



## REGIONAL DISTRICT OF EAST KOOTENAY

### NON-RESIDENT PROPERTY ELECTORS: FREQUENTLY ASKED QUESTIONS

#### **Who is eligible to be a non-resident property elector?**

To vote as a non-resident property elector, you must meet ALL of the following requirements:

- ✓ You are not entitled to register as a resident elector in the Electoral Area (i.e., you are not a resident of the Electoral Area).
- ✓ You will be age 18 or older on general voting day (November 15, 2008).
- ✓ You are a Canadian citizen.
- ✓ You have been a resident of B.C. for at least 6 months immediately before the day you register to vote.
- ✓ You have been a registered owner of real property (land) in the Electoral Area for at least 30 days immediately before the day you register to vote.
- ✓ The only persons who are registered owners of the real property are individuals who are not holding the property in trust for a corporation or other trust.
- ✓ If there is more than one registered owner of the real property, you have received the written consent of the majority of the registered owners, authorizing you to be registered as the non-resident property elector for this property.
- ✓ You have not registered as a non-resident property elector in relation to any other real property in the Electoral Area.
- ✓ You are not disqualified by the *Local Government Act*, the *School Act*, or any other enactment from voting in an election nor are you otherwise disqualified by law from voting.

#### **What does “registered owner of real property” mean?**

In accordance with Section 51(4) of the *Local Government Act*, this means whichever of the following is applicable:

- (a) the owner of a registered estate in fee simple of the property, unless another person holds an interest in the property referred to in paragraphs (b) to (d);
- (b) the holder of the last registered agreement for sale, unless another person holds an interest in the property referred to in paragraph (c) or (d);
- (c) the tenant for life under a registered life interest in the property, unless another person holds an interest in the property referred to in paragraph (d);
- (d) the holder of a registered lease of the property for a term of at least 99 years.

#### **What if the property is registered in my company’s name?**

You are NOT eligible to vote as a non-resident property elector if the property is registered in a company’s name, or if you are holding the property in trust for a corporation or another trust.

#### **What if I own property with someone else?**

Only one non-resident property elector may vote with respect to each property. In other words, if two or more individuals own a single piece of property, the majority of the owners must designate, in writing, one owner as the non-resident property elector for that property. A completed Non-Resident Property Elector Consent Form must be submitted before registration can take place. If you own property along with a corporation, then none of the owners of the property are eligible to vote.

#### **What if I own the property with someone else and that person is living on the property?**

The person living on the property may qualify as a resident elector because he or she is a resident of the Electoral Area. As a non-resident property elector, you are also eligible to vote for that property, but you will still need the written consent of the other owner.

**What if I own more than one piece of property in an Electoral Area?**

No matter how many properties you own, you may only vote once in an election or other voting in an Electoral Area. You may, however, vote in elections in different municipalities or regional district electoral areas if you own property there.

**For a School Trustee that represents both a municipality and an electoral area, if I live in the municipality and own property in the Electoral Area, can I vote for that Trustee in both areas?**

In some cases a School Trustee is elected to represent both a municipality and all or part of the adjacent regional district electoral area. In these cases:

- If you are a resident of the municipality and own property in the regional district electoral area, you must vote as a resident elector in the municipality; you cannot vote as a non-resident property elector in the electoral area.
- If you are a resident of the regional district electoral area and own property in the municipality, you must vote as a resident elector in the electoral area; you cannot vote as a non-resident property elector in the municipality.

The rule is one vote per person in an election.

**Are landed immigrants eligible to vote?**

No. You must be a Canadian citizen to vote.

**What does “disqualified from voting” mean?**

You may not vote in a British Columbia local government election or other voting if you:

- have been convicted of an indictable offence and are in custody; or
- have been found guilty of an election offence.

**Do I have to be on the voters list to vote?**

Yes, you must be a registered elector to vote. Advance registration is available until September 22<sup>nd</sup>. If you missed the advance registration, you may register to be on the list of electors when you go to vote; however, you must have two pieces of identification (at least one with a signature) proving your identity, provide proof of ownership of the property for which you are registering to vote (Certificate of Title, Property Tax Notice, Property Assessment Notice), and if applicable, provide the written consent from the other registered owners of the real property (Non-Resident Property Elector Consent Form).

**How do I vote if I cannot attend on general voting day (November 15, 2008)?**

Two advance voting opportunities are available: Wednesday, November 5<sup>th</sup> and Thursday, November 13<sup>th</sup>. Voting places are listed in the Notice of Voting published in the newspapers and on the RDEK website ([www.rdek.bc.ca](http://www.rdek.bc.ca)).

**How do I vote if I am out of town on advance and general voting days?**

Voting by mail is available to qualified electors for the RDEK elections and other voting and for School District No. 6 (Rocky Mountain) elections. Information on the mail ballot voting process is available on the RDEK website ([www.rdek.bc.ca](http://www.rdek.bc.ca) – Elections and Other Voting page) or you can call the RDEK for more information (250-489-2791 or 1-888-478-7335).

**Who can vote by mail?**

Voting by mail is available to qualified electors with a physical disability, illness or injury that affects their ability to vote at any voting opportunity or electors who expect to be absent on all voting days. Information on the mail ballot voting process is available on the RDEK website ([www.rdek.bc.ca](http://www.rdek.bc.ca) – Elections and Other Voting page) or you can call the RDEK for more information (250-489-2791 or 1-888-478-7335).

**Is voting by proxy permitted?**

No. You must either vote in person on advance or general voting days or, if you are away or have a physical disability or injury that affects your ability to vote at any voting opportunity, you may vote by mail (see above).

**What are the penalties for not following elections laws?**

Anyone who commits an election offence, such as double voting or signing a false statement, is liable to a fine of up to \$5,000 and/or up to one year in prison. They may also be prohibited from holding office and/or voting in local government elections for up to six years. Anyone convicted of a more serious election offence, such as vote buying or intimidation, could be subject to a fine of up to \$10,000 and/or up to two years in prison.