

**POLICY AND PROCEDURES FOR ELECTIONS CONDUCTED BY THE  
GABRIOLA FIRE PROTECTION IMPROVEMENT DISTRICT**

Date Approved: February 07, 2024

Policy #24-09

This policy replaces "Gabriola Fire Protection Improvement District Trustee Elections"

This policy is implemented by the elected Board of Trustees of the Gabriola Fire Protection Improvement District (GFPID) as a process to determine the conduct of Elections.

**DEFINITIONS**

1. Corporate Officer means the Corporate Officer of the Gabriola Fire Protection Improvement District.

2. Assistant to the Corporate Officer means assisting the Corporate Officer with administration of the election.

3. Poll Clerk

a. assists the Presiding Election Official in the set up and opening of the voting place and ensures the voting proceeds in an orderly and safe fashion.

b. confirms an individual's identity and residential address and therefore their eligibility to vote.

c. assists with the counting of ballots

4. Presiding Election Official

a. is appointed by the Board of Trustees of the Gabriola Fire Protection Improvement District.

b. shall oversee the voting and counting of ballots.

c. shall assist poll clerks in determining eligibility of a voter.

d. shall act at the Returning Officer.

5. Scrutineer

a. a person to represent the candidate by observing the conduct of voting and counting proceedings for the election.

## **PROCESS**

1. The date and time for the Annual General Meeting and Election or a Special General Meeting will be called by the Board of Trustees of the Gabriola Fire Protection Improvement District at a public meeting and in a manner consistent with the Letters Patent
2. Once the election is called the Corporate Officer shall give notice of the election by a notice in the local paper and/or our website and/or a letter sent by ordinary first-class mail setting out the date time and place for the meeting.
3. Nominations shall follow the process as set out in the Nomination Process of this policy and must be received by the Corporate Officer no later than 14 business days prior to the election.
4. The time of voting shall be set out by the Board of Trustees and be included in the notice of the meeting.
5. The election results shall be announced at the end of the Annual General Meeting or the Special General Meeting if the Special General Meeting includes voting.

## **NOMINATION PROCESS**

1. The nomination period shall be set out in the first Notice of Election in the local paper and/or our website and/or a letter sent by ordinary first-class mail.
2. The candidate cannot self nominate but must be nominated by one person.
  - a. a person may nominate only one candidate in any election.
3. The candidate must meet the following criteria
  - a. a Canadian citizen
  - b. eighteen years of age or older
  - c. an owner of land in the Gabriola Fire Protection Improvement District
  - d. a resident of the Province of British Columbia for the prior six months or legal representative of land an owner of land in the Gabriola Fire Protection Improvement District who has died, become insolvent or insane.
4. The candidate and nominator shall complete the Nomination Application Form. (*Appendix Form A*)
5. A candidate continues to be a candidate until the date of the election, unless the individual is declared invalid by the courts, dies, or withdraws.

6. Should there be a challenge raised against a candidate the ELECTION ACT [RSBC 1996] CHAPTER 106 as amended shall apply
7. If a candidate dies between the end of the nomination period and the close of final voting, the election is cancelled, and the election process must be start again as if the election was called on the day in which the corporate officer received notification of death.
8. At any time up until 48 hours before the start of voting, a candidate may withdraw from the election by delivering a signed withdrawal to the corporate officer.
  - a. candidate's signature on a withdrawal must be witnessed by at least one other individual who must sign the withdrawal as witness.
  - b. if only one candidate remains after a withdrawal, the remaining candidate shall be declared elected by acclamation.
9. The Candidate shall complete a Statutory Declaration. (*Appendix Form B*)

## **SCRUTINEERS**

1. A candidate may appoint candidate representatives in accordance with this section to represent the candidate by observing the conduct of voting and counting proceedings for the election.
  - a. the appointment must be in writing and signed by the candidate. (*Appendix Form C*)
  - b. the appointment shall include what duties the scrutineer will perform.
    1. observing the election
    2. ballot counting
    3. both election observation and ballot counting
2. If more than one scrutineer is appointed the times between which the duties shall be performed shall be noted.
3. There shall be only one scrutineer per candidate performing duties at any one time.
4. The scrutineer shall wear identification at all times and shall carry a copy of their appointment papers.
5. The scrutineer shall present their appointment papers (*Appendix Form C*) to the presiding election official prior to commencing their duties.
6. The scrutineer shall not interfere with the duties of the presiding election official or handle election documents.

7. The scrutineer shall not interfere with or assist any person marking a ballot.
8. The scrutineer shall not attempt to discover how someone marked their ballot or how they voted.
9. The scrutineer must not display, distribute, or post any election advertising or any material that identifies a candidate or elector organization.
10. The scrutineer must not carry, wear, or supply a flag badge or other thing indicating support of a candidate, group, elector organization or result in voting.
11. The scrutineer shall complete the Scrutineers Code of Conduct (*Appendix Form D*)
12. Only a candidate or a scrutineer may be present during the vote count, not both
13. A candidate may not act as a scrutineer

## **BALLOTS**

1. A ballot must not include any of the following
  - a. an indication that a candidate is holding or has held an elected office.
  - b. a candidate's occupation
  - c. an indication of a title, honour, degree, or other decoration received or held by the candidate.
  - d. if two or more candidates have the same surnames and given names or, in the opinion of the corporate officer the names are likely to cause confusion the corporate officer may modify the names to include additional information to assist voters. The restrictions under 1 a through c shall apply.
2. Ballot control procedures
  - a. all ballots will be numbered
  - b. ballots shall be produced by the corporate officer and one person delegated by the Chair
  - c. ballots will remain locked with dual locks
  - d. ballots shall never be left unattended or unsecured
  - e. ballots may be released in groups of 50 by the Corporate Officer to the delegated person using a sign out sheet. The designated person will take the signed-out sheet and signed out ballots to the Poll Clerks who will sign for receipt of the ballots. The sign out sheet will then be returned to the Corporate Officer
  - f. Poll clerks will not leave their station without having authorized back up to fill their station and maintain custody of ballots
  - g. when voting closes the assistant to the corporate officer or Corporate Officer will collect all unissued ballots and deliver them to the Presiding Election Official

- h. the Presiding Election Official will take custody of the ballot box containing all votes and administer the vote counting
- i. reconciliation of all used and unused ballots will be performed by the Corporate Officer and the assistant to the corporate officer after the vote count is completed. Any discrepancies will be reported to the Chair.
- j. after the vote count is completed, all counted ballots will be placed into a sealed envelope, initialed and given to the Corporate Officer for safe keeping
- k. after reconciliation, all unused ballots will be placed into a sealed envelope, initialed and given to the Corporate Officer for safe keeping

## VOTING

1. The polling location shall be arranged in accordance with the directions of the Presiding Election Official
2. Poll clerks shall be appointed by the Corporate Officer and approved by the Presiding Election Official. Poll Clerk Solemn Declaration (*Appendix Form E*) and Poll Clerk Approval Forms (*Appendix Form F*) shall apply.
3. Poll clerks will confirm eligibility of the voter. Any questions regarding the eligibility shall be directed to the Presiding Election Official. If the issue cannot be resolved it shall be referred to the Chair of the Board of Trustees of the Gabriola Fire Protection Improvement District.
  - a. If the Chair is a candidate these duties shall be assigned to a Trustee not currently a candidate in the election. This transfer of duties shall be in writing.
4. Voting eligibility criteria:
  - a. a Canadian citizen
  - b. 18 years of age or older
  - c. resided in the Province of British Columbia for at least six months prior to voting day or the authorized agent or legal representative
  - d. be a registered owner of real property in the Gabriola Fire Protection Improvement District.
  - e. not be disqualified by this Act or any other enactment from voting in the election or be otherwise disqualified by law.
  - f. not previously voted in this election.
5. The following forms of identification are not acceptable
  - a. scanned copy of identification on cell phones or other electronic devices

- b. photocopies or scanned versions of documents that were not issued electronically.
- ie. passport, drivers' licence

6. If the voter presents themselves as an agent of a Board or Corporation or legal representative, the Voter must also present formal documentation supporting that the individual has been assigned authority as agent for that Board or Corporation interest or legal representative in property owned within the Gabriola Fire Protection Improvement District. Only one agent per Board or Corporation will be permitted to vote. The poll clerk will identify the voter to the Presiding Election Official who will

- a. ask the Voter to fill out and sign the Property Owner elector Solemn Declaration as to property ownership and identity, attaching a copy of the Board Or Corporation's authorization as agent or legal representative documentation
- b. ask the Voter to sign the statutory declaration page
- c. provide the Voter with a voting ballot

7. If the voter presents themselves as an individual voter a poll clerk will confirm the identification produced is valid and acceptable. The second poll clerk will be provided the voters name.

- a. the second poll clerk checks the name and address of the voter, strikes through the entire name and address on the assessment role
- b. the voter will then be asked to "Please read the declaration regarding eligibility criteria on the desk (*Appendix Form G*) and if the information is correct and true then you can sign to attest it is correct and true."
- c. the voter will then sign the declaration /voter list.
- d. the poll clerk will prepare and initial the back of the ballot
- e. the voter will then be instructed to
  - 1. go behind the voting screen
  - 2. mark up to "XX = number of vacant positions" candidate boxes
  - 3. do not make any other markings on the ballot
  - 4. when complete place the vote in the ballot box and leave the voting place

8. Poll clerks should not touch the ballot after it has been issued.

9. The statutory declaration form is Appendix Form H of this policy

10. The declaration and eligibility form is Appendix Form H of this policy

11. Mail in Balloting is not permitted.

12. Advance Polls are not permitted.

## **BALLOT COUNTING**

1. Only the Presiding Election Official, Assistant to the Corporate Officer, Poll Clerk(s) and candidates or appointed scrutineers are present at the count.

a. a candidate OR their scrutineer, but 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 Presiding Election Official in a fair and consistent manner.

2. The Presiding Election Official shall open the sealed ballot box

3. The Presiding Election Official will count the ballots using tally sheets

a. a ballot will be counted when it clearly selects not more than the number of vacant positions.

b. a tick mark or filled in box will be accepted if the intent of the elector is clearly indicated and,

c. any writing, drawing, or distinguishable markings on the face will spoil the ballot and the ballot will not be counted towards the total vote.

5. Record the total ballots cast, the ballots counted, and the ballots rejected/spoiled

6. Declaration of voting results by the Presiding Election Official

a. eligible votes cast and number of spoiled ballots

b. the candidate(s) with the greatest number of votes cast will be elected to the vacant trustee positions; based on vote count

c. if there is a vacancy for different term lengths the candidate with the greatest number of votes cast will hold office for the longest term. The candidate with the second greatest number of votes cast hold office for the next longest term.

7. In the event of a tie the result of the election shall be determined by lot as follows

a. the name of the candidates are to be written on a separate piece of paper as similar as possible to the other pieces of paper.

b. the pieces of paper are to be folded in a uniform manner in such as way that the names of the candidates are not visible

- c. the pieces of paper are to be placed in a container that is sufficiently large to allow them to be shaken for this purpose.
- d. the Presiding Election Official will direct one person who is not a candidate or a candidate representative to withdraw one piece of paper address
- e. the Presiding Election Official shall then declare the elected the candidate whose name appears on the paper.

## **RETENTION AND DESTRUCTION OF ELECTION DOCUMENTS**

1. The Corporate Officer is responsible for the retention of documents following the election.
2. Until the end of the appeal period, 14 days after the election the Corporate Officer
  - a. must keep the sealed ballot package in their custody
  - b. is responsible for retaining the nomination documents for the election proceedings
  - c. is responsible for retaining the remainder of the election materials
3. The Corporate Officer shall destroy the following material as soon as practicable with 60 days after the expiry of the appeal period or a court decision has been made regarding an appeal
  - a. nomination documents
  - b. ballots used in the election proceedings
  - c. any copies of the list of electors used for the purposes of voting proceedings
  - d. any voting books
  - e. any solemn declarations and any written statements or declarations in relation to voting proceedings

## **PROHIBITIONS**

1. While voting is being conducted at a voting place, an individual, group or organization must not do any of the following in or within 100 metres of the building where the voting is being conducted:
  - a. post, display or disseminate
    1. campaign period election advertising or



2. any material that identifies a candidate, registered political party or group, unless this is done with the authorization of the Presiding Election Official
  - b. canvass or solicit votes or otherwise attempt to influence how a voter votes
  - c. carry, wear, or display a flag, badge or other thing indicating that the individual using it is a supporter of a particular candidate, group, or registered political party
  - d. post, display, disseminate or openly leave a representation of a ballot marked for a particular candidate, group, or registered political party

\*All sample forms are subject to change without notice.

*"Appendix Form A - Sample Form"*

**Gabriola Fire Protection Improvement District  
Board of Trustees Candidate Nomination Application Form**

**How to become a candidate**

Review this page carefully and see the reverse side for information on how to file your nomination once complete.

To become a candidate, you must:

- meet all of the qualifications (see below);
- file a Nomination Application (this form) with the Corporate Officer of the Gabriola Fire Protection Improvement District no later than 14 days before the election.

You will not become a candidate until a complete nomination has been submitted, accepted and a notification of Candidacy has been issued.

Once filed, your nomination documents are available to the public. You may request to keep some of your information private.

Changes to nomination documents after filing:

- You may amend matters of fact that have changed since the time of filing by notifying the Corporate Officer.

**Nominators**

Your nomination requires the signed declaration of at least one nominator. A candidate cannot self-nominate.

Nominators may only nominate one individual in an election,

To qualify for nomination as a candidate you must:

- be a Canadian citizen.
- be 18 years of age or older, or if an election is in progress, be 18 years of age on General Voting Day for the election.
- be an owner of land within the Improvement District.
- have been a resident of British Columbia for at least six months immediately before becoming a candidate.
- not be disqualified by the *Local Government Act*, or any other enactment from voting in an election or from being nominated for, being elected to, or holding office, or otherwise disqualified by law.

Once filed, your full nomination, including the information below is available to the public. You can keep some of your information private by checking the appropriate box.

**Information for candidate:**

1. What is your full (legal) name?

|           |            |                |
|-----------|------------|----------------|
| Last Name | First Name | Middle Name(s) |
|           |            |                |

2. What name do you want to appear on the ballot?

|                  |                   |
|------------------|-------------------|
| Ballot Last Name | Ballot First Name |
|                  |                   |

3. Where do you live?

|         |             |
|---------|-------------|
| Address |             |
| Town    | Postal Code |

Keep my address private. ☐

4. What is your mailing address?

Same as residential address ☐

or,

|         |             |
|---------|-------------|
| Address |             |
| Town    | Postal Code |

5. What is the address of a property you own within the improvement district, or for which you are the authorized agent or legal representative?

|         |
|---------|
| Address |
|---------|

6. How can we contact you?

|                                   |
|-----------------------------------|
| Primary Phone Number (required)   |
| Secondary phone number (optional) |
| Email                             |

Keep my primary phone number private. ☐

Keep my secondary phone number private. ☐

Keep my email address private. ☐

7. Your signature:

I, the undersigned, declare that:

- I am qualified for nomination as a candidate for election as a Trustee of the Gabriola Fire Improvement District.
- I consent to my nomination as candidate and that if elected, I will serve as Trustee.
- that all information contained in this application is, to the best of my knowledge and belief, true and correct; and
- I will accept documents delivered or served to my postal address and can be contacted at the primary phone number provided with this application.

|                |             |
|----------------|-------------|
| Signature<br>X | Date signed |
|----------------|-------------|

### Nominator

I, the undersigned, nominate the person named above as a candidate for Trustee of the Gabriola Fire Protection Improvement District. I declare that I have not nominated another candidate and that to the best of my knowledge and belief the candidate is qualified to be nominated.

This form is available for public inspection. If requested, addresses may be obscured, but names and signatures remain publicly available.

|   |             |
|---|-------------|
| Name of Nominator   |             |
| Residential address                                       |             |
| City  | Postal Code |
| Address of property owned within the Improvement District |             |
| Keep above addresses private <input type="checkbox"/>     |             |
| Signature<br>X  | Date signed |

*"Appendix Form B – Sample Form"*

**Gabriola Fire Protection Improvement District**  
Election and AGM *(date)*

**Statutory Declaration**

In the matter of the Local Government Act and the election of trustees for the Gabriola Fire Protection Improvement District:

I, \_\_\_\_\_ a resident of Gabriola Island , British Columbia, Canada, DO  
SOLEMNLY DECLARE that I meet the eligibility requirements for Trustee candidacy in the above stated improvement district by virtue of the following set of criteria:

A Canadian citizen;

18 years of age or older;

A resident of British Columbia for the past 6 months;

Be an owner of land located within the improvement district or the authorized agent or legal representative of a deceased owner of such land;

Not otherwise be disqualified from voting under section 29 of the Election Act

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath.

\_\_\_\_\_  
Signature of Declarant

\_\_\_\_\_  
Date Signed

*"Appendix Form C - Sample Form"*

**Gabriola Fire Protection Improvement District**  
Election and AGM *(date)*

**Appointment of Candidate Scrutineer**

Name of Candidate Scrutineer: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

I hereby appoint the above-named individual to act as Scrutineer.

**Duties include *(circle one)*:**

- Observing the election
  - *If more than one Scrutineer please indicate between the hours of:*
- Ballot counting
- Both election and ballot counting
  - *If more than one Scrutineer please indicate between the hours of:*

Signature of Candidate: \_\_\_\_\_ Date: \_\_\_\_\_

*"Appendix Form D - Sample Form"*

**Gabriola Fire Protection Improvement District**  
Election and AGM (*date*)

**Scrutineer Code of Conduct**

**As a Scrutineer I shall:**

- Comply with the Scrutineer Code of Conduct;
- Complete a Solemn Declaration before the Corporate Officer;
- Present a properly completed Appointment of Candidate Scrutineer form to the Returning Officer at time of entering the voting place;
- Perform my duties with honesty and integrity and in a manner that is helpful, respectful, and courteous;
- Be guided at all times by the values of respect, integrity, and professionalism when dealing with members of the public, electors, election officers, colleagues, and all election stakeholders;
- Remain in the designated area for scrutineers to observe the voting proceedings;
- Be in the voting place before the end of voting to observe the count;
- Carry a copy of my appointment papers.

**As a Scrutineer, I shall not:**

- Engage in any political campaigning or promotion for or against a candidate while performing my duties at a voting place;
- Display, distribute, post any election advertising or any material that identifies a candidate or elector organization;
- Carry, wear or supply a flag, badge or other thing indicating support of a candidate, elector organization or result in the voting;
- Unduly interrupt the voting process or the orderly conduct of the election;
- Handle election documents;
- Make or accept cell phone calls, or texts in the voting place;
- Take any photographs in the voting place;
- Interfere with or assist a person marking a ballot;
- Attempt to discover how someone voted or marked their ballot;
- Engage in harassing<sup>[1]</sup> or discriminatory<sup>[2]</sup> behaviour; or
- Make abusive, derisive, threatening, insulting, offensive, or provocative statements or gestures to or about another person.

A Scrutineer who fails to comply with this Code of Conduct will be removed from the voting place if, in the opinion of the Returning Officer, the Scrutineer fails to comply with the Scrutineer Code of Conduct.



Harassment is any conduct by an individual that is directed at and offensive to another person in the voting place, and that the individual knows or ought reasonably to know would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, or any act of intimidation or threat.

Discrimination involves treating someone differently or unfairly because of a personal characteristic or distinction.

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Name (Printed)

---

Witness Name (Printed)

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Signature

---

Witness Signature

---

Date

---

Date

*"Appendix Form E - Sample Form"*

**Gabriola Fire Protection Improvement District**  
Election and AGM *(date)*

**Poll Clerk Solemn Declaration**

I, the undersigned, solemnly declare that:

- I will exercise the powers and perform the duties of my office in an impartial manner and according to law;
- I will maintain and aid in maintaining the secrecy of the vote;
- I will not communicate or use the personal or other information obtained in the course of exercising my powers or performing my duties for purposes other than those related to the exercise of those powers or the performance of those duties;
- I will respect the confidentiality and security guidelines issued

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Name (Printed)

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Witness Name (Printed)

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Signature

---

Witness Signature

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Date

---

Date

*"Appendix Form F – Sample Form"*

**Gabriola Fire Protection Improvement District**  
Election and AGM *(date)*

**Poll Clerk Approval Form:**

Poll Clerk names and sample initials

| Name | Initial |
|------|---------|
|      |         |
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|      |         |

Presiding Election Official Name: \_\_\_\_\_

Presiding Election Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*"Appendix Form G – Sample Form"*

**Declaration re: 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 Gabriola Fire Protection Improvement District 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.

*"Appendix Form H – Sample Form"*

**Gabriola Fire Protection Improvement District**  
Election and AGM (date)

**Statutory Declaration**

In the matter of the Local Government Act and the election of trustees for the Gabriola Fire Protection Improvement District:

I, \_\_\_\_\_ a resident of \_\_\_\_\_, British Columbia, Canada,  
DO SOLEMNLY DECLARE that I meet the eligibility requirements for voting in the above stated  
improvement district by virtue of **one** of the **three** following sets of criteria:

1. I am a Canadian citizen; eighteen years of age or older; I have resided in the Province of British Columbia for the previous six months; and I am the lawful owner of the following lands by virtue that under the terms of the said agreement for sale, deed, or lease, I am liable for all taxes levied against the said lands and that I have not disposed of, or assigned my interest in the said lands namely, \_\_\_\_\_.

OR

2. I am the authorized agent of a board or corporation namely, \_\_\_\_\_  
that is an owner of land in the Gabriola Fire Protection Improvement District with offices at \_\_\_\_\_.

OR

3. I am the legal representative of an owner of land in the Gabriola Fire Protection Improvement District namely \_\_\_\_\_ who has died, become insolvent or insane and whose last address was, or whose current address is, \_\_\_\_\_.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath.

\_\_\_\_\_  
Signature of Declarant

I am satisfied the information given above is correct and the person stated appears qualified to vote.  
Declared before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Returning Officer

I Hereby Certify that the foregoing is a true copy of Policy No. 24-09 as adopted by the District and sealed with the district seal on March 06, 2024.



Paul Giffin, Chair

**HISTORY:**

|          |                   |
|----------|-------------------|
| Approved | February 07, 2024 |
| Amended  | March 06, 2024    |