

CITY OF GRANDE PRAIRIE
BYLAW C-1480
A Bylaw to Establish Procedures to
Conduct Municipal Elections

WHEREAS:

The *Local Authorities Election Act*, RSA 2000, c. L-21 (LAEA) provides for the holding of local elections by municipalities;

The LAEA further provides that the municipality may, by agreement, conduct an election in conjunction with an election for Trustees or representatives of a school district pursuant to the *School Act*, RSA 2000, c. S-3;

The *Municipal Government Act*, RSA 2000, c. M-26 (MGA) provides for the submission of bylaws and questions to the Electors;

The MGA, section 180(3) provides that where Council is authorized under any enactment to do something by resolution, it may also be done by bylaw;

The LAEA provides for the following and Council, being an elected authority as defined in the LAEA, deems it desirable:

Section	Provision of the LAEA	Council Deems it Desirable
2 and 3	Enables the Elected Authority conducting the Election to pass bylaws where a joint Election agreement has been made	To pass a bylaw dealing with a joint Election
13(2.1)	Requires an Elected Authority appoint a Substitute Returning Officer by June 30 of the year in which the Election occurs or, for a By-election, in the resolution or bylaw that fixes the day for the By-election	To appoint a Substitute Returning Officer
27(2)	Allows an Elected Authority in a municipality with a population of at least 10,000 to specify the minimum number of Electors required to sign the nomination of a Candidate for office, and that number must be at least 5 and not more than 100	To specify the minimum number of Electors required to sign nomination papers
29	An Elected Authority may by bylaw require every nomination be accompanied by a deposit in an amount fixed in the bylaw	To require deposits for nominations

49	A municipality must prepare a permanent Electors register of residents in the municipality who are entitled to vote in Elections	To provide that a permanent Electors register be prepared
73	An Elected Authority may by resolution provide for the holding of an Advance Vote	To provide for the holding of an Advance Vote
77.1(2)	An Elected Authority may, by resolution passed prior to nomination day, provide for Special Ballots and provide the method by which a person may apply to receive a Special Ballot	To provide for Special Ballots
77.21(2)	An Elected Authority may by resolution set a time and date earlier than the closing of the Voting Stations on Election Day for when a Special Ballot must be received by a Returning Officer	To provide a deadline for receipt of Special Ballots earlier than the close of the polls on Election Day
80(1)	An Elected Authority may authorize the Returning Officer to designate the location of one or more institutional Voting Stations for an Election	To provide for institutional Voting Stations

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

PART 1: INTERPRETATION

1. Short Title

1.1 This Bylaw shall be called the "Elections Bylaw".

2. Purpose

2.1 The purpose of this Bylaw is to delegate authority and establish rules for the conduct of Elections in accordance with the requirements of the LAEA.

3. Application

3.1 This Bylaw applies to all Elections in the City that are governed by the LAEA.

3.2 If there is any conflict between a provision of this Bylaw and a provision of one or more of the following:

- a) the LAEA;
- b) the *Alberta Senate Election Act*, S.A. 2019, c. A-33.5; or
- c) the *Referendum Act*, R.S.A. 2000, c. R-8.4,

the provision of the statute prevails.

- 3.3 The provisions of this Bylaw apply in generally the same fashion, but with all necessary modifications, to
- a) a By-election,
 - b) a Ballot on a bylaw or question that is put to the Electors at a time other than a general election, and
 - c) an election for school board trustees or any other election conducted in conjunction with an election for Council.

4. Definitions

4.1 Unless otherwise specified, words used in this Bylaw have the same meaning as defined in the MGA or the LAEA.

4.2 In this Bylaw:

"Advance Ballots" means Ballot used during the Advance Vote.

"Advance Vote" means a vote held in accordance with section 73 of the LAEA.

"Advance Voting Station" means a place where an Elector votes during the Advance Vote.

"Auxiliary Ballot Box" means a separate compartment in the Ballot Box for Ballots that have been marked by Electors as Advance Ballots.

"Ballot" means the printed or electronically produced document on which is indicated the office to be voted on, the names of the Candidates, the questions or bylaws posed to Electors, if any, and containing the spaces in which the Elector is to mark their vote.

"Ballot Account" means an account of Ballots prepared in the form required by the LAEA.

"Ballot Box" means the container for Ballots that have been marked by the Electors.

"Bylaw Enforcement Officer" means a bylaw enforcement officer appointed under section 555 of the MGA.

"Candidate" means an individual who has been nominated to run for election in a local jurisdiction as Mayor, a councillor or school board trustee.

"City" means the municipal corporation of The City of Grande Prairie, having authority under the MGA and other applicable legislation.

"City Manager" means the person appointed to a position under section 205 of the MGA or their delegate.

"Council" means the Council of the City.

"Counting Centre" means an area designated by the Returning Officer in a controlled access building and equipped for the counting of votes and the determination of election results.

"Deputy" means a Deputy Returning Officer.

"Election Day" means the day fixed for voting at an election.

"Elector" means a person eligible to vote in an election.

"LAEA" means the Local Authorities Election Act, RSA 2000, c. L-21.

"Mayor" means the person duly elected as the Chief Elected Official under the MGA.

"MGA" means the *Municipal Government Act*, RSA 2000, c. M-26.

"Portable Ballot Box" means a container in the prescribed form, approved by the Returning Officer and intended for use in the collection of marked Ballots in an institutional vote, an Elector assisted at home vote, or Special Ballot.

"Returning Officer" means the individual appointed under subsection 8.1 of this Bylaw.

"Special Ballot" means a Ballot for an Elector whose name is contained in the permanent Electors register and who is unable to vote at an Advance Vote or at the Voting Station on Election Day.

"Substitute Returning Officer" means the individual appointed under subsection 8.2 of this Bylaw.

"Supportive Living Facility" means a lodge accommodation as defined in the *Alberta Housing Act*, RSA 2000, c. 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, c. M-13, or any facility that provides medical treatment or care on an inpatient basis.

"Violation Tag" means a tag or similar document issued by the City under the *Municipal Government Act*, RSA 2000, c. M-26.

"Violation Ticket" means a ticket issued under Part 2 of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34.

"Voting Station" means a place where an Elector votes.

"Voting Subdivision" means that area of a local jurisdiction designated as a voting subdivision by the Returning Officer.

5. Interpretation

- 5.1 Any headings in this Bylaw is included for guidance purposes and convenience only and do not form part of this Bylaw.
- 5.2 Where the Bylaw refers to another Bylaw or any act or regulation, it includes reference to any Bylaw, act or regulation that may be amended or substituted in its place.

- 5.3 In this Bylaw, the word "must" denotes a mandatory intention.
- 5.4 In this Bylaw, words used in the singular shall include the plural and the plural the singular, except where the context requires otherwise.
- 5.5 Each provision of this Bylaw is independent of all other provisions. If any provision is declared invalid for any reason by a court of competent jurisdiction, then all other provisions of this Bylaw remain valid and enforceable.
- 5.6 All the schedules attached to this Bylaw shall form a part of this Bylaw.
- 5.7 Schedule "D" to this Bylaw identifies the provision of the LAEA establishing the authority for the various provisions in this Bylaw.

PART 2: AUTHORITY OF THE CITY MANAGER AND RETURNING OFFICER

6. Joint Election with Another Local Jurisdiction

- 6.1 The City Manager may enter agreements on behalf of the City to conduct elections on behalf of other Local Jurisdictions in the City whose boundaries may or may not be contiguous with the City but have areas in common.
- 6.2 Where the City and one or more Local Jurisdictions have entered an agreement to do so, the City may conduct elections on behalf of those Local Jurisdictions.

7. City Manager Authorities

- 7.1 The City Manager may delegate any of their powers, duties, or functions to any person.

8. Returning Officer and Substitute Returning Officer Appointments

- 8.1 The Returning Officer shall be appointed by a resolution of City Council.
- 8.2 The Returning Officer is delegated the authority to appoint a Substitute Returning Officer.
- 8.3 The Returning Officer is delegated the authority to appoint:
 - a) A Presiding Deputy;
 - b) Deputies;
 - c) Constables; and
 - d) Other persons as required.

9. Returning Officer Authorities

- 9.1 In addition to the powers in the LAEA, the Returning Officer may:
 - a) divide the City into Voting Subdivisions and alter the boundaries of Voting Subdivisions and create additional Voting Subdivisions pursuant to the LAEA;
 - b) designate more than one Voting Station for each Voting Subdivision;
 - c) determine the location of all Voting Stations;
 - d) post printed voting instructions at Voting Stations in languages other than English as the Returning Officer deems appropriate;

- e) designate the location of one or more institutional Voting Stations in addition to all other Voting Stations;
- f) establish the form of Ballot and voting procedures for any Advance Vote held on behalf of Local Jurisdiction in the area outside of the City;
- g) delegate any of their powers, duties, or functions to any person appointed under subsection 8.3;
- h) apply to the Minister of Municipal Affairs for directions under the LAEA; and to the Lieutenant Governor in Council for regulations under the LAEA.

PART 3: PRE-ELECTION PROCEDURES

10. Council Composition

10.1 City Council shall consist of nine (9) members, eight (8) councillors and one (1) Mayor.

11. Permanent Electors Register

11.1 The City Manager must prepare a permanent Electors register of residents in the City who are entitled to vote in elections.

11.2 The City may:

- a) compile or revise the permanent Electors register manually or by means of any computer based system; and
- b) keep the permanent Electors register in printed form or may store it in any computer based system or any other information storage device that is capable of reproducing any required information in legible printed form within a reasonable time.

11.3 The City must enter into an agreement with the Chief Electoral Officer to:

- a) receive from the Chief Electoral Officer information that will assist the City in compiling or revising the permanent Electors register, and
- b) provide to the Chief Electoral Officer information that will assist the Chief Electoral Officer in preparing or revising information for the purpose of compiling or revising the register of Electors under the *Election Act*, RSA 2000, c. E-1.

11.4 In compiling and revising the permanent Electors register, the City:

- a) must use information primarily received from the Chief Electoral Officer;
- b) must enter any information in the permanent Electors register that is collected under the LAEA during an election regarding:
 - i) the residential address, including the postal code of the residence of the person, and the mailing address, including the postal code, if the mailing address is different from the residential address,
 - ii) the surname, given name and middle initial of the person,
 - iii) the residential telephone number of the person,
 - iv) the gender of the person,
 - v) the day, month and year of birth of the person, and

- vi) whether the person is a public school resident or a separate school resident;
and
- c) may use any other information obtained by or available to the City.

12. **Receipt of Nominations**

- 12.1 The Returning Officer must receive nominations for the Local Jurisdiction in accordance with the LAEA.
- 12.2 The Returning Officer may establish locations, in addition to the Local Jurisdiction office, where the Substitute Returning Officer may receive nominations.
- 12.3 The Returning Officer must publish on the City's website a list of all locations where nominations may be received.

13. **Nominations**

- 13.1 A person wishing to become a Candidate must file a nomination:
 - a) in the prescribed form;
 - b) within the period prescribed by the LAEA;
 - c) with the Returning Officer or Substitute Returning Officer;
 - d) in a location established under subsection 12.2 of this Bylaw; and
 - e) accompanied by a deposit in the sum of \$100.00.

14. **Nomination Deposits**

- 14.1 The deposit must be provided in cash, by certified cheque, by money order, or by debit card or credit card to the City.
- 14.2 The Candidate's deposit must be kept or returned to the Candidate in accordance with the LAEA.

15. **Nomination Signatures**

- 15.1 If the Candidate is nominated for the office of Councillor or Mayor, nominations must be signed by 25 Electors.

16. **Death of a Candidate**

- 16.1 If a Candidate dies prior to the opening of Voting Stations on Election Day or any Advance Vote, the Returning Officer must post notice of the death in a conspicuous location in all relevant Voting Stations.

PART 4: ELECTION DAY PREPERATION

17. **Election Date**

- 17.1 Election Day is the 3rd Monday in October in the year of a General Election.

18. Form of Ballot

- 18.1 The Returning Officer must establish the form of Ballot for each election.
- 18.2 Following Nomination Day, the Returning Officer will ensure sufficient Ballots for the election are printed.
- 18.3 The Returning Officer may direct that Ballots for elections occurring within the same Voting Subdivision for:
- a) the office of Mayor;
 - b) the offices of Councillors;
 - c) the offices of Trustees; and
 - d) the submissions of bylaws and questions to the Electors
- be differentiated by colour or any other means.

19. Special Ballots

- 19.1 An eligible Elector may apply to the Returning Officer for a Special Ballot:
- a) in writing;
 - b) by telephone;
 - c) in-person; or
 - d) by e-mail;
- in accordance with the information provided on the City's website.
- 19.2 An eligible Elector must submit their application for a Special Ballot:
- a) for a General Election, between August 1 of the year in which the General Election is held and 4:30 p.m. on date the Advance Vote starts; and
 - b) for any other election or a vote on a bylaw or question in accordance with the application periods stated in the resolution fixing the date of the election.
- 19.3 The completed Special Ballot package must be received by a Returning Officer no later than:
- a) for a General Election, 7:00 p.m. on Election Day; and
 - b) for any other election or a vote on a bylaw, 7:00 p.m. on the date of the election or vote on a bylaw.

PART 5: ADVANCE VOTE**20. Advance Vote**

- 20.1 The Returning Officer must hold an Advance Vote in accordance with the LAEA.
- 20.2 The Returning Officer will determine the number and location of the Advance Voting Stations and the days and the hours during which they will operate.
- 20.3 The voting procedure described in section 25 of this Bylaw must, as far as practical, apply to an Advance Vote and may be modified as necessary upon the direction of the Returning Officer.

- 20.4 The Deputy must ensure that on the completion of each day of the Advance Vote the Ballot Boxes used are sealed to prevent the insertion of additional Ballots and are delivered to the location specified by the Returning Officer.

PART 6: ELECTION DAY VOTING

21. Voting Stations

- 21.1 The Returning Officer or Deputy must ensure that a copy of the "Instructions for Electors" are posted:
- a) at each voting compartment in each Voting Station;
 - b) at a conspicuous location within the Voting Station; and
 - c) until the close of the Voting Station.

22. Voting Hours

- 22.1 The Returning Officer must determine the days and hours when the Advance Vote is to be held.
- 22.2 On Election Day, all Voting Stations will be open continuously between 10:00 am and 8:00 pm.
- 22.3 The Returning Officer may alter voting hours to correspond with hours established in areas where the City partners in the conduct of the election of trustees.

23. Issuance of a Ballot

- 23.1 Before issuing a Ballot, a Deputy must ensure that:
- a) the Elector is voting at the correct Voting Station;
 - b) the Elector produces identification as required by the LAEA;
 - c) the Elector makes the statements prescribed by the LAEA;
 - d) the voting register is completed;
 - e) if the City is conducting an election for a school district, the Elector is provided with a Ballot for the Elector's appropriate school district; and
 - f) the Ballot issued to the Elector is initialed by the Deputy.

24. Elector Identification

- 24.1 An Elector may vote after producing government issued identification as prescribed by the LAEA.
- 24.2 A person may validate the address of their residence if accompanied by a third-party Elector who:
- a) validates the person's identity and the address of the person's residence in accordance with the LAEA; and
 - b) vouches for the person in accordance with the LAEA.

25. Voting Procedure

- 25.1 Upon receipt of a Ballot, the Elector must enter the voting compartment alone to mark the Ballot, or with an assistant as permitted by the LAEA.
- 25.2 Despite subsection 25.1 of this Bylaw, the Elector may bring a minor child into the voting compartment.
- 25.3 The Elector must mark the Ballot with an "X" or other eligible mark in the space designated for a vote adjacent to the Candidate's name of their choice, or if there is more than one vacancy, the Candidates of the Elector's choice, and where there is a vote on a bylaw or questions, beside "yes" or "no".
- 25.4 When finished marking the Ballot, the Elector must, without showing the markings on the Ballot to anyone, provide the Ballot to the Deputy supervising the Ballot Box who must:
- a) check the Ballot for the Deputy's initials; and
 - b) after confirming the presence of the Deputy's initials, insert the voted Ballot into the Ballot Box.
- 25.5 If the Deputy notes the Ballot is missing a Deputy's initials, the Deputy supervising the Ballot Box will escort the Elector to the Deputy who issued their Ballot. The Deputy will add their initials, without exposing the Elector's markings. The Elector will return to the Ballot Box to have their Ballot processed as set out in subsection 25.4 of this Bylaw.

26. Elector Assistance

- 26.1 At the request of an Elector, the Returning Officer must provide Elector assistance in accordance with section 78 of the LAEA.

27. Institutional Vote

- 27.1 The Returning Officer may designate any Treatment Centre or Supportive Living Facility as an institutional Voting Station.
- 27.2 The Returning Officer must post the dates and times of the institutional vote at the institution at least two days before the vote is to be taken.
- 27.3 Deputies may attend with a Ballot Box on those patients or residents confined to their rooms and take the votes of any of those patients or residents who express a desire to vote.
- 27.4 Electors at an institutional Voting Station will place their Ballot into a Portable Ballot Box designated for Ballots from an institutional Voting Station only, instead of adhering to the requirements under section 25 of this Bylaw.

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- 27.5 A Portable Ballot Box may have its seal broken to allow the deposit of Ballots if the vote must be conducted throughout a facility to accommodate the physical disability of the residents or if the Deputies have to attend multiple buildings to conduct the institutional vote.
- 27.6 After close of institutional Voting Stations, the Presiding Deputy will ensure the Ballot Box is labelled, sealed, signed for, and returned to the Counting Centre to be held in a secure area.
28. **Elector Assistance at Home**
- 28.1 An Elector who is unable to attend a Voting Station or Advance Voting Station due to physical disability may request Elector assistance at home.
- 28.2 The Returning Officer will provide Elector assistance at home during the hours an Advance Voting Station is open.
- 28.3 The Returning Officer:
- a) must provide for the attendance of two Deputies at the residence of the Elector requesting Elector assistance at home; and
 - b) may direct that Portable Ballot Boxes be used for the collection of voted Ballots of such Electors assisted at home.
- 28.4 Any Portable Ballot Box used in the Elector assistance at home vote:
- a) may have its seal broken to allow the deposit of Ballots in each subsequent residence that is attended for the taking of votes; and
 - b) will be closed, labelled, sealed and signed for upon the completion of the Elector assistance at home vote and will returned to the Counting Centre to be held in a secure area until opened for the counting of Ballots on Election Day.
29. **Spoiled Ballots and Rejected Ballots**
- 29.1 If an Elector has made a mistake when marking a Ballot, the Elector will return the Ballot to the Deputy from whom they received the Ballot, and may request a replacement Ballot.
- 29.2 If the Elector:
- a) requests a replacement Ballot, the Deputy will provide a replacement Ballot to the Elector and mark the returned Ballot as "SPOILED"; and
 - b) fails to request or declines to obtain a replacement Ballot, the Deputy will mark the returned Ballot as "REJECTED".
- 29.3 The Deputy must retain spoiled Ballots and rejected Ballots and keep them separately from all other Ballots and will not count them or include them in the tally of election results.

30. After Voting

- 30.1 Each Elector must follow the voting procedures contained in this Bylaw and as posted in the Voting Station, and upon the deposit of the Ballot into the Ballot Box, the Elector must leave the Voting Station.

PART 7: COUNTING OF BALLOTS**31. Ballot Counting**

- 31.1 After the Voting Station closes, a Deputy must not permit more than the Candidate or the Candidate's official agent or scrutineer, or more than one official agent or scrutineer of either side of a vote on any bylaw or question to be present at the same time in a Voting Station during the counting of the votes.
- 31.2 Except as modified for Special Ballots, Elector assistance at home, and institutional and Advance Voting Stations, the Presiding Deputy must ensure that the following functions are performed in the presence of at least two Deputies and the Candidates, official agents, or scrutineers, if any:
- a) unused Ballots are counted;
 - b) Ballots marked spoiled or rejected are counted and placed in separate, sealed packages;
 - c) Ballots from the Auxiliary Ballot Box are counted in the manner prescribed in this Bylaw;
 - d) Ballots are counted;
 - e) Ballot Account and result of the vote are certified by at least two Deputies;
 - f) the prescribed Ballot Account is completed with one copy of the certified Ballot Account forms attached to it;
 - g) the prescribed form to certify the number of persons who registered to vote at the Voting Station is completed;
 - h) all election documents from the Voting Station, except for the Ballot Account and result of the vote, and Elector registers with objections noted on them, are sealed in the Ballot Boxes for delivery to the Counting Centre;
 - i) election results are transmitted to the Returning Officer in the manner prescribed by the Returning Officer;
 - j) Ballot Boxes are closed and sealed so that they cannot be opened without breaking the seal, and the outside is marked with the Voting Station name or number and initialed by at least two Deputies.
- 31.3 At the close of institutional, Elector assistance at home, and the Advance Voting Stations, the Presiding Deputy must ensure that the Auxiliary Ballot Boxes and Portable Ballot Boxes and all election materials from the Voting Station are securely transported to the Counting Centre.

- 31.4 At 7:30 p.m. on Election Day, the Auxiliary Ballot Boxes and Portable Ballot Boxes must be opened in the presence of at least two Deputies, and any Candidates, scrutineers or official agents present, and the Special Ballots and Advance Ballots must be counted, but the results from that count must not be disclosed earlier than 8:00 p.m. on Election Day.
- 31.5 The Returning Officer must ensure that the same post-vote procedures identified in this Bylaw for regular Voting Stations are followed for counting and recording the Special Ballot, institutional, Elector assistance at home and Advance Votes at the Counting Centre except for the auxiliary Ballot count and delivery requirements.

32. **Counting Centre**

- 32.1 The Returning Officer may designate a single location as a Counting Centre.
- 32.2 The Returning Officer must notify all Candidates, official agents and scrutineers of the location of the Counting Centre.
- 32.3 The Returning Officer must 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.
- 32.4 The count of Special Ballots, Advance Vote Ballots, and institutional vote Ballots may commence at 7:30 p.m. on Election Day.
- 32.5 The Returning Officer or Substitute Returning Officer must preside at the Counting Centre and must:
- a) receive all sealed Ballot Boxes;
 - b) record receipt of Ballot Boxes;
 - c) verify the seal of each Ballot Box;
 - d) open the Ballot Box from each of the Special Ballots, Advance Vote Ballots and institutional vote Ballots, and count the Ballots;
 - e) cause a tally to be produced from each Advance Vote and institutional vote; and
 - f) produce a cumulative tally from all the Voting Stations.

33. **Recount**

- 33.1 If, in accordance with section 98(1) of the LAEA, the Returning Officer directs a recount the following procedure will be followed:
- a) in the presence of the Returning Officer, and as many officers that the Returning Officer considers necessary to assist in the recount, scrutineers, Candidates and official agents, Ballots cast for the Voting Station being recounted will be removed from the Ballot Box and recounted using the process for counting set out in subsection 31.2 of this Bylaw;
 - b) after the recount has been completed, the Returning Officer must sign across the Ballot Box seals; and

- c) the Returning Officer will consider the number of votes to which an objection was noted, and declare the result in accordance with the provisions of the LAEA.

34. Mandatory Recount

- 34.1 The Returning Officer must make a recount of the votes cast at one or more Voting Stations if the Returning Officer receives an application for a recount under section 98(1.2) of the LAEA and the Returning Officer is satisfied that the requirements to make an application for a recount have been satisfied.
- 34.2 On a recount required under section 98(1.2) of the LAEA, the Returning Officer must follow the procedure for recount set out in the LAEA.

PART 8: VOTE ON A BYLAW/QUESTION

35. Date of Vote on Question or Bylaw

- 35.1 Wherever practical, and unless otherwise provided for by a resolution of City Council, the date for a vote of the Electors on a question on which the opinion of the Electors is to be obtained or on a bylaw must be the date of the general election.
- 35.2 Unless otherwise specified by legislation or decided by Council, a vote on any question or bylaw will be held in conjunction with a general municipal election.

PART 9: SCRUTINEERS

36. Appointment of Scrutineers

- 36.1 A person who wishes to be recognized as a scrutineer must complete the statement prescribed by the LAEA.

37. Acceptable Conduct

- 37.1 Scrutineers must comply with the Standards for Conduct of Scrutineers set out in Schedule "A".

38. Written Warning

- 38.1 If a scrutineer fails to comply with the Standards for Conduct of Scrutineers set out in Schedule "A", the Deputy may issue the scrutineer a written warning concerning their actions in the form set out in Schedule "B".

39. Removal of Scrutineer from Voting Place

- 39.1 The Deputy may remove a scrutineer from the voting place if, in the opinion of the Deputy, the scrutineer fails to comply with the Standards for Conduct of Scrutineers.
- 39.2 A Presiding Deputy will not allow more than one Candidate, or their official agent or 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.

PART 8: OFFENCES**40. Offences**

40.1 Any person who contravenes section 37 of this Bylaw is guilty of an offence and is liable, on summary conviction, to pay a penalty as set out at Schedule "C" of this Bylaw.

41. Violation Tags

41.1 A Bylaw Enforcement Officer is authorized to issue a Violation Tag to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened section 37 of this Bylaw.

41.2 The Violation Tag must be in a form approved by the City Manager and must state:

- a) The name of the person;
- b) The description of the offence;
- c) The appropriate penalty for the offence as specified in Schedule "C" of this Bylaw;
- d) That the penalty must be paid within 30 days of the issuance of the Violation Tag; and
- e) Any other information as may be required by the City Manager.

41.3 Where a Violation Tag is issued under subsection 41.1 of this Bylaw, the person to whom it is issued may, in lieu of being prosecuted for the offence, pay to the City the penalty specified on the Violation Tag.

42. Violation Ticket

42.1 Where a Violation Tag has been issued and the penalties specified on the Violation Tag have not been paid within the prescribed time, a Violation Ticket under Part 2 of the *Provincial Offences Procedures Act*, RSA 2000, c. P-34 may be issued.

42.2 Despite section 41.1 of this Bylaw, a Bylaw Enforcement Officer is authorized to immediately issue a Violation Ticket to any person whom the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened section 37 of this Bylaw.

PART 9: REPEAL & EFFECTIVE DATE

43. **Repeal**

43.1 Bylaw C-1438 is hereby repealed on the date this Bylaw is passed.

44. **Effective Date**

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

READ a first time this 18 day of November, 2024.

"M. O'Connor" (signed) _____

Deputy Mayor

"L. Hanson" (signed) _____

City Clerk

READ a second time this 2 day of December, 2024.

READ a third time and finally passed this 2 day of December, 2024.

"J. Clayton" (signed) _____

Mayor

"L. Hanson" (signed) _____

City Clerk

Bylaw C-1480

Schedule "A"

Standards for Conduct of Scrutineers

1. Before a person is recognized or appointed as a scrutineer and before they may perform the duties of a scrutineer, the person must:
 - a. provide the Returning Officer or Deputy with:
 - i. the written notice required by section 69(1) of the LAEA; or
 - ii. the written request required by section 70(1) of the LAEA for a vote on a bylaw or question; and
 - b. make and subscribe to a statement in the prescribed form as required by section 16(2) of the LAEA.
2. When performing the duties of a scrutineer, scrutineers must:
 - a. comply with the requirements of the LAEA;
 - b. comply with the requirements of this Bylaw;
 - c. comply with the direction of the Returning Officer or Deputy; and
 - d. perform their duties with integrity and respect and in a manner that is helpful and courteous to Electors, election workers, other scrutineers, the public, and anyone else involved in the election.
3. Scrutineers may:
 - a. observe the conduct of an election from the location designated within a Voting Station by the Returning Officer or a Deputy pursuant to section 69(5) or 70(4) of the LAEA;
 - b. observe the sealing of Ballot Boxes at the opening of Voting Stations to ensure that Ballot Boxes are empty prior to the start of the voting process and observe the opening of Ballot Boxes after the close of Voting Stations to ensure that all Ballots are removed from the Ballot Boxes prior to the counting process;
 - c. observe that each Ballot Box is opened and that the Ballots are counted as provided for in section 85(1) of the LAEA from the location designated by the Returning Officer or Deputy;
 - d. observe that each Special Ballot Box, Advance Vote Ballot Box, and institutional vote Ballot Box is opened and that all Ballots are counted at the Counting Centre as provided for in section 85.1(5) of the LAEA from the location designated by the Returning Officer or Deputy;
 - e. observe recounts conducted by the Returning Officer pursuant to this Bylaw, section 98(2) of the LAEA or observe a judicial recount pursuant to section 106(1) of the LAEA;
 - f. request to view individual Elector registers when election workers are not assisting Electors;
 - g. request to view the names and addresses of Electors who have applied for and been provided special Ballot packages pursuant to section 77.1(4) of the LAEA when election workers are not assisting Electors;
 - h. request a copy of the Ballot Account as provided for in section 89(2) of the LAEA and, if the scrutineer desires, sign the Ballot Account as provided for in section 89(1) of the LAEA; and

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- i. use cellphones, laptops, and other electronic devices within a Voting Station or the Counting Centre so long as no audio or video recordings are taken, no photographs are taken, and no phone calls are made or taken.
 4. A scrutineer must not:
 - a. interfere with the orderly conduct of an election, including interfering with the voting process or the counting process;
 - b. view an Elector completing their Ballot, assist an Elector with completing their Ballots, vouch for an Elector pursuant to section 53(5) of the LAEA, or prevent an Elector from completing their Ballot;
 - c. take photographs within a voting station or the Counting Centre, including photographs of the permanent Electors register, individual Elector registers, or the Special Ballot Elector register;
 - d. make copies of, transcribe, or interfere with election materials in a Voting Station or the Counting Centre, including the permanent Electors register, individual Elector registers, and the Special Ballot Elector register;
 - e. make or take phone calls while they are within a Voting Station or the Counting Centre, including for the exchange of information between a scrutineer and a Candidate or official agent;
 - f. engage in political campaigning or promotion for or against any Candidate, or for or against any position on a vote on a bylaw or question, within or outside of Voting Stations or the Counting Centre, including wearing campaign materials such as buttons, hats, and t-shirts; or
 - g. engage in harassing or discriminatory behaviour or make abusive, derisive, threatening or insulting statements or gestures to or about another person.
 5. If a scrutineer fails to comply with this Standards for Conduct of scrutineers, the Presiding Deputy may:
 - a. issue the scrutineer a written warning concerning their actions; or
 - b. remove a scrutineer from the Voting Station.
 6. The Returning Officer and Deputy must not:
 - a. for a general election or by-election, allow a Candidate to have a scrutineer or official agent present in a Voting Station or the Counting Centre while the Candidate is present in the Voting Station or Counting Centre pursuant to section 69(3) or 85.1(6) of the LAEA;
 - b. for a general election or by-election, allow a Candidate to have both an official agent and a scrutineer present in a Voting Station or in the Counting Centre at the same time pursuant to section 69(3.1) or 85.1(6) of the LAEA;
 - c. for a vote on a bylaw or question, allow more than one scrutineer for each side of the bylaw or question to be present in the Voting Station or the Counting Centre at the same time pursuant to section 70(3) and 85.1(6) of the LAEA; or

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- d. permit more than one of the Candidate, the Candidate's official agent, the Candidate's scrutineer, or more than one scrutineer for either side of a vote on any bylaw or question, to be present during the counting of Ballots pursuant to section 85(2) of the LAEA.
 7. No person may impede a scrutineer from performing the duties of a scrutineer pursuant to section 69(7) of the LAEA so long as the scrutineer is complying with the requirements of this Bylaw and the LAEA.

Bylaw C-1480

Schedule "B"

**Form: Warning of Failure to Comply with the
Standards for Conduct of Scrutineers**

Warning of Failure to Comply with the Standards for Conduct of Scrutineers	
Electoral Division of:	
Date:	
Time:	
To: (print full name of individual creating disturbance or disrupting proceedings)	
At: (print name of voting place)	(the "Voting Place")
I have determined that you are not complying with the Standards for Conduct of Scrutineers as follows:	
Description of actions resulting in the Warning:	
If you continue to contravene the Standards for Conduct of Scrutineers, you will be removed from the Voting Place.	
Scrutineer was removed from the Voting Place at (time): (use only if Scrutineer continues to violate the Standards for Conduct of Scrutineers)	
<input type="checkbox"/> RO Notified	
<hr/> (print name of Election Officer Issuing Warning)	<hr/> (Signature of Election Officer Issuing Warning)

Note: Complete two copies of the form. Provide one to the Returning Officer (RO) and one to the scrutineer.

Bylaw C-1480
Schedule "C"
Offence Penalties

A person who contravenes section 37 of this Bylaw may be subject to a fine of:

- a. \$250.00 for a first offence; and
- b. \$500.00 for any subsequent offence.

Bylaw C-1480

Schedule "D"

**Correspondence Between
Sections of the Bylaw and the Act**

Section of the Bylaw	Section of the LAEA	Topic
6.1	2(2) & 3(1)	Joint Election with Another Local Jurisdiction
8.1	13(1)	Appointment of the Returning Officer
8.2	13(2.1)	Appointment of the Substitute Returning Officer
9.1	36(1) & 37(3)	Returning Officer Authorities
12.2	28(1.1)	Location for the Receipt of Nominations
13.1.e	27(1)(d) & 29(1)	Nomination Deposit
14.1	30(1)	Form of the Nomination Deposit
15.1	27(2)	Nomination Signatures
19.1	77.1(2)	Way to Request a Special Ballot
19.2	77.1(2.1)	Deadline for Special Ballot Request
19.3	77.21(2)	Deadline for the Special Ballots
20.1	73(3)	Advance Vote
27.1	80(1)	Designating Institutional Voting Stations
28	79(1)	Elector Assistance at Home
31.4	85.1(4)	Auxiliary and Portable Ballot Box Count