

**PROVINCE OF BRITISH COLUMBIA**

**ORDER OF THE MINISTER OF**

**MUNICIPAL AFFAIRS AND HOUSING**

*Local Government Act*

Ministerial Order No. M074

WHEREAS pursuant to section 167 of the *Local Government Act* (the “Act”), if the minister considers that special circumstances exist regarding an election, the minister may make any order the minister considers appropriate to achieve the purposes of Part 3 [Electors and Elections] of the Act;

AND WHEREAS Chief Election Officers for the City of Victoria, the City of Rossland, and the Village of Lytton were appointed by their respective Councils to administer by-elections in April 2020 to fill the vacant council members office under section 54 of the Act, and those Chief Election Officers have given notice that an election by voting is necessary (collectively the “by-elections”);

AND WHEREAS on March 11<sup>th</sup>, 2020 the World Health Organization declared the spread of the coronavirus communicable disease (“COVID-19”) to be a pandemic;

AND WHEREAS on March 16, 2020 the British Columbia Provincial Health Officer issued an order prohibiting gatherings in excess of 50 people due to the COVID-19 pandemic;

AND WHEREAS the Chief Medical Health Officer for the Vancouver Island Health Authority consulted the Provincial Health Officer and has recommended that the City of Victoria postpone the April 4<sup>th</sup>, 2020 by-election until the COVID-19 pandemic is declared over;

AND WHEREAS the same concerns for public health also exist for the City of Rossland by-election that is scheduled for April 4<sup>th</sup>, 2020 and for the Village of Lytton by-election that is scheduled for April 25<sup>th</sup>, 2020;

AND WHEREAS, I, Selina Robinson, Minister of Municipal Affairs and Housing, believe that the COVID-19 pandemic constitutes a ‘special circumstance’ for the purposes of s.167, and that in order to achieve the purposes of Part 3 of the Act it is necessary to cancel the April 4<sup>th</sup> and April 25<sup>th</sup> by-elections of the City Victoria, the City Rossland, and the Village of Lytton;

March 18, 2020

*Date*



*Minister of Municipal Affairs and Housing*

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: Local Government Act, section 54, 167

Other: \_\_\_\_\_

NOW THEREFORE I HEREBY ORDER, that as an exception to s.54 of the Act, and pursuant to section 167 of the Act, that:

- 1) The City of Victoria by-election [April 4, 2020] held under s. 54 of the Act is cancelled.
- 2) The City of Rossland by-election [April 4, 2020] held under s. 54 of the Act is cancelled
- 3) The Village of Lytton by-election [April 25, 2020] held under s. 54 of the Act is cancelled
- 4) The City of Victoria, the City of Rossland, and the Village of Lytton Chief Election Officer appointments are rescinded.
- 5) As soon as practicable after the Provincial Health Officer gives advice under s.66 or s.67 of the *Public Health Act*, or a medical health officer gives advice under s.73 (3) of the *Public Health Act* that the COVID-19 pandemic no longer poses a threat to public health, and that the by-elections may safely proceed, the City of Victoria, City of Rossland and the Village of Lytton appoint a Chief Election Officers under s. 54(4) of the Act to fill the vacant elected office.