



By-Election/Special Meeting Procedure

January 2023 – Election of Commissioner

Filling a Vacancy of more than 6 months, but less than 1 year

The Municipal Government Act says;

- that where a vacancy occurs in the office of a village commissioner, it must be filled unless it occurs within six months of the next annual meeting
 - A vacancy occurred on the Village Commission as of October 31, 2022. The next annual meeting is expected in June 2023.

- the person elected to fill a vacancy shall serve in office for the remainder of the term of the village commissioner whose office the person was elected to fill
 - In this case the vacant position expires in June 2023

- within thirty days the remaining village commissioners shall call a special meeting of the electors of the village for the purpose of filling the vacancy, which shall be held in the same manner as elections held at an annual meeting; or an election shall be held in accordance with the nomination and election by-laws of the village.
 - On November 9, 2022 the remaining Commissioners approved that the vacancy should be filled via a special meeting of the Electors on January 18, 2023. This decision considered;
 - Residents interested in running for the position needed sufficient time to make a decision, and to complete the nomination paperwork (i.e. do not call a “snap” by-election)
 - The holiday season was approaching, and it may be difficult to attract attention to the election by potential candidates or by electors (i.e. do not hold the election in December)
 - The cost and complexity of following the Election By-Law to fill one position for a period of five (5) months did not seem warranted. It was decided to follow a special meeting process that gives electors the ability to vote and candidates the opportunity to offer but streamlines the process and cost.

The 2023 By-Election/Special meeting will use the following procedures that are based on legislation and on precedents similar to those followed by other Nova Scotian Villages.

- The nomination period will open on November 21, 2022
- The nomination period will be advertised on the Village website, Facebook page, and local bulletin boards starting Nov 21. An advertisement will also be in The LighthouseNow paper on January 4, 2023
- All candidates will be required to complete a nomination form including signatures of 5 electors from the Village and sign the Oath of Candidate.
- Nomination day will be January 11, 2023
- Candidate names will be posted on the Village website and Facebook page as they submit their nomination forms
- Ballots for the By-Election/Special Meeting will be created and printed at the Village Office
- If no eligible candidates declare then the special meeting will be canceled and the position will be filled in June 2023 for a three year term via the Election By-Law process
- If only one eligible candidate declares then the special meeting will be canceled and the position shall be filled via acclamation

- The By-Election/Special Meeting will be on January 18, 2023 at the Canadian Legion, Chester Branch, 14 Union Street
- The meeting will be advertised on the Village website, Facebook page, and local bulletin boards starting Nov 21. An advertisement will also be in The LighthouseNow paper on January 4, 2023
- The meeting will begin at 7:00 pm with a short explanation of the reason why there is a By-Election, and to explain the voting process (use of ballots, only 1 vote, confidentiality, etc.)
- Ballots will be issued to attendees
- Two voting stations will be in place, and electors will be invited to come forward to either station to have their name checked against the voter list, mark their ballot, and place it in the ballot box
- **Voting will be halted when the last person present at the meeting has placed their ballot in the box**
- In the presence of two scrutineers the ballot box will be opened. The votes shall be read aloud and tallied by at least two poll workers.
- Following counting, the results shall be read aloud in front of anyone who wishes to observe. The person having the greatest number of votes will be declared elected
- If there is a tie determine the successful candidate by lot as prescribed by the Municipal Elections Act, with the lot drawn by someone selected at random from the crowd