

# CITY OF GRANDE PRAIRIE

## BYLAW C-1438

### A Bylaw to establish The Elections Bylaw

**WHEREAS**, the *Local Authorities Elections Act, RSA 2000, chapter L-21* (“LAEA”), provides for the conduct of elections by local authorities; and

**WHEREAS**, the LAEA permits the local authority to pass bylaws for the conduct of such elections.

**NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

#### 1. SHORT TITLE

1.1 This Bylaw shall be called the “Elections Bylaw”.

#### 2. DEFINITIONS

2.1 In this Bylaw, unless the context otherwise requires:

**“Automated Voting System”** means automated or electronic systems designed to automatically count and record votes, and process and store the Election results.

**“Auxiliary Ballot Box”** means a separate compartment in the Ballot Box for Ballot Cards that have been marked by an elector but un-tabulated by the Vote Tabulator.

**“Ballot”** means the printed Ballot Card that indicates the:

- office to be voted on;
- names of the candidates;
- bylaw name and number or question if any; and
- spaces in which the elector is to mark their votes.

**“Ballot Box”** means a container for Ballot Cards that have been marked by an elector.

**“Ballot Card(s)”** means a paper card, in a form approved by the Returning Officer, listing the offices to be voted on in the Election.

**“City”** means the municipal corporation of the City of Grande Prairie, in the province of Alberta.

**“City Clerk”** means the person appointed by Council to the designated officer position or their designate.

**“Council”** means the Council of the City elected pursuant to the LAEA.

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**“Counting Centre”** means an area designated by the Returning Officer in a controlled access building and equipped for the tabulation of Election results.

**“DRO”** means a Deputy Returning Officer appointed by the Returning Officer.

**“Election”** means a municipal general election, first election, by-election and a vote on a bylaw or question.

**“Election Day”** means the day fixed for voting at an Election pursuant to the LAEA.

**“Local Jurisdiction”** means the City of Grande Prairie and includes a school division as defined in the *Education Act, RSA 2000, chapter E-0.3*.

**“Marking Device”** means a writing instrument approved by the Returning Officer for use by an elector to mark a Ballot Card.

**“Memory Card”** means a cartridge that is a removable, battery sustained memory where all tabulated results are stored.

**“Nomination Day”** means the day that is four (4) weeks before Election Day.

**“PDRO”** means a deputy who has been appointed as a presiding deputy returning officer in charge of a Voting Station.

**“Results Tape”** means the printed record generated by a Vote Tabulator showing the number of accepted Ballot Cards, and the results of the votes read by the Vote Tabulator.

**“Returning Officer”** means a person appointed under the LAEA as a returning officer and includes a person acting in the returning officer’s place.

**“Supportive Living Facility”** means a lodge accommodation as defined in the *Alberta Housing Act, RSA 2000, chapter A-25*, or a facility for adults or senior citizens that provides assisted living and accommodation but does not include a treatment centre.

**“Treatment Centre”** means a hospital or a facility under the *Mental Health Act, RSA 2000, chapter M-13*, or any facility that provides medical treatment or care on an in-patient basis.

**“Voting Station”** means the place where an elector votes.

**“Voting Subdivision”** means that area of a Local Jurisdiction designated as a Voting Subdivision by the Returning Officer.

**“Vote Tabulator”** means a unit of the Automated Voting System designed for use at the Voting Station to receive the Ballot Cards and automatically scan a specified area or areas on the Ballot Card and record the results.

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### 3. ELECTION ADMINISTRATION

- 3.1 This Bylaw applies to all General Elections and By-Elections.
- 3.2 Returning Officer: The City Clerk is hereby appointed as the Returning Officer for the City for the purpose of conducting general Elections under the LAEA.
- 3.3 In the event that an Election for another elected authority is held in conjunction with the general Election, the provisions of this Bylaw shall apply.
- 3.4 The Returning Officer is authorized to negotiate agreements on behalf of the City for the conduct of general Elections for other elected authorities.
- 3.5 The Returning Officer may delegate any of the Returning Officer's powers, duties and functions to deputies appointed pursuant to the LAEA and will designate a PDRO for each Voting Station.
- 3.6 The Returning Officer is hereby authorized to:
  - 3.6.1 divide the local jurisdiction into Voting Subdivisions and may from time to time alter the boundaries as required;
  - 3.6.2 designate more than one Voting Station for each Voting Subdivision as required;
  - 3.6.3 designate the location of each Voting Station, which may be outside the Voting Subdivision; and
  - 3.6.4 determine the locations, dates and times of operation for both the Advance and Institutional Voting Stations.

### 4. NOMINATION DAY

- 4.1 Nomination Day is four (4) weeks before Election Day.
- 4.2 A person may file a nomination to become a candidate:
  - 4.2.1 for a general Election, within the period beginning on January 1 in a year in which a general Election is to be held and ending at 12 noon on Nomination Day; and
  - 4.2.2 for a by-election, within the period beginning on the day after the resolution or bylaw is passed to set Election Day for the by-election and ending at 12 noon on Nomination Day.
- 4.3 Any person so nominated, may at any time within twenty-four (24) hours after the close of the nomination period, withdraw in writing to the Returning Officer, as a candidate for the office for which they were nominated.
- 4.4 Within forty-eight (48) hours of the close of nominations on Nomination Day, the Returning Officer shall post or cause to be posted at the Local Jurisdiction office the names of all candidates that have been nominated and the offices for which they were nominated.

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**5. NOMINATION FORM (PAPER)**

- 5.1 A person shall file a nomination paper, in the prescribed form, to become a candidate within the period prescribed by the LAEA, ending at 12 noon on Nomination Day.
- 5.2 For the office of mayor and the office of councillor, each nomination paper must be signed by a minimum of twenty-five (25) electors eligible to vote in that Election and must reside in the Local Jurisdiction on the date of signing the nomination form.
- 5.3 Each candidate for the office of mayor and the office of councillor shall include with their nomination papers a deposit of one hundred dollars (\$100.00).
- 5.4 The deposit required in Section 5.3 of this Bylaw must be provided in cash, by certified cheque or money order made payable to the "City of Grande Prairie".
- 5.5 If the candidate is not entitled to a refund pursuant to section 30(4) of the LAEA, the deposit shall then be paid into the General Revenue fund of the City.
- 5.6 The Returning Officer shall not act upon a nomination paper as defined in section 27 of the LAEA if:
  - 5.6.1 for the office of mayor and the office of councillor does not have the required signatures as required in Section 5.2 of this Bylaw;
  - 5.6.2 for the office of mayor and the office of councillor is not accompanied by the deposit as required in Section 5.3 of this Bylaw;
  - 5.6.3 for the office of school board trustees does not have the required signatures as defined in section 27(1)(b) of the LAEA; and
  - 5.6.4 sworn/affirmed by the candidate.

**6. AUTOMATED VOTING SYSTEM**

- 6.1 An Election may be conducted through the means of an Automated Voting System, which shall count the votes of electors and process and store the Election results, as directed by the Returning Officer.
- 6.2 The operation of the Automated Voting System shall be under the direction, supervision and control of the Returning Officer, who shall have such powers as may be necessary for the conduct of the Election using the Automated Voting System.
- 6.3 A reasonable time before an Election, the Returning Officer shall ensure that the Vote Tabulators have been tested, are in good working order and will provide accurate results.
- 6.4 The Returning Officer shall ensure that the integrity of the Automated Voting System or any component of it, including the software, and the Vote Tabulators are protected through appropriate security measures designed to prevent unauthorized access to, tampering with or use of the Ballot Cards.

6.5 Notwithstanding anything in this Bylaw, in the event that:

- 6.5.1 the Automated Voting System or any of its components malfunctions;
- 6.5.2 the Automated Voting System or any of its components is not available for use;  
or
- 6.5.3 a defect in the Ballot Cards or Marking Devices prevents the operation of the Vote Tabulators;

the Returning Officer may make such directions considered necessary to ensure the effective conduct of the Election including:

- 6.5.4 the voting procedures to be used;
- 6.5.5 the taking of votes; and
- 6.5.6 the counting of the votes.

6.6 The equipment used for the effective conduct of the Election must not be part of or connected to an electronic network, except that the equipment may be securely connected to a network after the close of polls for the purpose of transmitting information to the local jurisdiction.

## **7. BALLOT CARDS**

- 7.1 The Returning Officer shall be responsible for ensuring that Ballot Cards are produced in accordance with this Section.
- 7.2 Sufficient Ballot Cards shall be printed to ensure that there are Ballot Cards available for each elector who wishes to vote.
- 7.3 The Ballot Cards shall be in the form as set out in Schedule "A" attached or as otherwise prescribed by the Returning Officer.
- 7.4 The Ballot Cards may also contain bylaws or questions to be voted on in the Election.
- 7.5 The area for each office, bylaw or question shall be clearly designated on the Ballot Cards.

## **8. VOTING PROCEDURES**

- 8.1 Prior to issuing a Ballot a DRO must ensure that the Elector:
  - 8.1.1 is in the correct Voting Station;
  - 8.1.2 produces the required identification pursuant to the LAEA; and
  - 8.1.3 completes the Voting Register.
- 8.2 Each elector shall be given one Ballot Card which has been initialed by the DRO.
- 8.3 Upon receiving the Ballot Card, the elector shall forthwith proceed to the voting compartment to vote.

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- 8.4 An elector may be accompanied in a voting compartment by a minor if the DRO consents, pursuant to section 55(4) of the LAEA.
- 8.5 The elector shall:
- 8.5.1 only mark the Ballot Card in the voting compartment; and
  - 8.5.2 only use the Marking Device provided to mark the Ballot Card.
- 8.6 The elector shall mark the Ballot Card as follows:
- 8.6.1 with an “X” in the square corresponding with the choice of the elector’s candidate, or if there is more than one vacancy, the candidates of the elector’s choice; and
  - 8.6.2 where the Ballot Card is on a bylaw or question, marking an “X” in the square corresponding with the elector’s choice on the bylaw or question either in the affirmative or the negative.
- 8.7 After the elector has finished marking the Ballot Card, the elector shall:
- 8.7.1 Without folding the Ballot Card, carry the Ballot Card face down so that the markings made on the Ballot Card are not visible; and
  - 8.7.2 Deliver the Ballot Card to the DRO at the Vote Tabulator and the Ballot Box.
- 8.8 The DRO supervising the Vote Tabulator and the Ballot Box shall insert the marked Ballot Card, face down so that the markings made on the Ballot Card are not visible, into the Vote Tabulator.
- 8.9 When the elector’s Ballot Card has been accepted by the Vote Tabulator and deposited into the Ballot Box, the elector shall leave the Voting Station.
- 8.10 Where a Vote Tabulator is available in the Voting Station but fails to operate, the DRO supervising the Vote Tabulator and Ballot Box shall:
- 8.10.1 insert the Ballot Card into the auxiliary compartment of the Ballot Box designed for the storage of marked but un-tabulated Ballot Cards; and
  - 8.10.2 insert the Ballot Cards into a Vote Tabulator following the close of the Voting Station.
- 8.11 The voting procedure prescribed in this Section shall apply during an advance vote, an institutional vote and an at home vote insofar as is practicable and modified as may be necessary at the discretion of the Returning Officer.

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**9. REJECTED AND SPOILED BALLOTS**

- 9.1 A Ballot is void and will not be counted in the Election results if the Ballot Card:
- 9.1.1 does not bear the initials of the DRO who issued the ballot card;
  - 9.1.2 has been torn, defaced or dealt with in such a way by an elector that the elector can be identified;
  - 9.1.3 has been marked for more candidates than there are offices to be filled;
  - 9.1.4 in the event of a bylaw or question, has been marked both in the affirmative and the negative;
  - 9.1.5 has not been marked by the elector;
  - 9.1.6 has been marked outside of the space indicated for the placing of the elector's mark; or
  - 9.1.7 cannot be read by the Vote Tabulator.
- 9.2 If an elector has inadvertently made a mistake on the provided Ballot Card the elector may, upon returning it to the DRO supervising the Vote Tabulator, request a new Ballot Card.
- 9.3 If the elector requests another Ballot Card, the DRO must issue a new Ballot Card to the elector and mark the returned Ballot Card "SPOILED" and place it in the envelope provided for spoiled Ballots Cards. Spoiled Ballot Cards must be retained and kept separately from all other Ballot Cards and must not be counted in the Election results.
- 9.4 If a Ballot Card is rejected by the Vote Tabulator, the DRO supervising the Ballot Box must advise the elector that he or she may request another Ballot Card. If the elector refuses to request another Ballot Card, the DRO must re-insert the Ballot Card into the Vote Tabulator to scan the specified area or areas on the Ballot Card that have been completed correctly.

**10. SPECIAL BALLOTS**

- 10.1 An elector who meets the requirements under the LAEA may in writing, by telephone, in person, by e-mail or via a secure website, apply for a Special Ballot:
- 10.1.1 on August 1 in the year of a general Election up to 12:00 noon on Election Day; or
  - 10.1.2 as determined by resolution of Council for a vote on a question or bylaw that does not coincide with an Election.
- 10.2 The Returning Officer will ensure that special Ballots are issued, reviewed and received in accordance with the LAEA.
- 10.3 Special Ballots must be received at the address designated by the Returning Officer no later than 6:00 pm on Election day, and upon receipt, a DRO, in the presence of the Returning Officer, will place each sealed envelope containing a special Ballot into the designated Ballot Box.

10.4 The designated Ballot Box will be unsealed at the Counting Centre after 6:30 pm on Election Day, and the sealed special Ballots will, in the presence of the Returning Officer and a DRO be unsealed and inserted into the Vote Tabulator designated for special Ballots.

## **11. ADVANCE VOTING**

11.1 The Returning Officer shall conduct an advance vote on an Election in accordance with the LAEA.

11.2 A Vote Tabulator will be used to conduct the advance vote.

11.3 Where the Vote Tabulator is used for the advance vote, the PDRO must, upon completion of each day of the advance vote, ensure that:

11.3.1 no Results Tape is generated; and

11.3.2 the Vote Tabulator complete with Memory Card is returned to a location specified by the Returning Officer.

11.4 Where the Vote Tabulator is used for the advance vote, the Returning Officer must ensure that:

11.4.1 the Memory Card remains secure; and

11.4.2 the Results Tape is not generated until after 8:00 p.m. on Election Day.

11.5 After close of the advance voting stations, the PDROs will ensure the Vote Tabulator is secured and the Ballot Box sealed and returned to the Counting Centre to be held in a secure area.

11.6 After 8:00 pm on Election Day, the PDRO, in the presence of a DRO, will generate the Results Tape from the Vote Tabulator. The PDRO will follow the same post voting procedures identified in this Bylaw.

## **12. INSTITUTIONAL VOTING**

12.1 The Returning Officer is authorized to designate the location and voting hours of one or more institutional Voting Stations for an Election.

12.2 In the Election of the Local Jurisdiction, Supportive Living Facility and Treatment Centre are hereby established as institutional Voting Stations.

12.3 Vote Tabulators will be used to conduct the institutional vote.

12.4 Where the Vote Tabulators are used for the institutional vote, the PDRO must, upon completion of each Voting Station, ensure that no Results Tapes are generated.

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- 12.5 Upon the completion of the institutional vote the PDRO will bring the Vote Tabulators complete with Memory Cards to the Counting Centre, or to a location specified by the Returning Officer.
- 12.6 Results Tapes will be generated by the PDRO after 8:00 p.m. on Election Day.
- 12.7 Notwithstanding the foregoing, at the discretion of the Returning Officer, Institutional Voting may take place through the Special Ballot process.

### **13. ELECTOR ASSISTANCE AT HOME**

- 13.1 Provision is made for the attendance of two (2) DROs at a residence of an elector, during the hours of an advance vote, in order to take the votes of an elector who, because of physical disability, is unable to attend a Voting Station or an advance Voting Station to vote.
- 13.2 Notwithstanding the foregoing, at the discretion of the Returning Officer, Elector Assistance At-Home Voting may take place through the Special Ballot process.

### **14. POST VOTING PROCEDURE ON ELECTION DAY**

- 14.1 Immediately after the close of a Voting Station, the PDRO at each Voting Station shall:
- 14.1.1 confirm that the auxiliary compartment of the Ballot Box is empty;
  - 14.1.2 close the Vote Tabulator against receiving any more Ballot Cards;
  - 14.1.3 cause the Vote Tabulator to print off two (2) copies of the Results Tapes;
  - 14.1.4 together with a DRO sign the bottom of both Results Tapes;
  - 14.1.5 hand the Vote Tabulator, tabulator access key and one (1) of the signed Results Tape to the Election Assistant assigned to the Voting Station by the Returning Officer to deliver them to the Counting Centre;
  - 14.1.6 place Ballots marked "SPOILED" or "REJECTED" in separate envelopes and seal securely;
  - 14.1.7 count unused Ballots;
  - 14.1.8 complete the prescribed Ballot account form and attach a signed copy of the Results Tape to the Ballot account form; and
  - 14.1.9 return all election material from the Voting Station to the Counting Centre ensuring that the Ballot Boxes along with the voted Ballots are secured as required before transport.

### **15. COUNTING CENTRE**

- 14.1 The Returning Officer may designate a single location as a Counting Centre for the purpose of this Section and shall notify all affected candidates, official agents and scrutineers of the location of the Counting Centre.
- 14.2 The Returning Officer shall ensure the Counting Centre is secure from unauthorized access by persons who are not entitled to be present during the processing and tabulation of results.

14.3 At the Counting Centre the Returning Officer shall:

- 14.3.1 record receipt of each Vote Tabulator;
- 14.3.2 cause the Memory Card from each Vote Tabulator to be activated by a computer which will tally the results from each Voting Station;
- 14.3.3 verify that the results of the votes tallied by the computer match the results shown on the Results Tape;
- 14.3.4 produce a cumulative results report of the votes from all the Voting Stations;
- 14.3.5 receive all ballot account forms completed by the PDRO from each Voting Station; and
- 14.3.6 receive all sealed Ballot Boxes and verify the seal of each Ballot Box.

14.4 The Returning Officer may delegate any of the duties in this Section to a DRO.

**16. RECOUNT BY RETURNING OFFICER**

16.1 If the Returning Officer makes a recount under Section 98 of the LAEA, the voted Ballot Cards shall be recounted by a Vote Tabulator.

**17. GENERAL**

17.1 Upon completion of the tabulation of the election results, the City Clerk shall retain the programs and Memory Cards from the Automated Voting System in accordance with the provisions of the LAEA relating to the retention of election materials.

17.2 The provisions of this Bylaw shall apply generally in the same fashion, but with all necessary modifications, to:

- 17.2.1 a by-election; and/or
- 17.2.2 a Ballot on a bylaw or question that is put to the electors at a time other than a general Election.

**18. REPEAL**

18.1 Bylaw C-1412 is hereby repealed.

**19. EFFECTIVE DATE**

19.1 This Bylaw shall take effect on the date it is passed.

**READ** a first time this  17  day of  May , 2021.

**READ** a second time this  17  day of  May , 2021.

**READ** a third time and finally passed this  17  day of  May , 2021.

“J. Clayton” (signed)  
Mayor

“A. Karbasheski” (signed)  
City Clerk



**CITY OF GRANDE PRAIRIE**  
 2017 Municipal Election  
 Monday, October 16, 2017  
 LOCAL AUTHORITIES ELECTION ACT

**Public School Ballot**

DRO

**Instructions:** To vote, fill in the squares to the right of your choices, like this:  or .  
 Please use only the marking pen provided. Do not write anything else on the ballot.

Election of

**MAYOR**

for the City of Grande Prairie

The maximum number of candidates that can be voted for is **ONE (1)**

Alexandre **BILODEAU**

Patrick **CHAN**

Valérie **MALTAIS**

Election of

**COUNCILLOR**

for the City of Grande Prairie

The maximum number of candidates that can be voted for is **EIGHT (8)**

Jennifer **ABEL**

Gillian **APPS**

Phil **BROWN**

Chandra **CRAWFORD**

Sidney **CROSBY**

Will **CROTHERS**

Matt **DUCHENE**

Meagan **DUHAMEL**

Ryan **FRY**

Charles **HAMELIN**

Dara **HOWELL**

Jan **HUDEC**

Carol **HUYNH**

Jennifer **JONES**

Mikaël **KINGSBURY**

Scott **MOIR**

Dylan **MOSCOVITCH**

Marie-Eve **NAULT**

Mark **OLDERSHAW**

Christine **SINCLAIR**

Election of

**PUBLIC SCHOOL TRUSTEES**

for Grande Prairie  
 Public School District No. 2357

The maximum number of candidates that can be voted for is **SEVEN (7)**

Ryan **COCHRANE**

Douglas **CSIMA**

Robyn **GAYLE**

Christine **GIRARD**

Megan **HEINICKE**

Émilie **HEYMANS**

Kaillie **HUMPHRIES**

Duncan **KEITH**

Jocelyne **LAROCQUE**

Kaitlyn **LAWES**

Patrick **MARLEAU**



**CITY OF GRANDE PRAIRIE**

2017 Municipal Election  
 Monday, October 16, 2017  
 LOCAL AUTHORITIES ELECTION ACT

**Separate School Ballot**

DRO

**Instructions:** To vote, fill in the squares to the right of your choices, like this:  or   
 Please use only the marking pen provided. Do not write anything else on the ballot.

Election of

**MAYOR**

for the City of Grande Prairie

The maximum number of candidates that can be voted for is **ONE (1)**

Alexandre **BILODEAU**

Patrick **CHAN**

Valérie **MALTAIS**

Election of

**COUNCILLOR**

for the City of Grande Prairie

The maximum number of candidates that can be voted for is **EIGHT (8)**

Jennifer **ABEL**

Gillian **APPS**

Phil **BROWN**

Chandra **CRAWFORD**

Sidney **CROSBY**

Will **CROTHERS**

Matt **DUCHENE**

Meagan **DUHAMEL**

Ryan **FRY**

Charles **HAMELIN**

Dara **HOWELL**

Jan **HUDEC**

Carol **HUYNH**

Jennifer **JONES**

Mikaël **KINGSBURY**

Scott **MOIR**

Dylan **MOSCOVITCH**

Marie-Eve **NAULT**

Mark **OLDERSHAW**

Christine **SINCLAIR**

Election of

**SEPARATE SCHOOL TRUSTEES**

Grande Prairie Roman Catholic  
 Separate School District No. 28, Ward 1

The maximum number of candidates that can be voted for is **FIVE (5)**

Roseline **FILION**

Kaetlyn **OSMOND**

Kelly **PARKER**

Scott **PERRAS**

Corey **PERRY**

Brittany **PHELAN**

Trevor **PHILP**

Carey **PRICE**

Brian **PRICE**

Morgan **PRIDY**

Eric **RADFORD**