



2022 By-Election Office of Councillor

Candidate Information Package

August 2022

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GENERAL INFORMATION

This is an information package only and has no legislative sanction. For certainty, the Local Authorities Election Act and other relevant statutes and regulations should be consulted.

Contact Information

Election Office

City Hall
P.O. Bag 4000
10205 - 98 Street
Grande Prairie, Alberta
T8V 6V3

Leona Hanson

Returning Officer
Telephone: 780-357-7523
Email: elections@cityofgp.com

City of Grande Prairie Website:
cityofgp.com

Freedom of Information and Protection of Privacy Act

The personal information that is being collected under the authority of the Local Authorities Election Act will be used for the purposes under that Act. It is protected by the privacy provision of the Freedom of Information and Protection of Privacy Act. If you have any questions, contact the FOIP Co-ordinator at 780-357-8716.

Disclaimer

The material that follows is the City's understanding of the meaning of the legislation. This summary is not intended to replace the candidate's responsibility for reading and understanding this legislation, or to seek appropriate legal or accounting advice from professionals as required. The candidate is responsible for ensuring that their campaign complies with all provincial laws.



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IMPORTANT DATES

September 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 Labour Day	6	7	8	9	10
11	12	13	14	15	16	17
18	19 Nomination Day closes at 12 noon Nomination papers are filed at City Hall 10205-98 Street	20	21	22	23	24
25	26	27	28	29	30	

October 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8 Advance Vote 11:00 a.m. – 7:00 p.m. Montrose Cultural Centre (9839 103 Ave)
9	10 Thanksgiving	11	12	13	14	15 Advance Vote 11:00 a.m. – 7:00 p.m. Montrose Cultural Centre (9839 103 Ave)
16	17 Election Day Voting Hours 10:00 a.m. – 8:00 p.m. on City Website	18	19	20	21 Results will be official at 12:00 noon	22
23	24 Oath of Office Organizational Meeting 3:00 p.m. Mandatory attendance	25 Orientation/Training Session Mandatory attendance	26 Orientation/Training Session Mandatory attendance	27 Orientation/Training Session Mandatory attendance	28 Orientation/Training Session Mandatory attendance	29
30	31					



TERM OF OFFICE & THE ROLE OF COUNCILLOR

Councillors are:

- elected in the current term, concluding October 2025
- paid annually: \$58,348.05
- eligible for life, dependants, accidental death and dismemberment insurance, extended health benefit, City health and wellness fund; and
- flexible spending account (6.25% of base annual salary).

For more information please refer to:

[Council Remuneration & Expense Reimbursement Policy 100](#)

Local Authorities Election Act (LAEA) - Section 10 - General Term of Office

Section 10(1)

Commencing with the year 2013,

- (a) the members of an elected authority elected at a general election hold office for a term of 4 years, and
- (b) a general election shall be held every 4th year.

Municipal Government Act Section 153 - General Duties of Councillors

Section 153

Councillors have the following duties:

- (a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
- (a.1) to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;

Section 153

- (b) to participate generally in developing and evaluating the policies and programs of the municipality;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- (e.1) to adhere to the code of conduct established by the council under section 146.1(1);
- (f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.

Municipal Government Act Section 201 - Council's Role

Section 201(1)

A council is responsible for

- (a) developing and evaluating the policies and programs of the municipality;
- (b) repealed;
- (c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.

Section 201(2)

A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.



TIME COMMITMENTS

Council responsibilities require members to attend a significant number of meetings and events in addition to keeping informed and up to date on current issues and maintaining contact with residents.

Events (Fundraisers, Flag Raisings and Community Events):

Council receives approximately 10 invitations per month to attend local events and speaking engagements. Many of these take place in the evenings and on the weekends.

External Agencies, Boards and Committees:

Council is appointed to various agencies, boards and committees as a Member Representative of the City of Grande Prairie. Meetings can take place throughout the City, the County, and the Region. Time commitment varies from a few hours per year to monthly meetings.

Regional, Provincial, Federal Advocacy Opportunities:

Conventions such as AM, RMA, FCM, Growing the North (full day/week events).

MANDATORY MEETING SCHEDULE

The City of Grande Prairie operates under a Council Committee system. The [Procedure Bylaw C-1299](#) establishes four (4) standing, or permanent, Committees of Council, which meet on a regular, rotating schedule. Council members will be appointed to a variety of other City and external Committees, Boards and Commissions. Council will make appointments to these Committees and Boards at its Organizational Meeting to be held on Monday, October 24, 2022, at 3:00 p.m.

Each scheduled meeting on the calendar averages 1 to 2 hours per meeting.



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City of Grande Prairie Meeting Calendar — Council and Standing Committees of Council 2022

October						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Council meetings are held in Council Chambers First Floor at City Hall

Council Meetings

Part 1 - 3:00 p.m.

Part 2 - 6:00 p.m.

Council Breaks

Oath of Office and Organizational Meeting

3:00 p.m.

Standing Committee meetings are held in the First Floor North Conference Room at City Hall

Standing Committees

9:00 a.m.

Infrastructure & Economic Development

Community Services

Corporate Services

Protective & Social Services

Budget Meetings

November 15 – 17 tentative dates

PLEASE NOTE:

- October 25 to December 12, 2022 are tentative meeting dates



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Committee Name	Number of Council	Meeting Day	Meeting Time
Standing Committees			
Community Services Committee	3	Every 2 nd Tuesday	9:00 a.m.
Corporate Services Committee	3	Every 2 nd Tuesday	9:00 a.m.
Infrastructure & Economic Development Committee	3 + Mayor	Every 2 nd Tuesday	9:00 a.m.
Protective and Social Services Committee	3	Every 2 nd Tuesday	9:00 a.m.
Council Committees			
Assessment Review Board	3	As Required	Full Days
Combative Sports Commission	1	Quarterly – As Required	12:00 noon
Downtown BIA - Board of Directors	1	Monthly – 4 th Wednesday	8:30 a.m.
Economic Development Strategic Planning & Advisory Committee	2	Quarterly	6:00 p.m.
Grande Prairie Airport Commission	3	Every Other Month – 3 rd Thursday	11:30 a.m.– 1:30 p.m.
Grande Prairie Library Board	1	Monthly – 2 nd Tuesday	5:30 p.m.
Grande Prairie Regional Recreation Committee	2	Quarterly	Daytime
ICF Negotiating Committee	3	As Required	
Joint Council Committee	8 + Mayor	As Required	Daytime
Municipal Policing Advisory Committee	2	Quarterly	
Subdivision and Development Appeal Board	3	As Required	Daytime
Youth Advisory Council	2	Quarterly	4:00 p.m.
Council Representatives			
Alberta Bilingual Municipalities Association	1	As Required	
ALERT Civilian Advisory Committee	Mayor	As Required	
AM Board	Mayor	Monthly – 4 th Thursday	9:00 a.m.
Community Advisory Board on Homelessness	1	Monthly – 3 rd Thursday	9:30 a.m.
Community Futures of Grande Prairie and Region	1	Monthly – 2 nd Thursday	5:00 p.m.
Grande Prairie and Area Recreation Board	1	Quarterly	Daytime



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Committee Name	Number of Council	Meeting Day	Meeting Time
Council Representatives			
Grande Prairie Regional Tourism Association	1	Monthly	11:30 a.m.
Grande Prairie Regional Sport Connection	1	Monthly – 2 nd Tuesday	4:00 p.m.
Grande Prairie Storm Hockey Board of Directors	1	Monthly	11:00 a.m.
Grande Spirit Foundation	1	Monthly – 4 th Friday	10:00 a.m. – Travel Required
Inter-City Forum on Social Policy	1	Quarterly	1 Full Day – Travel Required
Joint Regional Emergency Management Committee	1	As Required	Daytime
Local Immigration Partnership	1	As Required	
Mid-Sized Cities Mayors Group	Mayor	Bi-Annually	1 Full Day – Travel Required
Council Representatives			
Mighty Peace Watershed Alliance	1	Quarterly	1 Full Day – Travel Required
Nitehawk Recreation Area Board	Mayor	Monthly – Tuesday	Evening
Northern Alberta Elected Leaders	Mayor	Quarterly	Daytime – Travel Required
Northern Alberta Mayors' and Reeves' Caucus	Mayor	Quarterly	Daytime – Travel Required
Peace Library System	1	8 times a year on Saturdays	10:30 a.m. – Travel Required
Regional School Site Committee	1	As Required	½ or Full Day
S.C.O.R.E.S.	1 + Mayor	As Required	Daytime
South Peace Regional Archives Society Board	1	Quarterly	12:00 noon
Tri-Municipal Industrial Partnership	2	*Currently on Pause*	

(Subject to Change)



CANDIDATE QUALIFICATIONS

Generally, you are eligible to be nominated as a candidate, if on Nomination Day (September 19, 2022) you are:

- at least 18 years of age;
- a Canadian citizen; and
- a resident of the City of Grande Prairie since March 19, 2022.

You are not eligible to be nominated for more than one office of the same elected authority.

LAEA - Section 21 - Qualifications

Section 21(1)

A person may be nominated as a candidate in any election under this Act if on nomination day the person

- (a) is eligible to vote in that election,
- (b) has been a resident of the local jurisdiction and the ward, if any, for the 6 consecutive months immediately preceding nomination day, and

is not otherwise ineligible or disqualified.

LAEA - Section 22 - Ineligibility

Section 22(1)

A person is not eligible to be nominated as a candidate in any election under this Act if on nomination day

- (a) the person is the auditor of the local jurisdiction for which the election is to be held;
- (b) subject to subsection (4), the person is an employee of the local jurisdiction for which the election is to be held unless the person takes a leave of absence under this section;
- (c) the person is indebted to the municipality of which the person is an elector for taxes in default exceeding \$50, excluding from that amount
 - (i) any indebtedness for current taxes, and
 - (ii) any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality, unless the person is in default in the payment of any money due under the agreement;
- (d) the person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500 and in default for more than 90 days;
- (d.1) the person has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act*, the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada).



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Section 22(1.2)

A person is not eligible to be nominated as a candidate for election as a councillor or a school board trustee if

- (a) a report was transmitted under section 147.8(1) in respect of the person,
- (b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
- (c) subject to subsection (1)(d.1), nomination day for the election occurs within
 - (i) the 8-year period following the day on which the secretary transmitted the report to council or the school board, or
 - (ii) where the disclosure statement required by section 147.4 has been filed with the secretary, the 3-year period following the day of filing,whichever period expires first.

Section 22(1.3)

Subsection (1.2) applies

- (a) with respect to a candidate for election as a councillor, if a report has been transmitted under section 147.8(1)(a) respecting a campaign period beginning on or after January 1, 2014.

Section 22(4)

Subsection (1)(b) does not apply to a person by reason only

(a)–(f) repealed 2018

(g) that the person is appointed to a position under the *Emergency Management Act*;

(h) repealed 2018

(i) that the person has received a gratuity or allowance for services on a committee or board appointed by or responsible to the local jurisdiction;

(j)–(l) repealed 2018

(m) that the person is a volunteer chief, officer or member of a fire, ambulance or emergency measures organization established by a local jurisdiction or that the person is a volunteer for another purpose who performs duties under the direction of the local jurisdiction

Section 22(5)

A person who is an employee of a municipality and who wishes to be nominated as a candidate in an election to be held for that municipality may notify that person's employer on or after July 1 in the year of a general election or on or after the day the council passes a resolution to hold a by-election but before the employee's last working day prior to nomination day that the person is taking a leave of absence without pay under this section.

Section 22(6)

Notwithstanding any bylaw, resolution or agreement of a local jurisdiction, every person who notifies an employer in accordance with subsection (5) or (5.1) is entitled to a leave of absence without pay.



NOMINATION REQUIREMENTS

To become nominated, you must:

- complete the Nomination Paper (Form 4);
 - **have your Nomination Paper signed by at least twenty-five (25) eligible voters who are electors and residents of the City of Grande Prairie;**
 - provide a \$100.00 deposit payable to the City of Grande Prairie, in cash, certified cheque, or money order;
 - complete the Candidate Financial Information (Form 5);
- and
- call 780-357-7523 to arrange a time to bring the deposit, Form 4 and Form 5 (in person) to City Hall, 10205 - 98 Street, to the Returning Officer starting August 9, 2022 and ending at 12:00 noon on Monday, September 19, 2022.

The Nomination Paper (Form 4) must be sworn (or affirmed) in the presence of the Returning Officer, a Commissioner for Oaths or Notary Public in and for Alberta

A candidate may appoint an official agent as part of the Nomination Paper.

The person who is filing a Nomination Paper is responsible for ensuring that it meets the requirements of the *Local Authorities Election Act*.

The Returning Officer shall not accept a Nomination Paper if it is not complete.

LAEA - Section 23 - Ineligibility for Nomination

Section 23(1)

A person is not eligible to be nominated for more than one office of the same elected authority.

Section 23(2)

A member who holds office on an elected authority is not eligible to be nominated for or elected to the same or any other office on the elected authority

- (a) unless the member's term of office is expiring, or
- (b) if the member's term of office is not expiring, unless the member has resigned that office effective 18 days or more before nomination day.

LAEA - Section 25 - Nomination Day

Section 25(1)

Nomination day is 4 weeks before election day.

Section 25(2)

A person may file a nomination to become a candidate

- (a) 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
- (b) 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.



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LAEA - Section 27 - Form of Nomination

Section 27(1)

Every nomination of a candidate must

- (a) be in the prescribed form,
- (b) be signed by at least 5 persons who are electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,

(The City of Grande Prairie's [Election Bylaw C-1438](#), Section 5.2, requires a minimum of twenty-five (25) signatures)

- (c) be accompanied with a written acceptance sworn or affirmed in the prescribed form by the person nominated, stating
 - (i) that the person is eligible to be elected to the office,
 - (ii) the name, address and telephone number of the person's official agent, if one has been appointed,
 - (iii) that the person will accept the office if elected,
 - (iv) that the person will read and comply with the municipality's code of conduct if elected, and
 - (v) that the persons who have signed the nomination are electors who are eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,
- and
- (d) if required by bylaw, be accompanied with a deposit in the required amount.

Section 27(1.1)

A person who files a nomination shall also submit, in the prescribed form, the following information to the returning officer:

- (a) the full name and contact information of the candidate;
- (b) the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;

Section 27(1.1)

- (c) the name and address of the financial institutions to be used by or on behalf of the candidate for the candidate's campaign account, if applicable;
- (d) the names of the signing authorities for each account referred to in clause (c), if applicable.

Section 27(1.2)

When there is any change in the information required to be provided under subsection (1.1), the candidate shall notify the local jurisdiction in writing within 48 hours after the change, and on receipt of the notice the local jurisdiction shall update the information accordingly.

Section 27(1.3)

Notice under subsection (1.2) may be sent by fax or e-mail.

Section 27(2)

Notwithstanding subsection (1), a city that is a local jurisdiction with a population of at least 10,000 or a board of trustees under the Education Act of a local jurisdiction with a population of at least 10,000 may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office, but that number must be at least 5 and not more than 100.

Section 27(3)

Notwithstanding subsection (1), if a system of wards is in effect, only an elector who is a resident of the ward for which a candidate for election is being nominated may sign the nomination of the candidate.

LAEA - Section 28 - Nominations

Section 28(1)

Subject to subsection (1.2), nominations shall be submitted at the local jurisdiction office at any time during the nomination period.

Section 28(1.1)

An elected authority may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, provide that a returning officer may establish one or more locations, in addition to the local jurisdiction office, where a deputy may receive nominations.



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Section 28(1.2)

If an elected authority passes a bylaw referred to in subsection (1.1), nominations shall be submitted to the local jurisdiction office or any location established by the returning officer at any time during the nomination period.

Section 28(2)

The person nominated as a candidate is responsible for ensuring that the nomination filed under this section meets the requirements of section 27.

Section 28(3)

Any person may file a nomination described in section 27 in accordance with this section.

Section 28(4)

A returning officer shall not accept the following for filing:

- (a) a nomination that is not completed in the prescribed form;
- (b) a nomination that is not signed by at least the minimum number of persons required to sign the nomination;
- (c) a nomination that is not sworn or affirmed by the person nominated;
- (d) if a bylaw has been passed under section 29(1), a nomination that is not accompanied by the deposit required by the bylaw.

Section 28(5)

If the returning officer has not rejected a nomination form under subsection (4), the returning officer must sign the form to indicate that the form has been accepted.

Section 28(6)

At any time after the commencement of the nomination period until the term of office to which the filed nomination papers relate has expired, a person may request to examine the filed nomination papers during regular business hours and in the presence of the returning officer, deputy or secretary.

Section 28(7)

The returning officer or secretary must retain all the filed nomination papers until the term of office to which the papers relate has expired.

Section 28(8)

Twenty-four (24) hours after the close of nominations on nomination day, the returning officer shall, as soon as practicable, forward a signed statement showing the name of each nominated candidate and any information about the candidate that the candidate has consented to being disclosed to the relevant Minister's Deputy Minister.

Section 28(9)

A statement referred to in subsection (8) may be forwarded by electronic means, including by fax or e-mail.

Section 28(10)

Within 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.

LAEA - Section 68.1 - Option for Official Agent

Section 68.1(1)

Each person nominated as a candidate may, on the nomination form, appoint an elector to be the candidate's official agent.

Section 68.1(1.1)

If it becomes necessary to appoint a new official agent, the candidate shall immediately notify the returning officer in writing of the contact information of the new official agent.

Section 68.1(2)

A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act*, the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada) is not eligible to be appointed as an official agent.

Section 68.1(3)

No candidate shall act as an official agent for any other candidate.

Section 68.1(4)

The duties of an official agent are those assigned to the official agent by the candidate.



DEPOSIT & WITHDRAWAL REQUIREMENTS

Election Bylaw C-1438 - Sections 5.3 and 5.4

Section 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).

Section 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".

LAEA - Section 30 - Disposition of Deposit

Section 30(1)

When a bylaw has been passed to provide for a deposit, the returning officer shall require the deposit to be provided in cash, by certified cheque or by money order.

Section 30(2)

The candidate's deposit shall be returned to the candidate

- (a) if the candidate is declared elected,
- (b) if the candidate obtains a number of votes at least equal to 1/2 of the total number of votes cast for the candidate elected to the office with the least number of votes, or
- (c) if the candidate withdraws as a candidate in accordance with section 32.

Section 30(3)

If a candidate dies before the closing of the voting stations on election day, the sum deposited by the candidate shall be returned to the candidate's estate.



CAN I WITHDRAW MY NOMINATION?

To withdraw your nomination, you:

- may do so only if more than the required number of candidates are nominated;
- must do so within 24 hours of the close of nominations, that is, before 12:00 noon on September 20, 2022; and
- must submit your notice of withdrawal in writing, to the Returning Officer, City Hall, 10205 - 98 Street.

WITHDRAWAL REQUIREMENTS

LAEA - Section 32 - Withdrawal of Nomination

Section 32(1)

A person nominated as a candidate may withdraw as a candidate at any time during the nomination period.

Section 32(2)

Subject to subsection (3), at any time within 24 hours after the close of the nomination period, if more than the required number of candidates for any particular office are nominated, any person so nominated may, withdraw as a candidate for the office for which the candidate was nominated by filing with the returning officer a withdrawal in writing.

Section 32(3)

If, after one or more candidates have withdrawn in accordance with subsection (2), the number of remaining candidates does not exceed the number of vacancies to be filled, the returning officer shall refuse to accept further withdrawals.



ADVERTISING & ELECTION SIGNS

Campaign material and signs **must not**:

- show a ballot marked for a candidate; and
- use the City of Grande Prairie crest, symbol, logo or brand.

When distributing campaign material or signs, you:

- must get consent from the property owner before placing any signs;
- may campaign on Election Day;
- cannot display or distribute campaign material or signs at a voting station on Election Day; and
- must not display Election signs earlier than six (6) weeks (September 6, 2022) prior to Election Day.

LAEA - Section 148 - Prohibitions

Section 148(5)

No person shall print or distribute or cause to be printed or distributed in any advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper a form of ballot printed by the returning officer, indicating or showing it to be marked for any candidate or candidates.

Land Use Bylaw C-1260 - Schedule "B" -

Section 4.5 - Election Signs

Definition

ELECTION SIGN means any sign advertising and promoting the election of a political party or candidate in any municipal, provincial, federal or school board election.

Section 4.5a

Election signs shall be displayed or placed no earlier than:

- six (6) weeks prior to election day for municipal and school board elections; or
- the date the election is called for provincial and federal elections.

Section 4.5b

Election signs shall be removed within seven (7) days after the election to which they refer.

Section 4.5c

An Election sign in a residential district shall not exceed 0.6 m² in area.



Use of Public Lands Bylaw C-1078 -

Appendix "B" - Election Signs

Appendix "B"

- a) All Election signs shall comply with the requirements of any relevant federal or provincial legislation and any other relevant municipal bylaws.
- b) Election signs shall be displayed or placed no earlier than:
 - i) six (6) weeks prior to election day for municipal and school board elections; or
 - ii) the date the election is called for provincial and federal elections.
- c) Election signs shall be removed within seven (7) days after the election to which they refer.
- d) Election signs shall only be displayed or placed in the designated locations identified in Appendix "B-1" as approved by Council.
- e) Election signs shall not be displayed or placed:
 - i) inside the designated "Clear Zones" on the approach to driveways, lanes, intersections and rail crossings, as identified in Appendix "B-1";
 - ii) within 1m of curbs, sidewalks, pathways, property lines and/or fences as identified in Appendix "B-1";
 - iii) within 1 metre of any traffic control device and/or sign; and
 - iv) on any physical roadway structure including bridges, guardrails, retaining walls, fences, concrete barriers, fire hydrants, sidewalks, pathways, crosswalks, street light poles, trees and all municipal parks.
- f) A maximum of two (2) Election signs of the same candidate are permitted for each designated location, as identified in Appendix "B-1".
- g) A minimum spacing of 3m between candidates' signs is required per designated location identified in Appendix "B-1".
- h) A candidate whose name appears on an Election sign that is impounded and removed from municipal property may be assessed impounding and removal charges in addition to any fine or penalty imposed in respect of a violation of this Bylaw.
- i) An Election sign in a residential district, as identified in the Land Use Bylaw, shall not exceed 0.6 m².



OFFENCES

LAEA - Section 150 - Integrity of the Vote

Section 150(1)

Every returning officer, deputy, candidate, constable, official agent and scrutineer in attendance at a voting station shall maintain and aid in maintaining the secrecy of the voting at the voting station.

Section 150(2)

No person shall interfere with or attempt to interfere with an elector when the elector is marking the elector's ballot, or shall otherwise attempt to obtain at the voting station information as to which candidate or candidates any elector at that voting station is about to vote or has voted for.

Section 150(3)

No person shall

- (a) during the hours when a voting station is open, canvass or solicit votes in a building where the voting station is located, or
- (b) make any communication to an elector in a voting station respecting the election otherwise than through the deputy.

Section 150(4)

When a voting station is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (3) applies only to the store, office or facility comprising the area used as a voting station.

Section 150(5)

No person shall display at the voting station or distribute or post in it a specimen ballot paper marked for a candidate or any other material purporting to explain to the electors how to vote or leave or post a ballot or other material in a voting compartment other than the material that is required to be posted in accordance with this Act.

Section 150(6)

No person shall communicate at any time to any person any information obtained at a voting station as to which candidate any elector at that voting station is about to vote or has voted for.

Section 150(7)

No returning officer, deputy, official agent or scrutineer in attendance at the counting of the votes shall communicate or attempt to communicate any information obtained at that counting as to which candidate or candidates any vote is given for.

Section 150(8)

No person shall directly or indirectly induce an elector to display the elector's ballot, after the elector has marked it, so as to make known to any person the name of any candidate for whom the elector has or has not marked the elector's ballot.

Section 150(9)

A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5,000 or to imprisonment for a term not exceeding 2 years or to both fine and imprisonment.

LAEA - Section 151 - Candidate Acceptance Form

Section 151

A candidate for elective office who signs a candidate's acceptance form that contains a false statement is guilty of an offence and liable to a fine of not more than \$1,000.



LAEA - Section 152 - Advertisement Distribution

Section 152(1)

Subject to subsection (2), a person who, at an advance vote or on election day,

- (a) displays within a building used for a voting station or within the boundaries of the land on which a building used for a voting station is located, or
- (b) distributes within a building used for a voting station, or within the boundaries of the land on which the building used for a voting station is located,

an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper except those posted by the deputy in accordance with this Act is guilty of an offence and liable to a fine of not more than \$500.

Section 152(2)

When a voting station is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (1) applies only to the store, office or facility comprising the area used as a voting station.

Section 152(3)

Repealed

Section 152(4)

Where a person displays an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper contrary to subsection (1), the deputy may cause it to be removed, and neither the deputy nor any person acting under the deputy's instructions is liable for trespass or damages resulting from or caused by the removal.



VOTING

LAEA - Section 47 - Voter Eligibility

Section 47(1)

A person is eligible to vote in an election held pursuant to this Act if the person

- (a) is at least 18 years old,
- (b) is a Canadian citizen, and
- (c) resides in Alberta and the person's place of residence is located in the local jurisdiction on election day on election day.

Section 47(2)

Subject to subsection (3) and sections 75, 77.1, 79, 81 and 83, an elector is eligible to vote only at the voting station for the voting subdivision in which the elector's place of residence is located on election day.

Section 47(3)

If a local authority establishes a voting station at a work site, the local authority may direct that those workers who are electors who wish to vote and who are required to work at the site during the hours for which the voting station is open shall vote at that voting station, notwithstanding that those workers do not reside in the voting subdivision in which that voting station is located.

LAEA - Section 48 - Rules of Residence

Section 48(1)

For the purposes of this Act, the place of residence is governed by the following rules:

- (a) a person may be a resident of only one place at a time for the purposes of voting under this Act;
- (a.1) if a person has more than one residence in Alberta, that person shall, in accordance with subsection (1.1), designate one place of residence as the person's place of residence for the purposes of this Act;

Section 48(1)

- (b) the residence of a person is the place where the person lives and sleeps and to which, when the person is absent, the person intends to return;
- (c) a person does not lose the person's residence by leaving the person's home for a temporary purpose;
- (d) subject to clause (e), a student who
 - (i) attends an educational institution within or outside Alberta,
 - (ii) temporarily rents accommodation for the purpose of attending an educational institution, and
 - (iii) has family members who are resident in Alberta and with whom the student ordinarily resides when not attending an educational institution is deemed to reside with those family members;
- (e) if a person leaves the area with the intention of making the person's residence elsewhere, the person loses the person's residence within the area.

Section 48(1.1)

For the purposes of subsection (1)(a.1), a person shall designate the person's place of residence in accordance with the following factors in the following order of priority:

- (a) the address shown on the person's driver's licence or motor vehicle operator's licence issued by or on behalf of the Government of Alberta or an identification card issued by or on behalf of the Government of Alberta;
- (b) the address to which the person's income tax correspondence is addressed and delivered;
- (c) the address to which the person's mail is addressed and delivered.



ELECTION DAY

A person is eligible to vote on Election Day (October 17, 2022), if the person:

- is at least 18 years of age on Election Day;
- is a Canadian Citizen;
- is a resident of Alberta;
- is a resident of the voting subdivision in the City on Election Day; and
- has not voted previously in this Election.

Voting stations are provided for voters with special needs, residing at institutions, the hospital, extended care centres, and seniors' accommodation facilities.

Voting stations are open at 10:00 a.m. and close at 8:00 p.m.

To obtain election results, you may:

- monitor the City of Grande Prairie 2022 By-Election Website.
- obtain the official election results at 12:00 Noon, on Friday, October 21, 2022, from the Returning Officer, City Hall, 10205 - 98 Street, Grande Prairie.
- New Release with Official Results.

LAEA - Section 97 - Declaration of Election Result

Section 97(1)

The returning officer may publish unofficial results of the counting of ballots after an election as the results are received from voting stations.

Section 97(2)

The returning officer shall, at 12 noon on the 4th day after election day, at the office of each local jurisdiction for which an election was held,

- (a) announce or cause to be announced, or
- (b) post or cause to be posted

a statement of the results of the voting for candidates, including a declaration that the candidate receiving the highest number of votes for each office to be filled is elected.

Section 97(3)

The returning officer shall, if the result was announced, post in some conspicuous place a statement signed by the returning officer showing the number of votes for each candidate.



ELECTION FINANCE & CONTRIBUTION DISCLOSURE

A candidate must file a disclosure statement regarding campaign contributions and expenses. Additional rules apply to dollar limits on contributions, who may contribute, campaign account at a financial institution, issuing receipts for contributions, obtaining receipts for expenses, and campaign surpluses. **This disclosure statement must be filed with the City of Grande Prairie on or before February 14, 2023.**

LAEA - Part 5.1 - Election Finance and Contribution Disclosure

Section 147.1(1)

In this Part,

- (a) "campaign expense" means any expense incurred, or non-monetary contribution received, by a candidate to the extent that the property or service that the expense was incurred for, or that was received as a non-monetary contribution, is used to directly promote or oppose a candidate during a campaign period, and includes an expense incurred for, or a non-monetary contribution in relation to,
 - (i) the production of advertising or promotional material,
 - (ii) the distribution, broadcast or publication of advertising or promotional material in any media or by any other means during a campaign period, including by the use of a capital asset,
 - (iii) the payment of remuneration and expenses to or on behalf of a person for the person's services as a chief financial officer or in any other capacity,
 - (iv) securing a meeting place,
 - (v) the conduct of election surveys or other surveys or research during a campaign period, or
 - (vi) the production of a review engagement required by this Act;
- (b) "campaign period" means
 - (i) in the case of a general election, the period of time from January 1 to December 31 in a year in which a general election is held, and
 - (ii) in the case of a by-election, the period of time set by bylaw or resolution to 60 days immediately following the by-election;
- (c) "contribution" means any money, personal property, real property or service that is provided to or for the benefit of a candidate's election campaign without fair market value compensation from that candidate, but does not include a service provided by an individual who voluntarily performs the services and receives no compensation, directly or indirectly, in relation to the services or time spent providing the services;
- (d) "employee organization" means an organization, other than a trade union, that bargains collectively for employees;
- (e) "group" means an unincorporated group of individuals or corporations acting in consort for a common purpose and includes a trade union and an employee organization or any combination of individuals, corporations, trade unions or employee organizations;
- (f) "prohibited organization" means a corporation and an unincorporated organization, including a trade union and an employee organization;
- (f.1) "review engagement" means a review engagement as defined in the Chartered Professional Accountants Act;
- (g) "trade union" means an organization of employees that has a written constitution, rules or bylaws and has as one of its objects the regulation of relations between employers and employees.



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Section 147.1(2)

The value of a contribution, other than money, provided to a candidate is the fair market value of the contribution at the time it is provided.

Section 147.1(3)

If any personal property, real property or service or the use of personal property or real property is provided to a candidate for a price that is less than the fair market value at the time it is provided, the amount by which the value exceeds the price is a contribution for the purposes of this Part.

Section 147.1(4)

For the purposes of this section, the use of goods in a 2nd or subsequent election is a non-monetary contribution.

Section 147.1(5)

In this section, "expense incurred" means an expense that is incurred, whether it is paid or unpaid.

Application of Part

Section 147.12

This Part applies to candidates for election as a councillor in a municipality or as a trustee of a school board.

Responsibility of Contributors

Section 147.13(1)

A prospective contributor is responsible for ensuring, before making a contribution under this Act, that the contributor is not prohibited from making a contribution and is not making a contribution that is in excess of the limit prescribed by section 147.2(3).

Section 147.13(2)

Every candidate and every person acting on behalf of a candidate shall make every reasonable effort to advise prospective contributors of the provisions of this Part relating to contributions.

Limitations on Contributions

Section 147.2(1)

Only an individual ordinarily resident in Alberta may make a contribution to a candidate.

Section 147.2(2)

No prohibited organization and no individual ordinarily resident outside Alberta shall make a contribution to a candidate.

Section 147.2(3)

Subject to subsection (4), no individual ordinarily resident in Alberta shall contribute in any campaign period an amount that exceeds

- (a) \$5,000 to any candidate for election as a councillor, and
- (b) \$5,000 to any candidate for election as a school board trustee.

Section 147.2(4)

A candidate may contribute an amount of up to \$10 000 that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period to the candidate's own campaign expenses.

Section 147.2(4.1)

Any amount paid by a candidate for campaign expenses from the candidate's own funds that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period, including an amount referred to in subsection (4), is a contribution to the candidate's own campaign for the purposes of this Act.

Section 147.2(5)

No candidate and no person acting on behalf of a candidate shall, directly or indirectly, solicit or accept a contribution if the candidate or person knows or ought to know that the prospective contributor is a prohibited organization or an individual ordinarily resident outside Alberta.

Section 147.2(6)

No candidate and no person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the amount of the contribution will exceed the amounts referred to in subsection (3).



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Acceptance of Contributions

Section 147.22(1)

No person shall accept a contribution or incur a campaign expense unless the person has been nominated as a candidate.

Section 147.22(2)

No candidate and no person acting for a candidate shall accept a contribution except during the campaign period.

Section 147.22(3)

Subsections (1) and (2) do not apply to the following:

- (a) a person who accepts not more than \$5,000 in the aggregate per year in contributions outside the campaign period;
- (b) a candidate who makes a contribution of not more than \$10,000 in the aggregate per year to the candidate's own campaign from the candidate's own funds.

Contributions Not Belonging to Contributor

Section 147.24(1)

No individual shall contribute to a candidate

- (a) funds not belonging to that individual, or
- (b) funds that have been given or furnished to the individual by another individual or a prohibited organization for the purpose of making a contribution of those funds to a candidate.

Section 147.24(2)

No individual and no prohibited organization shall give or furnish funds to another individual for the purpose of having that other individual make a contribution of those funds to a candidate.

Section 147.24(3)

No candidate and no person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the contribution is contrary to subsection (1).

Anonymous and Unauthorized Contributions

Section 147.23

Any anonymous contributions and any contribution or portion of a contribution made in contravention of this Part accepted by a candidate or a person acting on behalf of a candidate must not be used or expended, and the candidate or the person acting on behalf of the candidate shall

- (a) return the contribution to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, pay an amount equivalent to the contribution to a registered charity or to the local jurisdiction for which the candidate is running for election.



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Duties of Candidate

Section 147.3(1)

A candidate shall ensure that

- (a) a campaign account in the name of the candidate or the candidate's election campaign is opened at a financial institution for the purposes of the election campaign at the time of nomination or as soon as possible after the total amount of contributions first exceeds \$1,000 in the aggregate,
- (b) if a campaign account has been opened in accordance with clause (a), all contributions of money are deposited into the campaign account,
- (c) money in the campaign account shall only be used for the payment of campaign expenses,
- (d) contributions of real property, personal property and services are valued,
- (e) receipts are issued for every contribution and obtained for every expense,
- (f) records are kept of contributions and campaign expenses and are retained by the candidate for a period of 3 years following the date on which disclosure statements were required to be filed under section 147.4, and
- (g) proper direction is given to the candidate's official agent and any other person who is authorized to incur campaign expenses and accept or solicit contributions on behalf of the candidate.

Section 147.3(2)

A candidate shall not knowingly make a false or misleading statement in any disclosure statement or financial statement or other information required to be filed under this Part.

Fund-raising Functions

Section 147.31(1)

In this section, "fund-raising function" includes any social function held for the purpose of raising funds for the candidate's election campaign by whom or on whose behalf the function is held.

Section 147.31(2)

The gross income from any fund-raising function must be recorded by the candidate on whose behalf the function was held.

Section 147.31(3)

If a fund-raising function is held by the sale of tickets by or on behalf of a candidate, the amount of the contribution is to be determined under clause (a) or under clause (b), at the option of the candidate:

- (a) if the individual charge
 - (i) is \$50 or less, it is not considered to be a contribution unless the individual who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be a contribution,
 - (ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a contribution, and
 - (iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a contribution;
- (b) the amount of the contribution is the difference between the price of the ticket and the fair market value of what the ticket entitles the bearer to obtain.

Section 147.31(4)

The price paid at a fund-raising function in excess of the fair market value at that time for goods or services received is considered to be a contribution to the candidate's election campaign.



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Receipts

Section 147.32

Every candidate or a person acting on behalf of the candidate shall issue a receipt for every contribution accepted in a form acceptable to the local jurisdiction.

Loans

Section 147.33(1)

A candidate

- (a) may borrow money only from a financial institution, and
- (b) shall record all loans and their terms and shall report accordingly to the relevant local jurisdiction.

Section 147.33(2)

Only a person ordinarily resident in Alberta may make a payment on behalf of the borrower in respect of a loan to which subsection (1) applies.

Any payment in respect of a loan to which subsection (1) applies made by a person referred to in subsection (2) becomes, for the purposes of this Act, including, without limitation, section 147.2,

- (a) a contribution by that individual, and
- (b) a contribution accepted by the borrower,

if the individual is not reimbursed by the borrower before the borrower is next required to file a disclosure statement.

Section 147.33(3)

This section does not apply to the borrowing of money for purposes unrelated to the candidate's election campaign.

Campaign Expense Limits

Section 147.34

No candidate and no chief financial officer of a candidate shall incur campaign expenses that exceed, in the aggregate, the amounts determined by the regulations.

Campaign Disclosure Statements

Section 147.4(1)

On or before March 1 immediately following a general election or, in the case of a by-election, within 120 days after the by-election, a candidate shall file with the secretary of the candidate's local jurisdiction a disclosure statement in the prescribed form, which must include

- (a) the total amount of all contributions received during the campaign period that did not exceed \$50 in the aggregate from any single contributor,
- (b) the total amount contributed, together with the contributor's name and address, for each contributor whose contributions during the campaign period exceeded \$50 in the aggregate,
- (c) the total amount of all contributions received as referred to in section 147.22(3),
- (d) the total amount from fund-raising functions,
- (e) the total amount of other revenue,
- (f) the total amount of campaign expenses,
- (g) an itemized campaign expense report setting out the campaign expenses incurred by the candidate,
- (h) the total amount paid by the candidate out of the candidate's own funds not reimbursed from the candidate's campaign fund,
- (i) the total amount of any campaign surplus, including any surplus from previous campaigns, and
- (j) the amount of any deficit.



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Section 147.4(2)

A candidate who has incurred campaign expenses or received contributions of \$50 000 or more shall file a review engagement with the disclosure statement referred to in subsection (1).

Section 147.4(3), (4)

Repealed 2020

Section 147.4(5)

With respect to the period during which a candidate is nominated, this section applies to a candidate who withdraws as a candidate.

Section 147.4(6)

If a candidate becomes aware that any of the information reported in the disclosure statement required under subsection (1) or the review engagement required under subsection (2) has changed or has not been completely or accurately disclosed, the candidate shall, within 30 days, submit a supplementary statement in the prescribed form to the local jurisdiction.

Section 147.4(7)

The local jurisdiction must ensure that all documents filed under this section are available to the public during regular business hours for a period of 4 years after the election.

Section 147.4(8) to (10)

Repealed 2020

Campaign Surplus

Section 147.5(1)

If a candidate's disclosure statement shows a surplus, the candidate, within 60 days after filing the disclosure statement with the local jurisdiction,

- (a) shall, with respect to any amount that is \$1,000 or more, donate an amount to a registered charity that results in the surplus being less than \$1,000, and
- (b) may, with respect to any amount that is less than \$1,000,
 - (i) retain all or any portion of that amount, and
 - (ii) donate all or any portion of that amount to a registered charity.

Section 147.5(2)

A candidate who donates an amount to a registered charity in accordance with subsection (1)(a) or (b)(ii) shall, within 30 days after the expiration of the 60-day period referred to in subsection (1), file an amended disclosure statement showing that the surplus has been dealt with in accordance with this section.

Section 147.5(3)

This section applies to a candidate whether or not the candidate is elected.



Transitional - Campaign Surplus

Section 147.51(1)

Where, on September 1, 2020, an amount is held in trust under section 147.5(2) as it read on August 31, 2020, the candidate in respect of whom the amount is held in trust, no later than January 1, 2022,

- (a) shall, with respect to any amount that is \$1,000 or more, donate an amount to a registered charity that results in the surplus being less than \$1,000, and
- (b) may, with respect to any amount that is less than \$1,000,
 - (i) retain all or any portion of that amount, and
 - (ii) donate all or any portion of that amount to a registered charity.

Section 147.51(2)

If a local jurisdiction does not receive a direction under subsection (1) on or before January 1, 2022, the money becomes the property of the local jurisdiction.

Section 147.51(3)

This section applies to money paid to a local jurisdiction pursuant to a court order under section 147.84(2).

Campaign Deficit

Section 147.52(1)

If a candidate's disclosure statement shows a deficit, the candidate shall eliminate the deficit within 60 days after filing the disclosure statement with the local jurisdiction.

Section 147.52(2)

For the purpose of eliminating a deficit referred to in subsection (1), a candidate may, notwithstanding section 147.22(2), accept contributions in accordance with this Act during the period referred to in subsection (1).

Section 147.52(3)

Subject to subsection (4), a candidate shall not accept a contribution of an amount that exceeds \$5,000 from any individual for the purpose of this section.

Section 147.52(4)

A candidate may make a contribution from the candidate's own funds that does not exceed \$10 000 to reduce a deficit shown on the candidate's disclosure statement for the purpose of this section.

Section 147.52(5)

A candidate referred to in subsection (1) shall, within 30 days after the expiration of the 60-day period referred to in subsection (1), file an amended disclosure statement showing that the deficit has been eliminated.

Late Filing

Section 147.7(1)

In this section, "filing deadline" means the day by which a disclosure statement referred to in section 147.4 is required to be filed with a local jurisdiction.

Section 147.7(2)

A candidate who is required to file a disclosure statement under section 147.4 and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the relevant local jurisdiction.

Section 147.7(3)

A local jurisdiction shall not transmit a report in relation to a candidate under section 147.8 if the return is filed no later than 10 days after the filing deadline.

Section 147.7(4)

If the late filing fee is not paid within 30 days after the date the fee was payable, the local jurisdiction shall send a notice to the candidate, indicating the amount of the late filing fee that is required to be paid.

Section 147.7(5)

If a candidate who is sent a notice by the local jurisdiction under subsection (4) fails to pay the late filing fee set out in the notice, the local jurisdiction may file a copy of the notice with the clerk of the Court of Queen's Bench, and, on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.



Effect of Non-Compliance in Relation to Disclosure Statements

Section 147.8(1)

Subject to section 147.7, if a candidate fails to file a disclosure statement as required by section 147.4

- (a) in the case of an election of municipal councillors, the secretary shall transmit a report to that effect to council, which shall on its receipt make the report public, and
- (b) in the case of an election of school board trustees, the secretary of the school board shall transmit a report to that effect to the school board, which shall on its receipt make the report public.

Section 147.8(2)

A candidate under subsection (1) may, within the 60-day period following the date on which the report under subsection (1) is made public, apply to the Court for relief.

Section 147.8(3)

On hearing the application, the Court may

- (a) dispense with compliance with section 147.4, or any provision of it, if it considers that the non-compliance is due to circumstances beyond the control of the candidate and that it is not reasonably possible to comply with that section,
- (b) extend the time for compliance with section 147.4, or any provision of it, if it finds mitigating reasons for non-compliance with the section,
- (c) make any order that it considers appropriate to secure compliance with as much of section 147.4 as it considers reasonable in the circumstances, or
- (d) refuse the application.

Section 147.8(4)

A candidate may apply to the Court under this section and name the municipality or the school board, as the case may be, as the respondent.

Section 147.8(5)

The decision of the Court is final and not subject to appeal.

Prosecution

Section 147.81

A prosecution under this Part may be commenced within 3 years of the commission of the alleged offence but not afterwards.

Offences Relating to Contributions

Section 147.82(1)

A prohibited organization or a person acting on its behalf that contravenes section 147.2 is guilty of an offence and liable to a fine of not more than \$10,000.

Section 147.82(2)

An individual who contravenes section 147.2 is guilty of an offence and liable to a fine of not more than \$5,000.

Section 147.82(3)

A candidate who contravenes section 147.22(1) or (2) is guilty of an offence and liable to a fine of not more than \$1,000.

Section 147.82(4)

A candidate or a person acting on behalf of a candidate who fails to return or pay an amount referred to in section 147.23(a) or (b) is guilty of an offence and liable to a fine of not more than \$5,000.

Section 147.82(5)

A prohibited organization or a person acting on its behalf that contravenes section 147.24 is guilty of an offence and liable to a fine of not more than \$10,000.

Section 147.82(6)

An individual who contravenes section 147.24 is guilty of an offence and liable to a fine of not more than \$5,000.



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Failure of Candidate to Comply with Duties

Section 147.83

A candidate who contravenes section 147.3 is guilty of an offence and liable to a fine of not more than \$1,000.

Failure to File

Section 147.84(1)

A candidate who fails to comply with section 147.4(1) or (2) by April 1 in the year following a general election, or, in the case of a by-election, within 150 days after the by-election, is guilty of an offence and liable to a fine of not more than \$5,000.

Section 147.84(1.1)

A candidate who fails to comply with the following sections within 30 days after the expiration of the period referred to in that section is guilty of an offence and liable to a fine of not more than \$5,000:

- (a) section 147.4(6);
- (b) section 147.5(1) and (2);
- (c) section 147.52(1) and (5).

Section 147.84(2)

If a candidate is found guilty of contravening section 147.4, the Court may, in addition to the penalty provided for in subsection (1), order the candidate to pay any surplus to the local jurisdiction as soon as possible.

Expenses More than Maximum

Section 147.85

A candidate who contravenes section 147.34 is guilty of an offence and liable to a fine of not more than \$10,000.

Regulations and Bylaw

Section 147.91(1)

The Minister may make regulations

- (a) determining campaign expense limits for the purpose of section 147.34;
- (b) respecting transitional matters relating to the coming into force of An Act to Renew Local Democracy in Alberta not otherwise provided for in that Act, including remedying any confusion, difficulty, inconsistency or impossibility resulting from the enactment of that Act.

Section 147.91(2)

An elected authority may pass a bylaw determining campaign expense limits for the purpose of section 147.34 in an amount that is less than the amount determined by regulation under subsection (1)

- (a) with respect to a general election, prior to December 31 of the year before the general election is held, and
- (b) with respect to a by-election, at least 180 days before the by-election at which the bylaw is to take effect.

Transitional - Definitions

Section 147.93

In sections 147.94 to 147.96,

- (a) "former Act" means the Local Authorities Election Act as it read immediately before the Bill received first reading;
- (b) "the Bill" means the Bill to enact An Act to Renew Local Democracy in Alberta.



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Transitional - All Candidates

Section 147.94(1)

In this section, “candidate” means a candidate for election as a municipal councillor and, subject to subsection (2), for election as a school board trustee.

Section 147.94(2)

For the purpose of this section, an individual is a candidate for election as a school board trustee if, before the Bill receives first reading, the individual accepted contributions or incurred campaign expenses on or after January 1, 2018, for the purposes of a school board election campaign.

Section 147.94(3)

Subject to subsection (4), section 147.95(4) and 147.96(4), if a candidate or a person acting on behalf of a candidate received a contribution on or after January 1, 2018 but before the date the Bill receives Royal Assent, other than a contribution used to eliminate a deficit shown on the candidate's disclosure statement for the most recent election campaign, the contribution is deemed to be collected in the next campaign period.

Section 147.94(4)

If a candidate or a person acting on behalf of a candidate receives a contribution from a prohibited organization, trade union or employee organization within the meaning of section 147.1 of the former Act on or after the date the Bill receives first reading but before the date it receives Royal Assent, the candidate, no later than 30 days after the Bill receives Royal Assent, shall

- (a) return the contribution to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, pay an amount equivalent to the contribution to a registered charity or to the local jurisdiction in which the individual is a candidate.

Section 147.94(5)

If a candidate fails to comply with subsection (4), the candidate is deemed to have contravened section 147.2(5) as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*.

Section 147.94(6)

A candidate who fails to comply with subsection (4) is guilty of an offence and liable to a fine of not more than \$5,000.

Transitional - Municipal Candidates

Section 147.95(1)

In this section, “candidate” means a candidate for election as a municipal councillor.

Section 147.95(2)

If during the campaign period that commenced January 1, 2018, money paid by a candidate in accordance with section 147.11 of the former Act before the Bill receives first reading equalled or exceeded \$4,000, the candidate is not entitled to make any further contributions under section 147.2, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*.

Section 147.95(3)

An individual ordinarily resident in Alberta who, before the Bill receives first reading, made contributions in 2018 to one or more candidates in accordance with section 147.2 of the former Act that in the aggregate equalled or exceeded \$4,000 shall not make any further contributions to a candidate in 2018 under section 147.2, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*, and no candidate shall accept those contributions.

Section 147.95(4)

On or after the day the Bill receives first reading but before the day it receives Royal Assent, if a candidate receives a contribution from a person who has, on or after January 1, 2018, already contributed \$4,000 or more to one or more candidates, the candidate, no later than 30 days after the Bill receives Royal Assent, shall return any contribution in excess of \$4,000 to the contributor, or pay an amount equivalent to the excess beyond \$4,000 to a registered charity or to the local jurisdiction in which the individual is a candidate.

Section 147.95(5)

If a candidate fails to comply with subsection (2), (3) or (4), or an individual fails to comply with subsection (3), the candidate or the individual, as the case may be, is guilty of an offence and liable to a fine of not more than \$5,000.



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