

## BYLAW 17-2013

### A BYLAW OF THE TOWN OF BRUDERHEIM TO ESTABLISH RULES AND PROCEDURES FOR THE CONDUCT OF ELECTIONS.

WHEREAS pursuant to the *Local Authorities Election Act, R.S.A. 2000, Chapter L-21*, an elected authority may enter into an agreement with one or more elected authorities for the conduct of an election;

AND WHEREAS pursuant to the *Local Authorities Election Act*, an elected authority may provide by bylaw the times and locations to receive nominations in the local jurisdiction;

AND WHEREAS pursuant to the *Local Authorities Election Act*, an elected authority may require that every nomination be accompanied by a deposit in the amount specified by bylaw;

AND WHEREAS pursuant to the *Local Authorities Election Act*, an elected authority may provide for the holding of an advanced vote on any vote to be held in an election;

AND WHEREAS pursuant to the *Municipal Government Act, R.S.A. 2000, c. M-26*, Councillors are to be elected in accordance with the *Local Authorities Election Act*;

AND WHEREAS pursuant to the *Municipal Government Act*, the Chief Elected Official of the municipality is to be elected by a vote of the electors in accordance with the provisions of the *Local Authorities Election Act*;

AND WHEREAS pursuant to the *Municipal Government Act*, the term of office of Councillors is governed by the *Local Authorities Election Act*;

AND WHEREAS pursuant to the *Municipal Government Act*, Council must hold by-elections to fill vacancies in specified circumstances;

AND WHEREAS pursuant to the *Municipal Government Act*, a vacancy in the office of the Chief Elected Official must be filled in specified circumstances;

AND WHEREAS the *School Act, R.S.A 2000, c. S-3*, the *Local Authorities Election Act*, and the *Municipal Government Act* establish the general rules for the conduct of members of School Boards and municipal Councils;

NOW THEREFORE the Council of the Town of Bruderheim, in the Province of Alberta, duly assembled, enacts:

#### **PART 1: TITLE**

1.1 This Bylaw shall be called the Election Bylaw.

#### **PART 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:

- (a) "Act" means the *Local Authorities Election Act, R.S.A. 2000, Chapter L-21, as amended*;
- (b) "Ballot" means a separate marked area on the Ballot Card stating the office(s) and Candidates, question or bylaw to be voted for, indicating all choices available to the Electors and containing spaces in which the Electors mark their votes;
- (c) "Ballot Box" means a secure container for Ballot Cards that have been marked by Electors;
- (d) "Ballot Card" means a paper card containing all Ballots to be voted on by Electors from the Town;
- (e) "Director" means Director of Legislative Services for the Town of Bruderheim, or whatever subsequent name shall be conferred on that position from time to time;
- (f) "Marking Device" means a writing instrument approved by the Returning Officer for use by an Elector in marking a Ballot;
- (g) "Rejected Ballot Card" means a Ballot Card that has been submitted by the Elector under Part 5;
- (h) "Spoiled Ballot Card" means a Ballot Card that has been submitted by the Elector under Part 5;
- (i) "Tally Sheet" means the paper that is used to record the votes received for each candidate on the ballot cards.

### **PART 3: TOWN OF BRUDERHEIM ELECTION ADMINISTRATION**

3.1 The provisions of the Act, except as modified by this Bylaw, shall apply to all elections conducted within the Town of Bruderheim.

3.2 The Director is hereby appointed as the Returning Officer for the Town of Bruderheim for the purpose of conducting elections under the Act.

3.3 In the event that an election for another Elected Authority is held in conjunction with the Town of Bruderheim election, the provisions of this Bylaw shall apply to the election for that Elected Authority.

3.4 The Returning Officer is authorized to negotiate agreements on behalf of the Town of Bruderheim for the conduct of elections for other Elected Authorities.

### **PART 4: PREPARATION FOR ELECTIONS**

4.1 The Returning Officer shall receive nominations between the hours of 10:00 a.m. and 12:00 noon on Nomination Day.

4.2 Every Nomination Paper which nominates a Candidate for the office of Mayor or Councillor shall be accompanied by a deposit in the amount of One Hundred (\$100.00) Dollars.

4.3 The deposit must be provided in cash, by certified cheque or money order payable to the Town of Bruderheim.

4.4 Following Nomination Day, the Returning Officer shall cause sufficient Ballot Cards to be printed containing separate Ballots for each office, bylaw or question to be voted on

4.5 Each Voting Station shall be kept open continuously on Election Day from 9:00 a.m. until 8:00 p.m.

## **PART 5: VOTING PROCEDURES**

5.1 A Deputy responsible for issuing Ballot Cards will:

- (a) ensure that the Elector produces the required identification as prescribed by the Act;
- (b) ensure that the Elector gives the Statement of Elector Eligibility;
- (c) ensure that the Voting Register is completed;
- (d) initial the appropriate Ballot Card and give it to the Elector,

5.2 On receiving the Ballot Card that an Elector is entitled to receive, the Elector shall forthwith proceed into the voting compartment provided and shall mark each of his or her Ballots with a marking device:

- (a) by making a legible mark on each ballot beside the chosen Candidate or, where there is more than one vacancy, Candidates; and
- (b) in the case of a Ballot for a bylaw or question, making a legible mark beside "yes" or "no", whichever way he or she desires to vote.

5.3 After marking a Ballot Card, the Elector shall:

- (a) fold the Ballot Card, in such a manner as to conceal the names on the Ballot Card but the initials of the Deputy are visible;
- (b) leave the voting compartment and immediately deliver the folded Ballot Card to the Deputy supervising at the Ballot Box.

5.4 The Deputy supervising at the Ballot Box shall verify the Deputy's initials on the Ballot Card and cause the Ballot Card to be inserted directly into the Ballot Box.

5.5 When the Elector's Ballot Card has been inserted into the Ballot Box, the Elector must immediately leave the Voting Station.

5.6 If an Elector has made a mistake when marking a Ballot Card, the Elector may return the Ballot Card to the Deputy who issued the Ballot Card.

5.7 If the Elector requests another Ballot Card, the Deputy must issue a new Ballot Card to the Elector and mark the returned Ballot Card "SPOILED".

5.8 Spoiled Ballot Cards must be retained and kept separately from all other Ballot Cards and must not be counted in the election results.

## **PART 6: ADVANCE VOTE**

6.1 There will be an Advance Vote for each election.

6.2 Ballot Boxes will be used for each Advance Vote day;

6.3 At the closing of each Advance Vote day, the Ballot Boxes shall be sealed in such a manner that no additional Ballot Cards can be added to the Ballot Box.

**PART 7: POST VOTE PROCEDURES**

7.1 Immediately after the close of the Voting Station, the Presiding Deputy shall in the presence of at least one other Deputy:

- (a) empty the Ballot Boxes of all Ballot Cards;
- (b) read each Ballot Card in such a way that all marks on the Ballot Card can be tabulated on the tally Sheets;
- (c) ensure that every mark is counted and recorded;
- (d) count the unused Ballot Cards, the Rejected Ballot Cards and the Spoiled Ballot Cards and place them, packaged separately and sealed, in packets marked "Unused", "Rejected", "Spoiled" and place packets in a Ballot Box along with the Voter Registration Forms.
- (e) seal and initial the Ballot Box and are ready to be delivered to the Returning Officer; and
- (f) complete the Ballot Account, and deliver a copy of the Ballot Account with the certified count of votes to Returning Officer as soon as possible.

7.2 The Returning Officer may direct that additional reporting procedures be used.

7.3 A Presiding Deputy shall not permit more than one Candidate, or his or her Official Agent, or his or her Scrutineer, or more than one Official Agent, or one Scrutineer of either side of a vote on any bylaw or question to be present at the same time after the voting station is closed.

7.4 A Ballot will not be counted in the election results if:

- (a) the Ballot Card has not been initialled by a Deputy,
- (b) more votes are cast on the ballot than an Elector is entitled to cast;
- (c) the Ballot Card is torn, defaced or otherwise marked by an Elector so that he or she can be identified;
- (d) no vote is cast by an Elector or the Ballot has not been marked sufficiently for the deputy to discern a vote.

7.6 The Returning Officer may make any decision he or she deems necessary for the storage of the Ballot Boxes and disposition of the contents of the Ballot Boxes as permitted in the Act.

**PART 8: EFFECTIVE DATE**

This Bylaw shall come into effect upon third reading and upon being signed.

READ A FIRST TIME THIS 3<sup>rd</sup> DAY OF JULY, 2013

READ A SECOND TIME THIS 21<sup>st</sup> DAY OF August, 2013

READ A THIRD TIME THIS 21<sup>st</sup> DAY OF August, 2013

*Karl Hand*

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MAYOR

*[Signature]*

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ADMINISTRATION

*August 21, 2013*

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DATE SIGNED