



2023 Village Commission Election Definitions: Elector/Resident

Requirements for village commissioner (*from Municipal Government Act*)

407 (1) No person is qualified to serve as a village commissioner unless the person is an **elector**.

(1A) An elector who is a council member is not qualified to serve as a village commissioner.

(2) Every village commissioner shall take and subscribe the oath of office prescribed by the *Municipal Elections Act* in the manner prescribed by that Act before entering upon the duties of village commissioner.

(3) A village commissioner whose term of office has expired is eligible for reelection.

Interpretation (*from Municipal Government Act*)

403 In this Part, “**elector**” means a person resident within the village entitled to vote at a municipal election, and who will have resided in the village for at least six months immediately prior to the village election.

Qualifications of elector (*from Municipal Elections Act*)

14 Subject to the other provisions of this Act, every person who

- (a) is of the full age of eighteen years on the first advance polling day;
- (b) is a Canadian citizen on the first advance polling day;
- (c) has been ordinarily resident in the Province for a period of six months immediately preceding the first advance polling day; and
- (d) is ordinarily resident in the municipality or in an area annexed to the municipality and has been so since immediately before the first advance polling day,

is entitled to be registered on the list of electors and to vote.

Ordinarily resident (*from Municipal Elections Act*)

16 (1) A person is ordinarily resident in the place where the person lives and to which, whenever absent, the person intends to return.

(2) A person may be ordinarily resident in only one place at a time.

(3) A person does not cease to be ordinarily resident in a place by leaving the place for a temporary purpose only.

(4) Where a person usually sleeps in one place and has meals or is employed in another place, the person is ordinarily resident in the place where the person sleeps.

(5) Where a person has temporary residential quarters, those quarters are considered to be the place in which the person is ordinarily resident only if the person has no other place the person considers as that person's ordinary place of residence.

(6) Where a person is being provided with food, lodging or other social services by a shelter, hostel or similar institution, the person is ordinarily resident in the shelter, hostel or institution.

(7) Where the rules set out in subsections (1) to (6) are not sufficient to determine the place where a person is ordinarily resident, the place where the person is ordinarily resident must be determined by the appropriate election officer with reference to all the facts of the case.

(8) A person who, on the first advance polling day,

(a) is a student;

(b) is ordinarily resident in a polling district or polling division other than that of the person's family home; and

(c) is qualified as an elector, may elect to be included on the list of electors in one or the other of the polling divisions, but not both, and is deemed to be ordinarily resident in that polling division.

(9) A person is not ordinarily resident in a residence that is generally occupied by the person only between the beginning of May and the end of October but that is generally unoccupied between the beginning of November and the end of April unless the person does not have another residence in the Province where the person resides between the beginning of November and the end of April.