



Civic Election 2008

NOMINATION DEPOSITS

City of Victoria Bylaw No. 02-13, "Election Procedures Bylaw," as amended, requires a refundable nomination deposit to be remitted at the time nomination documents are filed.

A nomination deposit in the amount of \$50.00 must accompany the nomination documents for candidates for the Office of Mayor.

A nomination deposit in the amount of \$25.00 must accompany the nomination documents for candidates for the Office of Councillor.

The deposit is refunded if you fail to be declared a candidate, or after you file your campaign financing disclosure statements following the election.

If you require assistance or would like more information on the nomination process, the election process, or City of Victoria operations in general, please call the following persons in Corporate Administration at 250-361-0571.

Robert Woodland, Chief Election Officer
Sheryl Masters, Deputy Chief Election Officer
Don Schaffer, Manager, Legislative Services

NOMINATION PERIOD IS FROM
9:00 AM, TUESDAY, SEPTEMBER 30, 2008
TO
4:00 PM, FRIDAY, OCTOBER 10, 2008



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ABOUT LOCAL ELECTIONS

What and When

BC general local government elections are held every three years for Mayors, Councillors, Regional District Electoral Area Directors, School Board Trustees and Islands Trust Trustees. General voting day is always the third Saturday in November. This year, general voting day falls on Saturday, November 15, 2008.

Term of Office

If you are elected to local government office, you are expected to serve a full three-year term. This term will officially begin on December 4, 2008.

Time Commitment

Most people elected to local government in BC are able to balance family, job and public office. You should be aware, however, that the duties of elected office are time-consuming.

City Council meets on the second and fourth Thursday evenings each month, and Committee of the Whole meets the first four Thursday mornings of each month. In addition to these regular meetings, you will be asked to sit on advisory committees, task forces, commissions and boards that also require a significant investment of your time. As well, members of Council can be called upon to attend meetings of other bodies, act in ceremonial roles and make other appearances on behalf of the City.

Remuneration

The Mayor and Councillors receive remuneration plus approved expenses for the time and energy they have devoted to their community. The base salary for Mayor in 2009 will be \$97,760; for Council, salary will be \$39,104.00.

ELIGIBILITY FOR OFFICE

Who May Run

You may run for municipal office if you:

- are a Canadian citizen;
- are at least 18 years old on election day;
- have lived in BC for at least six months; and
- have not been disqualified from voting in a BC election.

Who May Not Run

You may not run for municipal office if you:

- are a judge of the Provincial Court, Supreme Court or Court of Appeal;
- are an employee or salaried officer of the City of Victoria (unless you have taken a leave of absence to run for office and agree to resign if elected);
- are under sentence for an indictable offence and are currently in custody or in prison;
- have been found guilty of an election offence and prohibited from holding office; or
- are disqualified for not filing a disclosure statement or for filing a false or incomplete report in the previous election or for not making an oath of office or attending meetings.

Other reasons for disqualification are noted in the *Local Government Act*, Part 3, Division 5 and the *Community Charter*, Part 4, Division 7.

NOMINATIONS

Who May Nominate

To run as a candidate for Mayor or City Council, you must be nominated by two people who are electors of the City of Victoria (resident or non-resident property electors).

Nomination Form

With your two nominators, who are electors, you must complete a written nomination form providing the following information:

- your full name (and your usual name if you would rather have that on the ballot);
- the office for which you are nominated;
- if applicable, a statement that you are being endorsed by an elector organization and would like that organization's name to appear on the ballot;
- your residential address (and mailing address, if different);
- the names and residential addresses of your two nominators (if a nominator is a non-resident property elector, include the address of their City property); and
- a statement signed by your nominators that, to the best of their knowledge, you are qualified to hold local government office in BC.

Other Documents

Your nomination form must be accompanied by:

- your nomination deposit;
- a statement signed by you saying that you consent to the nomination;
- a statement signed by you saying that if elected to office, you intend to serve;
- your solemn declaration that you are qualified to be nominated for office (a solemn declaration is a signed statement witnessed by the Corporate Administrator, Chief Election Officer, a lawyer or notary; it may be made in advance or taken by the Chief Election Officer when you deliver your nomination documents);
- a solemn declaration from your elector organization (if applicable) that the organization fulfils the requirements for endorsing a candidate;
- your written consent to the endorsement by your elector organization (if applicable); and
- the **personal** financial disclosure statement required by the *Financial Disclosure Act*. The personal financial disclosure statement must provide details of both your corporate and personal holdings, and is designed to help you avoid conflict of interest. You are required to update your personal financial disclosure statement between January 1 and 15 every year while you are a municipal official (Mayor or Councillor).

Nomination Deposit

In accordance with the City of Victoria Bylaw No. 02-13, as amended, a refundable nomination deposit for all candidates running for office applies as follows:

- \$50.00 for all candidates running for Mayor; and
- \$25.00 for all candidates running for Councillor.

The deposit is refunded if you fail to be declared a candidate or after you file your campaign financing disclosure statements following the election.

Nomination Period

When you are ready, then file your completed nomination documents in person with the Chief Election Officer at City Hall, 1 Centennial Square, Victoria, BC. The nomination period opens on Tuesday, September 30, 2008, at **9:00 a.m.** and closes on Friday, October 10, 2008, at **4:00 p.m.**

Remember that it is your responsibility to ensure all your nomination documents are submitted on time and are accurate.



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At the end of the nomination period, the Chief Election Officer will officially declare you and all other qualified nominees as candidates for the November 15, 2008 City of Victoria civic election.

Challenges

Once they are filed, any member of the community may request to see your nomination documents. If that person or the Chief Election Officer believes something in your nomination documents is incorrect or that you are not qualified to be a candidate, then they may challenge your nomination through an application to the Provincial Court. This challenge must be made between the close of the nomination period on October 10, 2008, and **4:00 p.m.** on October 14, 2008.

CANDIDATES AND REPRESENTATIVES

Elector Organizations

Endorsement by an elector organization is permitted on the ballot. Each elector organization must, however, meet certain criteria before the endorsement may appear.

Specifically, the elector organization must provide a solemn declaration, which states:

- the organization existed for at least 60 days before endorsing a candidate during the nomination period;
- the organization had a membership of at least 50 people during those 60 days, qualified to vote as either resident or non-resident property electors in the City of Victoria;
- the organization has authorized an official to make the solemn declaration;
- the name of the candidate being endorsed;
- the corporate name, if any, the usual name, and any abbreviations, acronyms, or other names used by the elector organization;
- the name of the director or official responsible for the elector organization's financial affairs;
- which name, abbreviation or acronym the elector organization wishes to have included on the ballot; and
- the name of the president, chair or chief official of the organization.

The name, abbreviation or acronym of the elector organization must not be too long to be included on the ballot, and must not, in the opinion of the Chief Election Officer, be so similar to that of another elector organization as to be confusing to the electors. Elector organizations may endorse more than one candidate, but each candidate may only be endorsed by one elector organization.



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Withdrawing As A Candidate

If you decide to withdraw from being a candidate, you must deliver a signed withdrawal statement to the Chief Election Officer before 4:00 p.m. on October 17, 2008.

If you wish to withdraw after that date, you must deliver a signed withdrawal statement to the Chief Election Officer and receive the approval of the Minister of Community Services.

Appointing a Representative

Because candidates can't be in two places at once (and because you are not allowed to be present at a voting place on general voting day other than to cast your ballot), you may appoint an official agent and/or scrutineers. For example, the official agent may act on your behalf throughout the election process and serve as a contact for the Chief Election Officer if you are unavailable. Scrutineers may represent you by observing voting procedures and by scrutinizing the vote counting process at any voting opportunity.

To appoint an official agent, you must deliver a written, signed statement with your agent's name and address to the Chief Election Officer (either you or your official agent must do the same for each scrutineer).

All your representatives must carry copies of their appointment papers whenever they are representing you at an election proceeding. Before they can be present at a voting place, each of your representatives must also make a solemn declaration that she or he will preserve the secrecy of the ballot and will not interfere with an elector marking a ballot.

Campaign Organizers

New rules put in place for this election regulate those persons or organizations campaigning for or against a candidate or issue during the election process. These persons or organizations are called "campaign organizers" and are subject in general terms to the same disclosure rules that apply to candidates and elector organizations.

After receiving in donations or spending \$500.00 or more, campaign organizers must observe rules similar to those that apply to elector organizations by providing the Chief Election Officer with information about their organization.

For more information about the rules governing campaign organizers, please contact the Chief Election Officer.

CAMPAIGN FINANCING

What does the legislation on campaign financing do?

The legislation on campaign financing requires disclosure of campaign contributions (in cash and in kind) and election expenses by all candidates, elector organizations and campaign organizers, as noted above. The legislation does not prescribe financial limits on contributions or expenses. It applies to municipal, regional district, school board and Islands Trust elections.

Candidates, elector organizations endorsing candidates, and campaign organizers are required to disclose all campaign contributions and election expenses. This rule is based on the principle that the electors of British Columbia have the right to an open and fair election process. Electors have the right to know who is funding which candidate, how much each candidate is spending to get elected, and the support provided to and expenditures of those individuals or groups wishing to influence the outcome of the election.

What is required to be disclosed?

Candidates and elector organizations are required to disclose:

- the total amount of campaign contributions (in cash and in kind) received;
- for contributions of \$100.00 or more (singly or in aggregate), the value, the source, and the date(s) on which the contribution was made;
- the value of any anonymous contributions received that were over \$50.00;
- the total amount of expenses incurred; and,
- a breakdown of the amount of expenses in various categories outlined in *Schedule B* (e.g., office, advertising, etc.).

How will this affect candidates, elector organizations and campaign organizers in their campaigning?

Candidates, elector organizations and campaign organizers must have a financial agent. Candidates act as their own financial agents if they do not appoint another person. Elector organizations and campaign organizers must appoint a financial agent. Only the financial agent, or persons authorized by the financial agent, may accept contributions or incur election expenses.

The value of all campaign contributions (whether in cash or in kind) and all expenses must be recorded.

If a person is found guilty of contravening the provisions (for example, a candidate accepts anonymous contributions over \$50.00, or if a financial agent files a false declaration), he or she could be liable to one or more of the following:

- a fine of not more than \$5,000.00;
- imprisonment for a term not longer than one year;
- a prohibition from holding an elected office for a period not longer than six years;
- a prohibition from voting for a period not longer than six years.

Who enforces the campaign financing provisions?

Electors and candidates provide oversight of the provisions. The Corporate Administrator is responsible for keeping the disclosure statements and may advise an elector on how to proceed if an elector believes that an elected official of the local government is disqualified under these provisions.

Local governments are responsible for the recovery of any late filing fines if candidates or elector organizations do not file their disclosure statements on time.

How is a candidate disqualified under these provisions?

A candidate who does not file a campaign financial disclosure statement by the deadline, or who files a false or incomplete statement, and who is not granted relief by the Supreme Court, is disqualified from holding office, and from being nominated for or elected to a local government office until after the next general local government election.

If an elector believes that a candidate elected to office did not follow the campaign financing provisions and should be disqualified from holding office in a local government, the elector can, within 45 days of the alleged elections offence, either:

1. Make an application to the Supreme Court with ten electors to have the member disqualified under Section 111 (1)(a) of the *Community Charter*, or
2. Petition the Council to pass a resolution seeking a declaration of the Supreme Court to disqualify the member under Section 111 (1)(b) of the *Community Charter*.

Summary

Each candidate, elector organization endorsing a candidate and campaign organizer must appoint a financial agent. If you, as a candidate, do not appoint a financial agent, you are deemed to be your own financial agent.



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Only your financial agent, or those authorized by your financial agent, may accept campaign contributions or incur election expenses.

There are no limits on how much you may receive in contributions or incur in election expenses. Your financial agent may not, however, accept any anonymous contributions over \$50.00. All anonymous contributions over \$50.00 must be remitted to the City of Victoria. Your financial agent must record all contributions accepted towards your election campaign, regardless of the amount or when the contributions were made.

Your financial agent must also record all election expenses. An election expense includes the value of any property, goods or services used, not just those purchased. Your election campaign financing disclosure statement must be filed with the Corporate Administrator on or before March 16, 2009. Late filings will be accepted until April 15, 2009 with a \$500.00 late filing penalty. If campaign financing or personal financial disclosure statements are not filed, a candidate is disqualified from holding office until after the next general election. Similarly, if an elector organization or campaign organizer fails to file, it is disqualified from endorsing a candidate or taking part in the election process until after the next general local government election.

Campaign Financing Disclosure Statements from the 2008 election will be available for public inspection at Victoria City Hall until November 15, 2015, when they are destroyed.

QUESTIONS & ANSWERS

THE FINANCIAL AGENT (CANDIDATE)

What does a financial agent do?

The financial agent (or you, the candidate, if no agent is appointed) is responsible for:

- Receiving contributions and incurring election expenses;
- Keeping proper records of all campaign contributions and election expenses;
- Valuing and recording contributions of goods or services;
- Filing your campaign financing disclosure statement with the Corporate Administrator; and
- Retaining all records for a period of 7 years from the election date to which they are related [*Local Government Act*, Section 88(5)].



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Who should I appoint as my financial agent?

If you have decided not to act as your own financial agent, it is recommended that you appoint someone who has knowledge of accounting or bookkeeping. Whomever you choose to appoint, she or he must consent to take the position.

Your financial agent has the legal responsibility to ensure that your campaign complies with the requirements of the Local Government Act. Failure to do so could result in fines of up to \$5,000.00 and even imprisonment.

Your financial agent may also act as your official agent, and vice versa. If you as the candidate do not intend to act as your own financial or official agent, then you must appoint people to these positions on one of the forms, as follows:

1. Solemn Declaration of Candidate Consenting to Nomination (Mayor); **or**
2. Solemn Declaration of Candidate Consenting to Nomination (Councillor);
and
3. Appointment of Candidate's Financial Agent (Mayor); **or**
4. Appointment of Candidate's Financial Agent (Councillor).

An Elector Organization must appoint a Financial Agent on the form "Elector Organization Appointment of Financial Agent".

An Appointed Financial Agent must also file the form "Declaration of Official for Candidate or Elector Organization".

How do I appoint a financial agent?

To appoint a financial agent, simply deliver a signed statement to the Chief Election Officer listing your financial agent's name and address. You do not need to submit this statement if you are acting as your own financial agent.

Do I still need to file my own campaign financing disclosure statement if an elector organization is handling my campaign financing?

Yes, even if you are being endorsed by an elector organization, and that elector organization is handling all your contributions and expenses for you, both you and the elector organization must file a campaign financing disclosure statement. Every candidate must file a campaign financing disclosure statement, even those candidates who have not received any campaign contributions or incurred any election expenses. You must either act as your own financial agent or appoint one.

CAMPAIGN CONTRIBUTIONS

What is a campaign contribution?

A campaign contribution is the amount of any money or the value of any goods or services provided to you for use in your election campaign or to help pay your election expenses.

How are goods and services defined?

Many people prefer to offer candidates goods or services instead of money. These are known as contributions in-kind.

An example of in-kind goods might include food or beverages donated for a campaign lunch, while in-kind services might include a copy shop owner printing your campaign flyers for free.

How do I determine the value of goods and services?

Fair market value is the standard for determining the value of goods and services.

In other words, if a photographer donates her services to take your picture for campaign advertising, and the photo shoot took two hours - and she usually charges by the hour - the fair market value would be what that photographer would normally charge for her services in that amount of time. If she is also donating goods in the form of film and 15 large prints, they too must be valued and recorded at what they would normally cost.

What about discounted services?

If someone gives you a discount on goods or services - offering them to you at a price less than fair market value - then that person is considered to have made a campaign contribution of the difference between the fair market value and the amount charged.

What about volunteer services?

Under the *Local Government Act*, a volunteer is defined as "an individual who provides services for no remuneration or material benefit".

Services provided by volunteers do not count as campaign contributions, with two exceptions:

- when a self-employed person provides you with the same service for which he or she would normally charge a fee (for example, you cannot count a speech written by a self-employed speech writer as a volunteer service; rather, you must record the fair market value of the speech in your record of contributions); and

- when an employer makes the services of an employee available at the employer's expense (for example, if a company sends over three people after work to help you put up signs and pays them overtime for their services).

How do I record contributions?

For each contribution, your records must include:

- the full name and address of the person or organization making the contribution;
- the date the contribution was made; and
- the value of the contribution.

You or your financial agent must keep these records until November 15, 2015.

How do I record contributions in-kind?

Contributions in-kind must be recorded as both contributions and expenses.

Contributions in-kind are recorded as contributions because they have been given to you for use in your campaign; they are recorded as election expenses because they have been used by you in your election campaign.

In other words, if one of your supporters donated all the food for a fund-raising dinner, the food must be valued and recorded as a contribution from that supporter. It must also be recorded as one of your election expenses, because the contribution is being used as part of your election campaign.

Are third-party contributions allowed?

Third-party contributions (funneling), where contributions are given indirectly through another person or organization, are not permitted. It is the intent of the legislation to clearly identify the source and amount of campaign contributions.

If contribution funneling does occur, the person making the contribution and the financial agent who knowingly accepted the funneled contribution have committed an election offence and are liable to the same penalties as someone who files an incorrect disclosure statement.

ELECTION EXPENSES

What is an election expense?

An election expense is the value of goods or services used in your election campaign, either by you or on your behalf.

Examples of election expenses include:

- campaign advertising, including newspaper or radio ads, signs and buttons;
- tanks of gas used while soliciting votes; or
- the cost of food for a campaign dinner.

How do I record election expenses?

Regardless how much the candidate or elector organization expends on the election campaign, you must detail the election expenses on Schedule B of your campaign financing disclosure statement. It is recommended that you keep your records as complete as possible to assist you in meeting this requirement.

For each expense, your records should include:

- the date the expense was incurred;
- the amount spent; and
- what it was spent on (for example, gas, posters, food for volunteers).

You or your financial agent must keep these records until November 15, 2015.

What about expenses incurred by volunteers?

All expenses (including those incurred by volunteers acting on your behalf) must be recorded and reported.

This means, for example, that a volunteer driving around town to put up signs for you should keep track of how much he or she has spent on gas, because that is also considered as both a campaign contribution and one of your election expenses.

FUND-RAISING EVENTS (RECORDS)

How do I record a fund-raising dinner or similar event?

For fund-raising events, your records must show:

- how much the fund-raiser cost (your expenses);
- the amount of money you received through ticket sales, raffles or other means; and
- the value of any contributions in-kind, recorded as both contributions and expenses.



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How do I record ticket sales?

If you sell tickets for a fund-raising event, you must always record the name of the person who bought the ticket or whole book of tickets, (not the name of the person who actually shows up for the event), in addition to the amount the person paid.

With the restrictions on anonymous contributions, can I still pass the hat at fund-raising events?

At all fund-raising events, your financial agent should announce that it is illegal to make an anonymous contribution over \$50.00, and that all anonymous contributions over \$50.00 from a single source must be turned over to the local government.

People wishing to make a contribution of more than \$50.00 must disclose their names if they want you, the candidate, or the elector organization to have the benefit of their contribution.

So, when it comes to passing the hat, you should provide envelopes so that you or your Financial Agent can determine the amount of each individual contribution, and to enable those who wish to contribute over \$50.00 to provide their full name(s) and address(es) with their donation.

THE CAMPAIGN FINANCIAL DISCLOSURE STATEMENT

Even if I receive no campaign contributions and incur no election expenses, do I still have to file?

Yes. All candidates must file a campaign financing disclosure statement by March 16, 2009. The rule applies whether you spend no money at all, use your own money only, lose the election or decide to withdraw.

What are the penalties for late filing or not filing at all?

Candidates or elector organizations who have not filed by the March 16, 2009 deadline have until April 15, 2009 to file their disclosure statements provided they pay the \$500.00 late filing penalty to the City.

If a candidate still has not filed by 4:00 p.m. on April 15, 2009, the candidate is disqualified from being nominated, elected to, or holding a local government office until after the next general local election.

Elector organizations must also file their campaign financing disclosure statements by the deadlines. Disclosure statements filed between March 17, 2009 and April 15, 2009 incur a \$500.00 late filing penalty for each candidate endorsed by that elector organization. If the elector organization does not file by the late filing deadline, then the

elector organization will not be entitled to endorse any candidate until after the next general local government election.

Can I change my campaign financing disclosure statement if I discover something is inaccurate or has changed?

If you discover that you've made a mistake in your disclosure statement or find that your circumstances have changed (for instance, that a debt you incurred during your campaign has been either forgiven or paid by a supporter) you have 30 days to file a supplementary report.

Is anyone allowed to see my campaign financing disclosure statement?

The City of Victoria is required to make all candidate disclosure statements available for public inspection until November 15, 2015. Any member of the public is entitled to inspect your disclosure statement, but they must sign a declaration before doing so.

What if someone disagrees with my disclosure statement?

The City is not responsible for ensuring that you file on time or that your campaign financing disclosure statement is correct.

If a member of the public believes that you did not correctly follow the rules governing campaign financing and should be disqualified from being nominated for, elected to or holding office, he or she may either:

- petition City Council to pass a resolution to seek a declaration from the Supreme Court to disqualify the elected candidate (Council member); or
- make an application to the Supreme Court with ten electors to have you disqualified.

The penalties for filing an incorrect campaign financing disclosure statement can go well beyond disqualification. If you and/or your financial agent are found guilty of contravening the campaign financing rules, by accepting anonymous contributions over \$50.00 for example, or you neglect to disclose a portion of your expenses, you could be:

- fined not more than \$5,000.00; and/or
- sentenced to imprisonment for up to one year.
- prohibited from holding a local government office for up to six years; and/or
- prohibited from voting for up to six years.



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THE 100-METRE NO-CAMPAIGNING RULE

It is an offence for candidates to canvass, solicit votes or advertise through signs, posters, flyers, flags or badges within 100 metres of where voting is taking place. If you locate your campaign office within 100m of Victoria City Hall, (where advance voting occurs) or within 100m of a voting place, you will be required to remove all campaign advertising visible to the public during voting.

CAMPAIGN SIGN POLICY

The City of Victoria has a campaign sign policy, which is included in this document. We request that all candidates and elector organizations cooperate by respecting this policy (Appendix "A").

CONFLICT OF INTEREST VOTING RULES

BC's voting rules require that once in local government office, you must not vote or participate in discussions about any matters where you have a direct or indirect pecuniary interest or a non-pecuniary interest. If you have a pecuniary conflict of interest, you must excuse yourself from the discussion or vote, or risk being disqualified from office.

The campaign and personal financial disclosure statements are designed to ensure that elected officials' financial interests are transparent to the public. The information in these statements provides one means for other elected officials and the public to determine where a conflict of interest may exist.

ELIGIBILITY OF ELECTORS (RESIDENT, PROPERTY)

Electors fall into two categories:

1. the Resident Elector;
2. the Non-Resident Property Elector.

Resident Elector - Eligibility

At the time of registration, the resident elector must:

- produce 2 pieces of identification (one with residential address & one with elector signature);
- be at least 18 years of age on general voting day;
- be a Canadian citizen;
- have resided in BC for at least six months prior to registration;

- have resided in the City of Victoria for 30 days prior to registration.

A person is disqualified as an elector if:

- he/she has not completed a sentence for an indictable offence, unless that person is released on probation or parole and is not in custody;
- he/she is involuntarily confined to a psychiatric or other institution as a result of being acquitted of or found not criminally responsible for an offence under the Criminal Code on account of a mental disorder; and
- he/she has been found guilty of an election-related offence.

Resident Elector - Registration

In order to be eligible to vote, a person must register as an elector. There are three ways of registering. The first method enables a person to register through Elections BC, since the City of Victoria uses the provincial list of voters as the City's list of electors. Second, a person may register in advance of voting by coming to City Hall and filling out an Elections BC Registration Form. Advance registration through this method is closed from September 24, 2008 until Advance or General Voting Day. The third method enables a person to register at the time of voting.

Non Resident Property Elector - Eligibility

A property elector must meet the same requirements as the resident elector, except that instead of being a resident of the City for 30 days prior to registration, the person must be the registered owner of real property in the City for at least 30 days prior to registration. A property elector may not register as both a resident elector and a non-resident property elector of the City. A person may register as a non-resident property elector in relation to only one parcel of real property in the city. If more than one individual is registered as an owner, only one of them may register as a property elector for that property. To register, that person must present written consent of the majority of registered owners.

For certainty, corporations are not entitled to register as non-resident property electors. If there are multiple owners of a single property, and one or more of those owners is a corporation, then none of the other owners of the property are eligible to register as non-resident property electors. **There is no corporate vote.**

Non-Resident Property Elector – Registration

In order for a non-resident property elector to vote, the person must present the following:

- 1) Two pieces of identification, one with the signature of the elector and at least one of which must provide proof of residence.



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- 2) A current property title or property tax receipt;
- 3) Consent Form (available at Legislative Services Division, Victoria City Hall) if there are multiple owners of the property.

A “Non-Resident Property Elector Certificate” may be obtained at any time prior to Voting Day, November 15, 2008, at the Legislative Services Division, City Hall, 1 Centennial Square, Victoria, from 8:00 a.m. to 4:30 p.m. Monday to Friday (excluding holidays). On General Voting Day, November 15 2008, City Hall hours are 8:00 a.m. to 8:00 p.m.

VOTING OPPORTUNITIES: WHERE & WHEN?

Those persons eligible to vote have three potential voting opportunities. An elector can vote on general voting day at one of 12 locations. The Chief Election Officer designates the voting places, which are to be open from 8:00 a.m. to 8:00 p.m. on general voting day. A list of voting places is included in this package.

Advance general voting opportunities are scheduled for November 5, 10, 12 and 13, 2008; these dates are tentative and subject to confirmation. These advance voting opportunities will be held in Victoria City Hall. The City of Victoria also holds Special Advance voting opportunities at a number of Victoria hospitals.

VOTING: HOW?

A person cannot receive a ballot until that person has registered. As mentioned earlier, a person can apply for registration at the time of voting, register in advance or effectively register as a resident elector by registering as a voter under the Election Act. If a person has registered in advance, that person must declare that he or she has not voted before in the same election. In order to receive a ballot a person must also prove their identity, and sign the list of registered electors or the voting book. If the person is a non-resident property elector they must give the address of the real property in relation to which that person is voting.

If an elector is taking advantage of an advance voting opportunity or a special voting opportunity, that person must make a written declaration that he or she is entitled to vote at that time.

Before obtaining a ballot a person who requires assistance to mark the ballot must satisfy Section 121(3) of the *Local Government Act*. The assisting person must sign a written statement providing their name and address and the name and address of the elector that they are assisting. The assisting person must also make a solemn declaration that the ballot will be kept secret, that he or she will mark the ballot as the

elector wishes and that he or she will not attempt to influence the elector as to how the elector should vote.

CHALLENGING AN ELECTOR'S RIGHT TO VOTE

A challenge to an elector's right to vote can only be made in person by an election official, a candidate representative or an elector of the jurisdiction. The basis of a challenge is that the person is not entitled to vote, or that the person has accepted an inducement to vote.

Once a challenge has been made, the elector whose right to vote has been challenged must either provide evidence satisfactory to, or make a solemn declaration before, the presiding election official that the person is entitled to vote. The solemn declaration must state that the person:

- meets all the qualifications to be registered as an elector of the jurisdiction,
- is either registered as an elector of that jurisdiction or is applying at this time to be registered,
- is in fact the person under whose name the person is registered or registering as an elector,
- has not contravened Section 151 of the *Local Government Act*, and
- has not voted before in the same election and will not vote again in the same election.

A very similar process is followed if an elector's right to vote is challenged on the grounds that the list of the registered electors indicates that that person has already voted. The challenged elector must also either provide evidence satisfactory to, or make a solemn declaration before, the presiding election official declaring entitlement to vote.

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2008 CANDIDATE'S CALENDAR

DATE

PARTICULARS

- | | |
|--------------------|--|
| September 30, 2008 | <ul style="list-style-type: none">• Nomination period begins at 9:00 a.m.• Endorsement by elector organization required by the close of nomination period for inclusion of name upon ballot.• List of registered electors available for public inspection until the close of general voting. |
| October 10, 2008 | <ul style="list-style-type: none">• Nomination period ends at 4:00 p.m.• All candidates' documents to be received. Declaration of candidates by Chief Election Officer.• Objections to elector registration to be received by Corporate Administrator before 4:00 p.m. |
| October 14, 2008 | <ul style="list-style-type: none">• Nomination challenges to be made before 4:00 p.m. |
| October 15, 2008 | <ul style="list-style-type: none">• Resident elector: must be a resident of the City of Victoria at least from this date to be eligible to register on voting day.• Non-resident property elector: must be a registered owner of real property within the City of Victoria at least from this date to register as an elector on voting day. |
| October 17, 2008 | <ul style="list-style-type: none">• Original copies of faxed nomination documents must be received by the end of this day or nominee deemed to have withdrawn.• Nomination challenges to be dealt with by court by 4:00 p.m.• Candidate withdrawal in writing permitted until 4:00 p.m. Minister's approval required after this date.• Elector organization endorsement not to appear on ballot if endorsement withdrawn by 4:00 p.m. |



Civic Election 2008

- October 20, 2008
 - Chief Election Officer declares election by voting or acclamation at 4:00 p.m.

- November 5, 2008
 - Advance voting opportunity between 8:00 a.m. and 8:00 p.m. at City Hall.

- November 10, 2008
 - Advance voting opportunity between 8:00 a.m. and 8:00 p.m. at City Hall.

- November 12 - 13, 2008
 - Advance voting opportunity between 8:00 a.m. and 5:00 p.m. at City Hall, subject to confirmation.

- November 15, 2008
 - General Voting Day. Voting and registration between 8:00 a.m. and 8:00 p.m.
 - Counting of votes after close of general voting.
 - Preliminary results to be determined by Chief Election Officer, with notice to candidates as to the date, time and place of determination of official results.

- November 19, 2008
 - Official results declaration to be made by Chief Election Officer before 4:00 p.m. Ballot boxes containing election materials remain sealed until after declaration of official results.
 - Application for judicial recount may be made after declaration of election results.

- November 24, 2008
 - Last day for application for judicial recount.

- November 28, 2008
 - Judicial recount to be conducted and completed by this date. Court to declare results of election and make Order regarding costs.

- December 4, 2008
 - Previous term of office ends.

- December 4, 2008
 - Inaugural meeting: first meeting of new Council.
 - Term of office commences on this date, or from the time of producing oath of office, whichever is later.



Civic Election 2008

- December 11, 2008 • First business meeting - Committee of the Whole.
- December 18, 2008 • First business meeting - Council.
- December 30, 2008 • For candidates elected by voting, oaths of office to be taken by this date or office is declared vacant.
- January 5, 2009 • For candidates elected by acclamation, oaths of office to be taken by this date or office is declared vacant.
- March 16, 2009 • Disclosure statements to be filed by financial agent with Corporate Administrator. A \$500 late filing penalty applies after this date.
- April 15, 2009 • Final deadline for filing Campaign Financing Disclosure Statement with \$500 late filing penalty. Disqualification of candidate or elector organization where disclosure statements not filed by this date.
- November 15, 2015 • Disclosure statements and signed declarations to be available for public inspection until this date, and then returned to candidate or elector organization (if requested) or destroyed.



Civic Election 2008

APPENDIX "A" ELECTION SIGNS ON PUBLIC PROPERTY

In order to protect public safety and public amenities, and yet allow the candidates in the Civic Election campaigns to make use of public space for election purposes, the City requests that the candidates not place campaign signs as follows:

- Within the perimeter of public parks including playing fields, because of safety concerns, the obstruction of regular park uses, and potential damage to underground sprinkler systems, trees, shrubs and annual plantings;
- On grassed medians or boulevards, where the City has installed underground sprinkler systems or trees, shrubs and annual plantings.

The City will provide a list of public parks, playing fields and boulevards where campaign signs must not be placed (attached). The City also requests that election signs not be placed along public streets and on boulevards in such a manner that visibility of traffic control devices and sightlines to pedestrians and vehicles are impaired.

City Crews will not impound signs until the applicable campaign office is notified to relocate the sign within 24 hours. If there is an immediate safety concern or damage to City property, the City will take the signs down and then contact the campaign office to relocate them.

The City will assume no responsibility for any damage to election signs where the City is compelled to relocate or remove improperly placed signs. Candidates and their agents are liable for any damages done to City property in placement of election signs on public property.

For further inquiries, please contact the City Bylaw Enforcement Office at 361-0215 or 361-0206. The City of Victoria appreciates your cooperation during this election campaign.

City of Victoria – Parks & Boulevards (Appendix “A”)

Page 1

Alexander Park	1325 Bay Street
Alston Street Green	190 Bay Street
Arbutus Park	2925 Washington Avenue
Arm Street Parkette	1455 Arm Street
Banfield Park	521 Craigflower Road
Barnard Park	300 Barnard Avenue
Beacon Hill Park	500 Douglas Street/100 Cook Street
Belleville Greens (Includes Centennial Park)	200 Block Belleville Street
Blackwood Green	2550 Cook Street
Bushby Playlot	160 Bushby Street
Cecelia Valley Park	475 Burnside Road
Central Park	1200 Chapman Street
Charles Redfern Green	200 Quebec Street
Clawthorpe Playlot	1609 Clawthorpe Avenue
Clover Point	1325 Dallas Road
Coffin Island	South end of Robert Street
Colville Island	South end of Robert Street
Cridge Park	720 Belleville Street
Ellice Street Playlot	525 Ellice Street
Fairfield Hill Park	310 Masters Road
Fern Street Playlot	1819 ½ Fern Street
Fishermans Wharf Park	300 St. Lawrence Street
Franklin Green	Mason & Cook Streets
Gonzales Green	1849 ½ Crescent Road
Gonzales Park	1809 Crescent Road
Harris Green	1100 Block Pandora Avenue
Highview Playlot	1301 Merrit Street
Hillside Playground	2710 Cook Street
Holland Point Park	545 Dallas Road
Hollywood Park	2700 Block Douglas Street
Humber Greens	2700 Block Douglas Street
Blanshard Street medians	1700 Block to 3200 Block

City of Victoria – Parks & Boulevards (Appendix “A”)		Page 2
Irving Park	240 Menzies Street	
Jackson Street Playlot	3165 Jackson Street	
Johnson Street Green	201 Esquimalt Road (West of Bridge)	
Kiwanis Green	Kiwanis at Cook Street	
Laurel Point Park	650 Montreal Street & 250 Belleville Street	
Little Ross Bay Green	St. Charles at Dallas Road	
Macdonald Park	212 Niagara Street	
Mason Street Playlot	Mason/Cook Streets	
Oaklands Green	Hamilton at Belmont Avenue	
Oaklands Park	1550 Kings Road	
Oswald Park	3031 Cedar Hill Road	
Pandora Greens (2)	900 Block & 1000 Block Pandora Avenue	
Pemberton Park	1850 Richardson Street	
Pioneer Square	975 Quadra Street	
Quadra Heights Playlot	825 Villance Street	
Rainbow Park	201 Robert Street	
Raynor Avenue Playlot	530 Raynor Avenue	
Redfern Playlot	1700 Block Redfern Street	
Robert Porter Park	1350 Fairfield Road	
Ross Bay Cemetery	1495 Fairfield Road	
Royal Athletic Park	1050 Caledonia Avenue	
Ryan Street Playlot	1290 Ryan Street off Mt. Stephen Avenue	
Scurrah Green	Fort at Pandora Avenue	
Stadacona Park	1490 Pandora Avenue & 1400 Block Begbie Street	
Sumas Avenue Playlot	530 Sumas Avenue	
Summit Park	1200 Topaz Avenue	
Todd Park & Playlot	100 & 111 Montreal Street	
Topaz Park	3000 Glasgow Avenue	
Victoria West Park	155 Wilson Street	
Wark Street Playlot	2575 Wark Street	
Wesley Street Playlot	2520 Wesley Place	
West Bay Beach	Beach Front Robert Street to City Limits	
William Stevenson Memorial Playground	1240 Gladstone Avenue	