SCHOOL DISTRICT NO. 8 (KOOTENAY LAKE)
BYLAW NO. 4
TRUSTEE ELECTIONS

A Bylaw to provide for the determination of various procedures for the conduct of general school elections and other Trustee 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. 8 (Kootenay Lake), Trustee elections in the following Trustee electoral areas are the responsibility of the following authorities:

Trustee Electoral Area	Number of Trustees	Authority
City of Nelson/Bealby Point	Two (2)	City Council
Town of Creston	One (1)	Town Council
South Rural Zone	Two (2)	School Board
Village of Kaslo & North Rural Zone – Area D	One (1)	School Board
Crawford Bay, East Shore & North Shore	One (1)	School Board
Salmo, Taghum & Blewett	One (1)	School Board
Slocan Valley/Bonnington	One (1)	School Board

Boundaries as defined in the Metes and Bounds of the School District:

City of Nelson
Includes City of Nelson, Bealby Point, North Shore to 3-Mile and West to Grohman Narrows.

Town of Creston
Town of Creston boundaries.

South Rural Zone
That portion of Electoral Area "A" South of Sanca Creek, including Wynndel; Electoral Area "B" East to Irishman's Creek, including Yahk, Kitchener, Erickson, Canyon, Lister and Arrow Creek; Electoral Area "C," including West Creston and Lakeview.

Village of Kaslo & North Rural Zone - Area D
Village of Kaslo and Electoral Area "D," including Ainsworth in the South, to Gerrard in the North, including Lardeau, Argenta and Meadow Creek.

Crawford Bay, East and North Shores
That portion of Electoral Area "A" North of Sanca Creek, including Boswell, Crawford Bay and Riondel and that portion of Electoral Area "F" that includes the North Shore from 3-Mile North to Coffee Creek South, including Balfour and Procter.

Salmo, Taghum & Blewett
Village of Salmo at that portion of Electoral Area "G" and that portion of Electoral Area "F: West of Nelson, including Blewett Taghum and Beasley.

Slocan Valley
That portion of Electoral Area "H," including the Village of Slocan, Winlaw, Slocan Park, Crescent Valley and South Slocan, and;
That portion of electoral Area "F: to Falls Creek, including Bonnington.

Trustee elections which are the responsibility of the School Board may be conducted by the School Board, directly, or by a local government, under an agreement with the School Board, made pursuant to Section 37 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, in an open meeting of the Board, enacts as follows:

1. DEFINITIONS:

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

    - "Board" or "School Board" means the Board of Education of School District No. 8 (Kootenay Lake)
    - "By-Election" means a Trustee election to fill a vacancy on the School Board.
    - "Election" means a Trustee election.
    - "General Voting Day" means the date on which general voting for a trustee election is to take place, whether part of the general school elections or a by-election.
    - "Minister" means the Minister of Education
    - "Municipality" means the Town of Creston, Village of Kaslo, City of Nelson, Village of Salmo, Village of Slocan.
    - "Regional District" means the Regional District of Central Kootenay

2. APPLICATION:

    This Bylaw applies to both general elections and by-elections carried out by the School Board and by other authorities, except as otherwise indicated.

3. ORDER OF NAMES ON THE BALLOT:

The order of names of candidates on the ballot will be alphabetical.

4. RESOLUTION OF TIE VOTES AFTER JUDICIAL RECOUNT:

In the event of a tie vote, of two (2) candidates after a judicial recount, the tie vote will be resolved by conducting a lot, in accordance with Section 141 of the Local Government Act. If the tie vote involves three (3) or more candidates, it will be resolved by a run-off election.

5. APPLICATION OF LOCAL GOVERNMENT BYLAWS:

5.1 Where the Board enters into an agreement with a Municipality, under Section 37 of the School Act, the election bylaws of the Municipality apply to trustee elections conducted by the Municipality, except for bylaws determining the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a trustee election.

5.2 Where the Board enters into an agreement with the Regional District which conducts all or a part of the trustee election, the elections bylaws of the Regional District as they may be amended from time to time, apply to that trustee election or part of the trustee election, except for any bylaws determining the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a trustee election.

6. Elections Conducted by the School Board:
The following provisions apply to those Trustee elections which the School Board conducts on its own behalf.

6.1 The mandatory advance voting opportunities are established as follows:
   i) on the tenth day before general voting day; and
   ii) two days before general voting day.

6.2 The Chief Election Officer is authorized to establish additional advance voting opportunities for each election and to designate the voting places, establish the date and the voting hours for these voting opportunities.

6.3   The Chief Election Officer is authorized to establish additional general voting opportunities for general voting day for each election and to designate the voting places and voting hours, within the limits set out in the Local Government Act, for such voting opportunities. (Reference: Local Government Act Section 96; School Act S. 45(1).

6.4   **Voting Division**
The School Board authorizes the Chief Election Officer to establish voting divisions for each election, subject to any requirements, limits and conditions established by law.

6.5   **Number of Scrutineers at Voting Places**
a)   The number of scrutineers for each candidate that may attend at an election is a maximum of one (1) scrutineer for each ballot box in use.

7. <u>TITLE:</u>

This Bylaw may be cited as "School District No. 8 (Kootenay Lake) Trustee Elections Bylaw #4."