



**BYLAW NO. 17-07
TOWN OF STRATHMORE
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW TO PROVIDE FOR MUNICIPAL ELECTIONS IN THE TOWN OF STRATHMORE.

WHEREAS the Local Authorities Election Act, RSA 2000, Chapter L-21, as amended (the “Act”), provides for the holding of local elections by municipalities;

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

1. TITLE

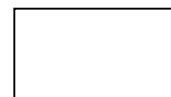
1.1 This Bylaw may be cited as the “Municipal Election Bylaw”.

2. DEFINITIONS

2.1 Except as otherwise provided for in this Bylaw, the terms used in the Act, where used or referred to in this Bylaw, shall have the same meaning as defined or provided in the Act.

2.2 In this Bylaw, the following terms shall have the following meanings:

- (a) “Act” means the *Local Authorities Election Act*, R.S.A. 2000, Chapter L-21 as amended from time to time.
- (b) “Advance Vote” means a vote taken in advance of Election Day;
- (c) “Automated Voting System” means an automated or electronic system designed to automatically count and record votes and process and store the election results;
- (d) “Ballot” means the part of the ballot card on which is printed the office to be voted on, the names of the candidates, the bylaw name and the number or the questions, if any, and containing the spaces in which the elector is to mark his/her vote;
- (e) “Ballot Box” means a container, in the form approved by the Returning Officer, intended to contain the voted ballot cards;



- (f) "Ballot Card" means a paper card, in the form approved by the Returning Officer, listing the ballots to be voted on in the election;
- (g) "Marking Devices" means the pen or other instrument, approved by the Returning Officer, for the use in marking ballots by the elector;
- (h) "Council" means the municipal council of the Town of Strathmore in the Province of Alberta;
- (i) "Elector" means a person eligible to vote at an election;
- (j) "Election" means a general election, by-election or a vote on a bylaw of question;
- (k) "Election Day" means the date fixed for voting at an election;
- (l) "Local Jurisdiction" means a municipality or a district or a division as defined in the *School Act*, as the case may be;
- (m) "Nomination Day" means the day set 4 weeks before Election Day to receive nominations of candidates;
- (n) "Nomination Form" means the form as prescribed under the *Local Authorities Election Forms Regulation 378/2003*.
- (o) "Portable Ballot Box" means a cardboard container in the prescribed form, approved by the Returning Officer and intended for the use in the collection of voted ballot cards in an institutional vote, advanced vote or incapacitated vote;
- (i) "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;

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- (j) "**Substitute Returning Officer**" means a person appointed under the Local Authorities Election Act, RSA 2000, Chapter L-21 who assumes the Duties of the Returning Officer should the Returning Officer be unable to fulfill their duties due to illness or other absence.
- (k) "Tally Register Tape" means the printed record generated by a vote tabulator showing the number of accepted ballots, the ballots read, and the results of the ballots read by the vote tabulator;

- (l) "Vote Tabulator" means a unit of the automated voting system designed for use at the voting station to receive ballots and automatically scan a specified area or areas on the ballot card and record the results;
- (m) "Voting Station(s)" means an area designated by the Returning Officer in a controlled-access building and equipped for the counting of votes and the tabulation of election results.

3. RETURNING OFFICER

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- 3.1 The Director of Strategic and Administrative Services is hereby appointed as the Returning Officer for the Town of Strathmore (hereinafter referred to as the "Returning Officer") for the purpose of conducting elections under the Act.
- 3.2 The Senior Legislative Assistant is hereby appointed as the Substitute Returning Officer for the Town of Strathmore for the purpose of conducting elections under the Act.

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4. RECEIPT OF NOMINATIONS

- 4.1 The Returning Officer will receive nominations of candidates for Town of Strathmore elections at the Town of Strathmore Municipal Office located at 1 Parklane Drive, Strathmore, AB T1P 1K2 within the time period identified in the Local Authorities Election Act, RSA 2000, Chapter 1-21.

5. NOMINATION FORM

- 5.1 In accordance with *Section 27 of the Local Authorities Election Act, being Chapter L-21, of the Revised Statutes of Alberta 2000*, and amendments thereto every nomination of a candidate shall be in the prescribed form and signed by at least five (5) electors eligible to vote in the election and resident in the local jurisdiction on the date of signing the nomination, and shall be accompanied with a written acceptance signed in the prescribed form by the person nominated.
- 5.2 If the nomination form has not been signed by the required number of eligible electors the Returning Officer must refuse the form.

6. NOMINATION DEPOSIT

- 6.1 Every Nomination Form for a candidate for the position as a member of Council for the Town of Strathmore shall be accompanied by a deposit of Two Hundred and Fifty Dollars (\$250.00).
- 6.2 The deposit shall be in cash, or certified cheque or money order payable to the Town of Strathmore.
- 6.3 A candidate's deposit will be returned to him/her in accordance with Section 30 of the *Act*.

7. ADVANCE VOTING

- 7.1 The holding of an Advance Vote on any Vote held in an Election for the Local Jurisdiction is hereby authorized.
- 7.2 In accordance with the Act the Returning Officer will determine the location, days and hours when an Advance Vote will be held.

8. INSTITUTIONAL VOTING STATIONS

- 8.1 For the purpose of conducting institutional voting, the Returning Officer shall designate the location(s) and time(s) on an advanced voting day during which the votes in the institutions shall be taken and may appoint the election officials necessary for the taking of the institutional votes.

9. INCAPACITATED ELECTOR AT HOME

- 9.1 Provision is made for the attendance of two (2) deputies at a residence of an elector, during the hours an advance voting station of an election is open, in order to take the vote(s) of an elector who, because of physical incapacity or mobility limitations is unable to attend a voting station or an advance voting station to vote.

10. VOTING HOURS ON ELECTION DAY

- 10.1 Every voting station shall be kept open continuously on Election Day from 7:00 a.m. to 8:00 p.m.

11. AUTOMATED VOTING SYSTEM

- 11.1 The taking of votes of the electors and the tabulation of election results on any bylaw/question or in any election conducted by the Town may be done by means of an automated voting system, as directed by the Returning Officer.
- 11.2 In the event that an automated system is used in the election, the Returning Officer shall:
 - (a) satisfy himself/herself, prior to the date of the election that the automated voting system has been pre-tested and is accurate and in good working order; and
 - (b) take whatever reasonable safeguards may be necessary to secure the automated voting system (and any part thereof, including the vote tabulators and the ballot boxes) from unauthorized access, entry, use, tampering, or any unauthorized use of the ballot cards or tabulated results.

12. BALLOTS

- 12.1 Following nomination day, the Returning Officer shall cause sufficient ballot cards for the election to be printed.
- 12.2 The ballot card shall be assembled in the following order and contain separate ballots for:
 - (a) candidates for the office of the Mayor;
 - (b) candidates for the office of Councillor;
 - (c) candidates for the office of school Trustee, if elections are held in conjunction with elections for school board offices;
 - (d) bylaw/question(s);
 - (e) any other offices as may be specified or required by the Act or any other applicable legislation.
- 12.3 Ballots for candidates may be in the general form prescribed by the Returning Officer.
- 12.4 In the event the general election is held in conjunction with the election of school board Trustees, the Returning Officer may direct that separate ballot

cards be printed, containing the ballots for the offices of Mayor, Councillors and other Ballots, and either the public school Trustee ballot(s) or the separate school Trustee ballot(s).

12.5 Unless otherwise provided for by a resolution of Town Council, the ballot for a vote on a bylaw or a question shall generally be in the following form:

(a) in the case of bylaw:

“Are you in favour of Bylaw ____ (title of bylaw)?

Yes

No

(Mark only “yes” or “no”)

provided that a copy of the text of the Bylaw shall be posted in at least one (1) conspicuous place at each voting station;

(b) in the case of the question, a short statement of the question, followed by:

“Are you in favour of the above proposed resolution?

Yes

No

(Mark only “yes” or “no”)

13. PRE-VOTE PROCEDURE

13.1 Procedure at the Voting Station:

(a) In the presence of other deputies, staff, agents and electors, the Presiding Deputy Returning Officer of each voting station shall cause the vote tabulator to print a copy of all totals in its memory pack one hour or less before the opening of the poll.

(b) If the totals are zero for all candidates, questions and bylaw, the Presiding Deputy Returning Officer shall ensure that the zero printout

remains affixed to the vote tabulator until the results are printed by the vote tabulator after the close of the poll at 8:00 p.m.

- (c) If the totals are not zero for all candidates, questions and bylaws, the Presiding Deputy Returning Officer shall immediately notify the Returning Officer and shall conduct the vote using a back-up ballot box until the vote tabulator is made operational or the Returning Officer provides a replacement vote tabulator that adheres to Section 10(a) and (b).

14. IDENTIFICATION REQUIREMENTS

14.1 Every elector who attends a voting station or applies for a special ballot, in addition to making a statement in the presence of an officer at the voting station, in the prescribed form, that the person is eligible to vote as an elector, must produce the following identification in order to be eligible to vote:

- (a) one piece of identification issued by a Canadian Government, whether federal, provincial or local, or an agency of that government, that contains a photograph of the elector and his or her name and current address; or
- (b) sufficient identification as authorized by the Chief Electoral Officer under the Election Act for the purposes of section 95(1)(a)(ii) of that Act that establishes the elector's name and current address.

14.2 If an elector is unable to provide such identification as identified in Sections 11.1 (a) or (b), or the identification provided does not clearly establish their place of residence, the elector will be required to provide such other documentation as may be requested at the discretion of the Returning Officer, or designate, to reasonably prove the identity and residency of the elector.

15. VOTING PROCEDURE

15.1 Every elector eligible to vote shall be given:

- a) the ballot card(s) that the elector is eligible to receive and that has been initialled by a deputy; and
 - b) a secrecy sleeve.
- 15.2 Upon receiving the ballot card(s) and secrecy sleeve, the elector shall proceed to the voting compartment to vote.
- 15.3 While the elector is in the voting compartment, the elector shall mark the ballot(s) only with the marking device provided, by filling in the space designated for a vote adjacent to the candidate's name or, where there is more than one vacancy, the candidates of his/her choice. Where the ballot includes a bylaw or question, the elector shall mark his/her vote within the portion of the ballot containing the affirmative or negative, whichever way he/she decides to vote.
- 15.4 After the elector has finished marking the ballot card and has completed his/her voting, he/she shall:
- a) insert the ballot card into the secrecy sleeve without showing the markings on the ballot card to anyone and without folding the ballot card; and
 - b) leave the voting compartment and deliver the secrecy sleeve, containing the ballot card, to the deputy supervising the ballot box and the vote tabulator; and
 - c) observe the placing of his/her ballot card through the vote tabulator into the ballot box by the deputy.
- 15.5 The deputy supervising the vote tabulator and ballot box shall insert the marked ballot card, contained in the secrecy sleeve, into the vote tabulator and ballot box so that the ballot card is extracted from the secrecy sleeve without exposing the marks made on the ballot card by the elector.
- 15.6 Where a vote tabulator is available in the voting station but fails to operate, the deputy supervising the vote tabulator and ballot box shall:
- a) insert the ballot card from within the secrecy sleeve into the separate, sealed ballot box designed for storage of marked but untabulated ballots; and

- b) insert the ballot cards into a vote tabulator following the close of the voting station.
- 15.7 The voting procedure prescribed in this Bylaw shall, during an advance vote, an institutional vote, and an incapacitated vote, as far as is practicable, apply and may be modified as necessary upon the direction of the Returning Officer.
- 15.8 Each elector shall follow the voting procedures as set out in this Bylaw and as posted in the voting station, and upon the deposit of his/her ballot card into the ballot box, the elector shall leave the voting station.

16. POST-VOTE PROCEDURES

- 16.1 Immediately after the close of the voting station, the Presiding Deputy Returning Officer shall:
- a) secure the vote tabulator against receiving any more ballots;
 - b) activate the vote tabulator to produce two (2) copies of the tally register tape (or such other number as directed by the Returning Officer), complete the ballot account and attach one (1) copy of the tally register tape to the ballot account;
 - c) count the unused ballot cards and place the unused ballot cards, the voted ballots, the declined ballots and the spoiled ballots, together with the voting register, one (1) copy of the tally register tape, and all oaths, declarations and statements, if any, in the ballot box(es); and
 - d) seal and initial the ballot box(es) and immediately deliver the sealed ballot box(es), vote tabulator and ballot account (including the attached tally register tape) to the Returning Officer.
- 16.2 The portable ballot boxes used in the advance vote, the incapacitated vote, and the institutional vote, shall be sealed upon the completion of the vote in which they are used, and shall not be unsealed and opened until the close of voting stations on election day.
- 16.3 The Returning Officer may direct that the sealed portable ballot boxes be brought to the voting station where they remain sealed until they are opened for the counting of ballots by the automated voting system, and may make any other direction he/she deems necessary for the storage and disposition of the portable ballot boxes.

17. COUNTING PROCEDURE

- 17.1 At the close of the voting stations on election day, or as soon thereafter as is reasonably possible, the Returning Officer shall receive all vote tabulators and the portable ballot boxes for the tabulation of results.
- 17.2 If, at the close of the poll, the Returning Officer is of the opinion that it is impracticable to count the vote with the vote tabulator, he/she may direct that all the votes cast in the election be counted manually following, as far as practicable, the provisions of the Act governing the counting of the votes.

18. GENERAL

- 18.1 After the tabulation of voting results, the ballot boxes, program and memory packs, and automated voting system shall be retained and stored as directed by the Returning Officer.

19. REPEAL

- 19.1 Bylaws #13-10 is hereby repealed.

20. ENACTMENT

- 20.1 This Bylaw comes into full force and effect upon third and final reading.

READ A FIRST TIME THIS 5th day of April, 2017.

READ A SECOND TIME THIS 5th day of April, 2017.

READ A THIRD AND FINAL TIME THIS 5th day of April, 2017.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

<i>AMENDMENTS</i>	
<i>Date</i>	<i>Bylaw</i>
<i>January 20, 2021</i>	<i>Bylaw 21-05</i>