

Report

Date March 4, 2026

File: 4200-20

Subject Election and Assent Voting Amendment Bylaw and Cost Sharing Agreement with School District 79

PURPOSE

To introduce amendments to the Election and Assent Voting Bylaw, and to seek approval of the updated Election Cost-Sharing Agreement with the School District.

BACKGROUND

Per section 52 of the *Local Government Act* (LGA), elections for a mayor and councillors in every municipality in British Columbia, and for regional district electoral area directors, must be held every four years, on the third Saturday in October. The next General Local Election will be held on Saturday, October 17, 2026.

Similarly, per section 35 of the *School Act*, elections of all trustees in a General School Election must also be held every four years on the third Saturday in October. The next General School Election will be held on Saturday, October 17, 2026.

As part of the planning process for the 2026 General Local Election, the Chief Election Officer (CEO) has undertaken the following tasks:

1. Reviewed the Election and Assent Voting Bylaw
2. Reviewed the Sign Bylaw
3. Prepared election cost sharing agreement with the School District

DISCUSSION

It is critical for the CEO to undertake several tasks early in an election year. The following is a summary of the status of each task and any changes that are required:

1. Reviewed the Election and Assent Voting Bylaw

Section 56(2)(a) of the LGA states that election bylaws or amendments to existing election bylaws must be adopted at least 56 days before the first day of the nomination period of the general local election, making the deadline to amend the Election and Assent Voting Bylaw July 6, 2026.

On May 30, 2025, the Provincial Legislature passed Bill 13, which amended both the *Local Elections Campaign Financing Act* and the *Local Government Act*. These changes triggered the need to update North Cowichan's Election and Assent Voting Bylaw. The amendments allow the CEO to establish Authorized Drop-Off Locations for completed mail ballot packages and clarify the accepted delivery methods, including mail, in-person delivery to the CEO's office, or delivery to an authorized drop-off location, with electors responsible for ensuring their ballot is received before the close of voting.

Bill 13 also introduced new rules regarding nomination documents and election materials. The CEO may now publish nomination documents online, but must exclude residential street addresses and instead list only the municipality, electoral area, or treaty lands of residence. Additionally, the bylaw must update terminology related to secrecy materials by replacing “secrecy envelope/sleeve” with the broader term “Secrecy Enclosure,” which encompasses all acceptable methods of ensuring ballot secrecy.

In addition to the required amendments noted above, and included in the Election and Assent Voting Amendment Bylaw No. 4060, 2026 (Attachment 1), section 86(2)(a) of the LGA provides that a local government may, by bylaw, set the minimum number of qualified nominators for municipalities with a population of 5,000 or more, at either 10 or 25. Staff are recommending increasing the minimum number of nominators from 2 to 10.

Increasing the minimum number of nominators from 2 to 10 helps ensure candidates have a basic level of community support, reduces frivolous or non-serious nominations, and aligns North Cowichan with common practice in neighbouring municipalities, Duncan and Ladysmith.

2. Reviewed the Sign Bylaw

North Cowichan’s [Sign Bylaw No. 3479](#) was updated prior to the by-election in April 2025, and no further changes are required.

3. Prepared election cost-sharing agreement with the School District

At the January 21, 2026 regular Council meeting, Council directed staff to prepare cost-sharing agreements with the Cowichan Valley Regional District (if required) and School District 79. A regional referendum is not being held; the CEO instead worked solely with School District 79 and drafted the attached Election Cost-sharing Agreement (Attachment 2).

The updated cost-sharing agreement clarifies responsibilities in the event of an acclaimed Mayor and Council or School Board and updates several voting locations. Quamichan Middle School and Crofton Elementary will no longer be used due to accessibility and layout challenges; Quw’utsun Secondary and Chemainus Secondary have been selected as improved alternatives, and the Crofton Firehall is being considered as a replacement in Crofton.

The agreement also confirms School District 79’s obligation to pay one-half of the eligible costs associated with the 2026 school trustee election, including tabulator rentals, ballots, mailed ballots, labour, supplies, facility access, and any legal costs specific to the trustee election.

OPTIONS

1. **(Recommended Option)** THAT Council:

- (1) Gives first, second and third reading to Election and Assent Voting Amendment Bylaw No. 4060, 2026; and
- (2) Approves the Election Cost Sharing Agreement between North Cowichan and School District 79 and authorizes the Mayor and Chief Election Officer to execute the agreement.

2. THAT Council:

- (1) Gives first and second reading to Election and Assent Voting Amendment Bylaw No. 4060, 2026;
- (2) Amends Election and Assent Voting Amendment Bylaw No. 4060, 2026 by deleting section 7;
- (3) Gives third reading as amended to Election and Assent Voting Amendment Bylaw No. 4060, 2026; and
- (4) Approves the Election Cost Sharing Agreement between North Cowichan and School District 79 and authorize the Mayor and Chief Election Officer to execute the agreement.
 - This option should be chosen if Council does not wish to increase the number of nominators from 2 to 10.

IMPLICATIONS

The proposed bylaw amendments and cost-sharing agreement ensure compliance with recent provincial legislation and support timely preparation for the 2026 General Local Election. Early approval allows the CEO to finalize procedures, notices, staffing, and training within legislated deadlines.

The cost-sharing agreement with School District 79 will recover a portion of the eligible election expenses. Changes to voting locations and mail ballot procedures will require coordinated communications but are expected to improve accessibility and clarity for electors.

RECOMMENDATION

THAT Council:

- (1) Gives first, second and third reading to Election and Assent Voting Amendment Bylaw No. 4060, 2026; and
- (2) Approves the Election Cost Sharing Agreement between North Cowichan and School District 79, and authorizes the Mayor and Chief Election Officer to execute the agreement.

Report prepared by:



Tricia Mayea
Manager, Legislative Services/ Chief Election Officer

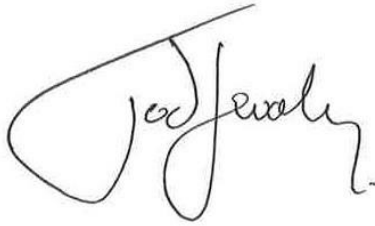
Report reviewed by:



Bill Corsan
General Manager, Corporate Services and

Community Relations

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Election and Assent Voting Amendment Bylaw No. 4060, 2026
- (2) Election Cost Sharing Agreement with the School District