



RAYLEIGH WATERWORKS DISTRICT (RRWD) TRUSTEE ELECTION PROCEDURES

DEFINITIONS

RETURNING OFFICER

1. Is appointed by the Board of Trustees and is responsible for the conduct of all elections, by-elections, and assent votes (formerly referendums). The appointed returning officer is typically RWWD's Administrator;
2. Has the authority to determine whether or not an individual meets the voter eligibility requirements and may require such individual to make and file with him or her a solemn declaration showing that the declarant is eligible to vote;
3. May conduct the roll of Poll Clerk or delegate it to other staff; and,
4. Is responsible for training the Poll Clerk and any additional election officials required to conduct elections, by-elections and assent votes.

POLL CLERK

1. Assists the Returning Officer to set up and open the voting place and ensure that voting proceeds in an orderly and safe fashion;
2. Confirms an individual's identity and residential address and therefore their eligibility to vote; and,
3. Assists with counting ballots.

SCRUTINEER OR CANDIDATE REPRESENTATIVE

1. May be appointed in writing by a candidate to observe the election process to ensure that proper process is followed;
2. May be present while the ballots are distributed and at the final ballot count; and
3. May not interfere with the election proceedings.

VOTER ELIGIBILITY

1. A Canadian citizen;
2. 18 years of age or older;
3. A resident of British Columbia for the past 6 months;
4. Be an owner of land located within Rayleigh or the authorized agent or legal representative of a deceased owner of such land;
5. Not otherwise be disqualified from voting under section 29 of the *Election Act*; and,
6. Have not voted before in the same election.

Each corporation or society that owns land within Rayleigh has one vote and must designate, in writing, a person to vote on its behalf. That person can also be an owner of other property within Rayleigh. If so, that person could vote twice, once on their own behalf as a landowner and as the agent authorized on behalf of the landowning corporation or society.

TRUSTEE ELIGIBILITY

The eligibility requirements to be a trustee on RWWD Board are the same as the eligibility requirements to vote in an RWWD election. The spouse or common-law partner of an eligible elector is qualified to be a candidate for trustee.

NUMBER OF TRUSTEES

The Board consists of 5 elected trustees each elected for 3-year terms. Each year vacancies may be identified on a rotational basis as follows: 2-2-1.

ANNUAL ELECTIONS

A general election occurs annually on a day and time specified by the Returning Officer or occurs at the annual general meetings (AGM).

BY-ELECTIONS

By-elections may occur at a special meeting.

NOMINATIONS

1. Eligible individuals must declare their willingness to run for the elected position of trustee by completing a nomination form and submitting it to the Returning Officer, through email or hand delivery to the Admin Office.
2. The nomination form must be signed by 2 nominators.
3. Nominations close 7 days prior to the election, or 14 days from election notice.

NOTICES

1. Notice of an election will be posted at least 14 days in advance of the election.
2. Notice will be posted in the public posting place and on the RWWD website, announcement emails, and announcement boards. Additional notices may be placed in the local newspaper.

VOTERS LIST [Optional]

(Recommended during the COVID-19 pandemic)

1. A list of eligible electors based on the assessment role.
2. If an individual confirms their name and address on the list, they are not required to show ID.

ELECTION PROCEDURES FOR VOTING

1. Poll Clerk (or Returning Officer) checks the name and address of individual on the voters list (if voters list is used).
2. If the individual is listed on the voters list – the Poll Clerk (or Returning Officer):
 - a) asks the elector to make an oral* declaration:
DECLARING they meet the eligibility criteria:
 - *I am a Canadian citizen;*
 - *I am 18 years of age or older;*
 - *I have resided in British Columbia for at least six months immediately preceding voting day;*
 - *I am a registered owner of real property in Rayleigh immediately preceding voting day or the authorized agent or legal representative;*
 - *I am not disqualified under section 29 of the Election Act or any other enactment from voting in this election;*
 - *I have not previously voted in this election.*
 - b) initials beside the elector's information on the voters list confirming that an oral declaration was given;
 - c) provides the elector with a ballot; and,

- d) reminds the elector they have an opportunity to mark, with an X, one to 3 choices, depending on the number of trustee vacancies there are to fill; or, in case where the names are not listed on the ballot, indicate the name(s) of the nominee(s) they are voting for.
- 3. If the individual is not on the voters list, the Poll Clerk asks for identification that confirms the individual's identity and residential address and therefore their eligibility to vote;
- 4. If the individual does not have identification, the Poll Clerk:
 - a) asks the individual to fill out and sign the Property Owner Elector Solemn Declaration as to their identity and property ownership or the authorized agent or legal representative;
 - b) asks the individual to give an oral declaration;
 - c) initials beside the elector's information confirming that an oral declaration was given;
 - d) provides the elector with a ballot;
 - e) reminds the elector they have an opportunity to mark, with an X, one to # choices, depending on the number of trustee vacancies there are to fill; or, in case where the names are not listed on the ballot, indicate the name(s) of the nominee(s) they are voting for.
- 5. If the individual presents themselves as an agent of a board or corporation or authorized agent or legal representative, the individual must also present formal documentation supporting that they have been assigned authority as agent for that board or corporation's interest or legal representative in property owned within RWWD's jurisdiction. Only one agent per board or corporation will be permitted to vote. The Poll Clerk:
 - a) asks the individual to fill out and sign the Property Owner Elector Solemn Declaration as to their identity and property ownership, attaching a copy of the board or corporation's authorization as agent or legal representative documentation;
 - b) asks the individual to give an oral declaration;
 - c) initials beside the elector's information on the voters list confirming that an oral declaration was given;
 - d) provides the elector with a ballot; and,
 - e) reminds the elector they have an opportunity to mark, with an X, one to # choices, depending on the number of trustee vacancies there are to fill; or, in case where the names are not listed on the ballot, indicate the name(s) of the nominee(s) they are voting for.
- 6. The elector then marks their ballot and deposits the folded ballot into the ballot box.

BALLOT COUNT:

- 1. Ensure only the Returning Officer, Poll Clerk and candidates or appointed scrutineers are present at the count:
 - a) a candidate or their scrutineer (not both) may observe the ballot count proceedings to ensure a transparent and consistent process is followed and that any potentially spoiled ballots are ruled on by the Returning Office in a fair and consistent manner.
- 2. Determine the number of eligible electors that voted;
- 3. Open the sealed ballot box;
- 4. The Returning Officer will count the ballots using tally sheets:
 - a) a ballot will be counted when it clearly identifies not more than one to three choices with an X;
 - b) a tick mark will be accepted if the intent of the elector is clearly indicated; and,
 - c) any writing, drawings or distinguishable markings will spoil the ballot and the ballot will not be counted towards the total votes.
- 5. Record the total ballots cast, the ballots counted, and the ballots rejected/spoiled;
- 6. Declaration of voting results by the Returning Officer:
 - 1. The candidate(s) with the greatest number of votes cast will be elected to the vacant trustee positions; and,

2. If there is a vacancy for different length terms, the candidate with the greatest number of votes cast will hold office for the longest term (generally a three-year term). The candidate with the second greatest number of votes cast holds office for the next longest term.

ELECTION CHALLENGE

1. A person who is qualified to vote at an RWWD election and who voted or applied to vote in the election may appeal to the Supreme Court against the order of the Returning Officer accepting or rejecting a vote or ballot or the result of the election.
2. The appeal must be made in writing within two weeks after the election.

RETENTION AND DESTRUCTION OF ELECTION DOCUMENTS

1. Until the of the end of the appeal period (two weeks after the election) the Returning Officer:
 - a) must keep the sealed ballot packages in their custody;
 - b) is responsible for retaining the nomination documents for the election; and,
 - c) is responsible for retaining the remainder of the election materials.
2. The following materials must be destroyed as soon as practicable within 30 days after the appeal period expires:
 - a) the ballots used in the election;
 - b) any copies of the list of electors used for the purposes of voting proceedings;
 - c) the voting books used in the election; and,
 - d) any solemn declarations and any written statements or declarations in relation to voting proceedings.