



## BYLAW 2024-07

BEING A BYLAW OF THE TOWN OF SUNDRE, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR MUNICIPAL ELECTIONS

**WHEREAS** it is the desire of Council to establish certain election procedures;

**AND WHEREAS** to the *Local Authorities Election Act, being Chapter L-21, of the Revised Statutes of Alberta 2000*, and amendments thereto and the *Municipal Government Act, being Chapter M-26, of the Revised Statutes of Alberta 2000* and amendments thereto provides authority for the Town of Sundre to regulate such matters;

**AND WHEREAS** the intent of the changes to the local election rules and processes allows for alignment of the Local Authorities Election Act, and the Municipal Government Act pertaining to candidate eligibility criteria and with councillor disqualification criteria;

**NOW THEREFORE**, the Municipal Council of Sundre, in the Province of Alberta, duly assemble, **HEREBY ENACTS AS FOLLOWS:**

**1.0 TITLE:**

1.1 THIS BYLAW MAY BE CITED AS THE "MUNICIPAL ELECTION BYLAW".

**2.0 DEFINITIONS:**

In this Bylaw:

- 2.1 **Act** means the *Local Authorities Election Act, R.S.A. 2000, Chapter L-21* as amended from time to time;
- 2.2 **Advance Vote** means a vote taken in advance of Election Day;
- 2.3 **Campaign Disclosure Statement** means an accounting of all contributions and expenses to be submitted to the Secretary of the Local Jurisdiction, immediately following a general election, or in the case of a by-election, within 120 days after the by-election;
- 2.4 **Campaign Expenses** means in the case of a general election, on or before March 1 of each year, a candidate who received contributions in the previous year shall file with the secretary of the candidate's local jurisdiction a disclosure statement in the prescribed form;
- 2.5 **Campaign period** in the case of a general election, the period beginning on January 1 of the year immediately following a general election and ending on December 31 immediately following the next general election, and in the case of a by-election, the period beginning on the day after the resolution or bylaw is passed to set the election day for the by-election and ending 60 days after the by-election;

- 2.6 **Council** means the municipal council of the Town of Sundre in the Province of Alberta;
- 2.7 **Candidate** means any person who is nominated for election as a councillor/mayor of the municipality;
- 2.8 **Chief Administrative Officer** or **CAO** means the Chief Administrative Officer (CAO) of the Town of Sundre, who as per the *Municipal Government Act*, is the only employee of Council;
- 2.9 **Deposit** means that every affirmed nomination be accompanied with a cash deposit in the amount fixed by this bylaw, and under the authority of the *Local Authorities Election Act*, Section 29(1);
- 2.10 **Elector** means a person eligible to vote at an election;
- 2.11 **Election** means a general election, by-election, or a vote on a bylaw of question;
- 2.12 **Election Day** means the date fixed for voting at an election;
- 2.13 **Incapacitated Elector at Home** means a voter who unable to leave their place of residence to attend to a voting station or an advance voting station to vote who may require assistance during the voting process by either a friend/relative or an election worker;
- 2.14 **Institutional Vote** means a voter who is unable to leave their institutional residence setting to attend to a voting station or an advance voting station in the usual manner;
- 2.15 **Local Jurisdiction** means a municipality as defined in the *Municipal Government Act* or a school division as defined in the *Education Act*;
- 2.16 **Nomination Day** means the day set 4 weeks before Election Day to receive nominations of candidates;
- 2.17 **Nomination Form** means the form as prescribed under the *Local Authorities Election Forms Regulation* as amended from time to time;
- 2.18 **Nomination Period** means the beginning of the campaign period (January 1 in the year of an election) to 4 weeks prior to election day;
- 2.19 **Permanent Electors Register** means a list of permanent electors in the municipality who are eligible to vote that is revised from time to time using information from the Chief Electoral Officer;
- 2.20 **Returning Officer** means a person appointed under the *Local Authorities Election Act*, 2000, Chapter L-21 as amended from time to time; and includes a person acting in the Returning Officer's place;
- 2.21 **Secretary** means a chief administrative officer or designated officer of a municipality if the council has assigned the functions of the secretary under the *Local Authorities Election Act* to the designated officer or the secretary of a school board;
- 2.22 **Substitute Returning Officer** means a person who must be appointed by Resolution of Council, at the time a returning officer is appointed;
- 2.23 **Third-party advertisers contribution limit** means the amount of funding that can be provided to any one candidate in an amount not to exceed \$5,000.00; and further, that any third party advertiser interest in plebiscites to register and report finances;

2.24 **Voter** has the same meaning as “Elector” under the *Local Authorities Election Act*;

2.25 **Voting Station** means the place where an Elector votes.

**3.0 Returning Officer:**

3.1 The Chief Administrative Officer may serve as the Returning Officer, or may recommend to Council the appointment of the Returning Officer for the Town of Sundre (hereinafter referred to as the “Returning Officer”) for the purpose of conducting elections under the *Act*;

3.2 The Chief Administrative Officer will recommend to Council the appointment of a “Substitute” Returning Officer.

**4.0 Nominations Period, and Campaign Period:**

4.1 Nomination papers will be accepted by the Town of Sundre at the beginning of the campaign period (January 1 in the year of an election) to 4 weeks prior to election day (s. 24(2)(a) *LAEA*);

4.2 Every nomination must include a criminal record check from the RCMP that discloses convictions and active (non-expired) absolute or conditional discharge information for the candidate that is dated within three months of the date of the nomination form.

4.3 The campaign period in the case of a general election, is the period of time from January 1 to December 31 in a year in which a general election is held, and in the case of a by-election, the period of time set by bylaw or resolution to 60 days immediately following the by-election;

**5.0 Nominations Day/Hours:**

5.1 Nomination day (which is the final day to accept nominations) is 4 weeks before election day (s.25(1) *LAEA*).

5.2 The Returning Officer will receive nominations of Candidates for the Town of Sundre Council elections at the Town of Sundre Office between the hours of 10:00 a.m. and 12:00 noon on Nomination Day and on any subsequent day to which the time for receipt of nominations is adjourned.

5.3 In the case of a by-election, the nomination period will commence the day following the resolution of council setting the date of the by-election. Nominations will be accepted up until 4 weeks prior to the date of the by-election (s.25(2)(b) *LAEA*).

**6.0 Rejection of Nomination Paper**

6.1 The Returning Officer is required to refuse a nomination paper if it has not been signed by five eligible electors and is not sworn/affirmed by the candidate.

**7.0 Deposit**

7.1 Affirmed nomination papers submitted to the Returning Officer by a candidate shall be accompanied by a deposit of \$100.00;

**8.0 Disposition of Deposit**

8.1 The Returning Officer shall require the deposit to be provided in cash, debit card, certified cheque, or money order. Credit card payments shall not be accepted;

8.2 The candidate's deposit shall be returned to the candidate in accordance with Section 30 of the *Local Authorities Election Act*.

**9.0 Modified Voting Procedure:**

9.1 In accordance with Ministerial Order Number 532/86 the Town of Sundre hereby adopts the modified system of conducting an Election as prescribed by Alberta Regulation 170/2000 to designate the locations of more than one voting station within the Town of Sundre.

9.2 The modified voting procedure shall be used for the purpose of conducting elections pursuant to the provision of the *Local Authorities Election Act*.

**10.0 Advance Voting:**

10.1 The holding of an Advance Vote on any Vote held in an Election for the Local Jurisdiction is hereby authorized.

10.2 In accordance with the *Local Authorities Election Act*, the Returning Officer will determine the location, days and hours when an Advance Vote will be held.

**11.0 Incapacitated Elector at Home:**

11.1 During the hours an Advance Voting Station is open or other times as arranged, two (2) Deputies will attend at the residence of an Elector, in order to take the vote of an Elector who is unable to attend a Voting Station or an Advance Voting Station to vote and may require assistance during the voting process by either a friend/relative or an election worker.

**12. Institutional Vote:**

12.1 The Returning Officer is authorized to designate appropriate dates, times and locations of one or more institutional voting station for the purpose of conducting an election.

**13. Voting Hours on Election Day:**

13.1 The Voting Stations in the Town of Sundre shall be open from 8:30 a.m. until 8:00 p.m. on Election Day.

**14. Authorized Elector Identification**

14.1 As per Section 53 of the *Local Authorities Election Act*, Voter identification will be required for local authority elections where a list of Electors is not prepared. The identification will consist of government issued identification containing the Elector's photograph, current address and name. This includes an Operator's (Driver's) License or an Alberta Identification Card.

14.2 If the Elector is unable to produce government issued identification, they must produce two (2) pieces of identification. Both pieces of identification must establish the Elector's name. One piece must establish the Elector's current civic address.

**16. EFFECTIVE DATE**

16.1 The Bylaw comes into full force and effect upon third and final reading;

**16. REPEAL**

16.2 Bylaw 2020-11 and any amendments thereto are hereby rescinded on the date that this Bylaw comes into full force and effect.

READ A FIRST TIME this 16<sup>th</sup> day of December 2024; Motion No. 426-16-12-24;

*(Original Bylaw amendment defeated)*

READ A SECOND TIME this 16<sup>th</sup> day of December 2024; Motion No. 428-16-12-24;

GIVEN Unanimous Consent to Proceed to a THIRD READING this 16<sup>th</sup> day of December 2024; Motion No. 429-16-12-24;

READ A THIRD AND FINAL TIME this 16<sup>th</sup> day of December 2024; Motion No. 430-16-12-24



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Mayor, Richard Warnock



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Chief Administrative Officer, Linda Nelson