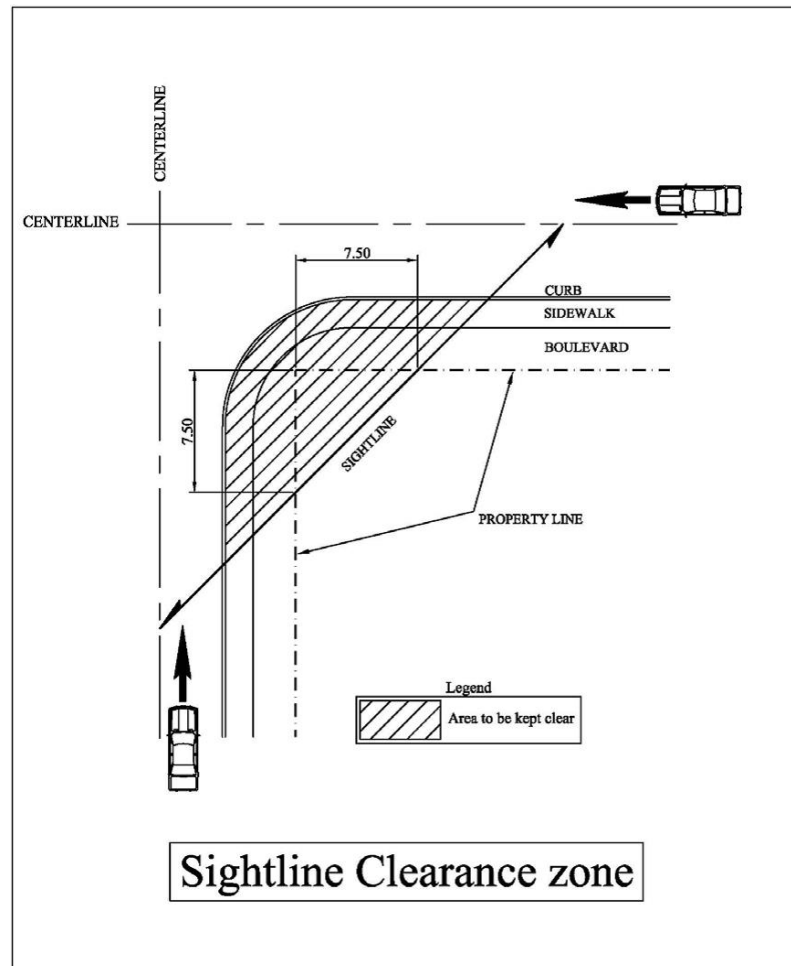
Hazardous Placement of Election Signs

- Election and political signs must not be placed on public or private property in such a manner as to create a hazard for pedestrians, cyclists or vehicles.

- Additionally, election signs must:
 - not overhang on Town-owned property;
 - not be placed within one metre of a fire hydrant;
 - not obstruct, simulate or detract from a traffic control device or traffic sign;
 - not become unsightly or dilapidated if damaged; and
 - not obstruct sightlines at intersections (as shown in the attached diagram).

Election Signs at Intersections

Election signs must not obstruct the line of vision at an intersection between the height of 0.9 metres (2.95 feet) and 3.0 metres (9.84 feet), as measured from the top of any curb fronting a parcel (or if there is no curb, as measured from the crown of the roadway) in the area shown in the illustration below:



Election Signs Near Voting Places at the time of Voting

- Under the Local Government Act, it is an election offence for an election sign to be located within 100 metres of a voting place during voting proceedings. This includes signage on private property.
- Contraventions of this law and other election offences carry serious penalties which could include fines, imprisonment, and prohibitions against voting in local elections and/or holding an elected local government office.
- Election signs found within 100 metres of a voting place on Saturday, October 20, 2018 or on any of the advance voting days, will be removed immediately without notice under the authority of the Chief Election Officer.

Enforcement and Penalties

- Election Office staff are available to answer your questions about the lawful placement of election signs.
- It is the responsibility of each candidate, elector organization and any other individual who places election signs in the community to ensure compliance with the bylaw in order to avoid the potential inconvenience and cost of enforcement and/or sign removal.
- Where time permits, and the sign is not considered a safety hazard, the candidate or elector organization may be given the opportunity to remove the improperly placed sign.
- The Town will remove signage without prior notice if a sign is considered to be a safety hazard; if it is located within 100 meters of a voting place at the time of voting; or if a candidate or elector organization has not removed a sign in a timely manner after being notified or has been non-responsive to such requests.
- The Town is not responsible for the loss or damage of election signs that are placed in the community or removed under the bylaw.
- Election signs that are removed by the Town will be held at the Town Works Yard and may be disposed of without further notice if not claimed within seven days. Signs may be claimed Monday through Friday between 8:15 am and 4:30 pm.
- A person who places election signs in contravention of the sign bylaw or fails to comply with the campaign period requirements may be subject to election offence charges and penalties. For signs that are placed in contravention of the bylaw, a penalty of \$100 may be imposed for each offence and may be applied for each sign and for each day in violation of the bylaw.
- **Complaints:** Complaints regarding illegal sign placement should be directed to 250-749-6681.