

BYLAW 2715/G/25

**BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA TO
REGULATE THE CONDUCT OF ELECTIONS IN THE MUNICIPALITY**

WHEREAS the *Local Authorities Election Act*, RSA 2000, c. L-21, provides for the conduct of Elections by local authorities; and

WHEREAS the *Local Authorities Election Act* permits the local authority to pass bylaws for the conduct of such Elections;

NOW THEREFORE, the Council of the Town of Stony Plain in the Province of Alberta, duly assembled hereby enacts as follows:

1.0.0 Title

1.1.0 This bylaw may be cited as the "Election Bylaw".

2.0.0 Definitions

2.1.0 "Act" means the *Local Authorities Election Act*, RSA 2000, c. L-21, and amendments thereto.

2.2.0 "Ballot Box" means a container, in a form approved by the Returning Officer, for Ballot Cards that have been marked by Electors.

2.3.0 "Ballot Card(s)" means a printed Ballot Card, in a form approved by the Returning Officer that indicates:

- a) office to be voted on;
- b) names of the candidates;
- c) bylaw name and number or questions if any; and
- d) spaces in which the Elector is to mark their votes.

2.4.0 "Council" means the Council of the Town of Stony Plain elected pursuant to the *Local Authorities Election Act*.

2.5.0 "Counting Centre" means an area designated by the Returning Officer in a controlled access building and equipped for the counting of Election results related to Special Ballot Cards, Advance Vote Ballot Cards, and Institutional Vote Ballot Cards.

2.6.0 "DRO" means a Deputy Returning Officer appointed by the Returning Officer.

2.7.0 "Election" means a municipal general Election, first Election, or by-Election and a vote on a bylaw or question.

2.8.0 "Election Day" means the day fixed for voting at an Election pursuant to the Act.

2.9.0 "Elector" means a person eligible under the Act to vote in an Election.

2.10.0 "Institutional Voting" means voting which may be established for Electors who reside at an institution who are physically unable to attend a Voting Station on an advance vote date or Election Day, and includes eligible Electors of a treatment centre or supportive living facility as defined by the Act.

2.11.0 "Local Jurisdiction" means, the Town of Stony Plain, and includes the Parkland School Division No 70, and the Evergreen Catholic Separate Regional Division No 2.

2.12.0 "Marking Device" means a writing instrument approved by the Returning Officer for use by an Elector to mark a Ballot Card.

2.13.0 "Nomination Day" means the day that is four (4) weeks before Election Day.

2.14.0 "PDRO" means a person who has been appointed by the Returning Officer as a Presiding Deputy Returning Officer in charge of a Voting Station.

2.15.0 "Electors Register" means the prescribed form on which the name of a person has been registered to vote is recorded.

- 2.16.0 “Rejected Ballot Card” means a Ballot Card that has been submitted by the Elector and rejected pursuant to the *Local Authorities Election Act*.
- 2.17.0 “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.
- 2.18.0 “Spoiled Ballot Card” means a Ballot Card that has been returned by an Elector and spoiled pursuant to the *Local Authorities Election Act*.
- 2.19.0 “Town” means the municipal corporation of the Town of Stony Plain, in the Province of Alberta.
- 2.20.0 “Town Administration Office” means the place of the municipal office for the Town located at 4905 – 51 Avenue, Stony Plain, Alberta.
- 2.21.0 “Voting Station” means the place where an Elector votes.

3.0.0 Pre-election Procedures

- 3.1.0 The CAO must prepare a permanent Electors Register of residents in the Town who are entitled to vote in an Election.
- 3.2.0 The Town may:
- 3.2.1 compile or revise the permanent Electors Register manually or by means of any computer-based system; and
 - 3.2.2 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.
- 3.3.0 The Town must enter into an agreement with the Chief Electoral Officer to:
- 3.3.1 receive from the Chief Electoral Officer information that will assist the Town in compiling or revising the permanent Electors Register; and
 - 3.3.2 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.
- 3.4.0 In compiling and revising the permanent Electors Register, the Town:
- 3.4.1 must use information primarily received from the Chief Electoral Officer;
 - 3.4.2 must enter any information in the permanent Electors Register that is collected under the Act during an Election regarding:
 - a. 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,
 - b. the surname, given name and middle initial of the person,
 - c. the residential telephone number of the person,
 - d. the gender of the person,
 - e. the day, month and year of birth of the person, and
 - f. whether the person is a public school resident or a separate school resident; and
 - 3.4.3 may use any other information obtained by or available to the Town to supplement the information received from the Chief Electoral Officer.

4.0.0 General

Returning Officer Authorities

- 4.1.0 In addition to the powers in the Act, the Returning Officer may make such directions considered necessary to ensure the effective conduct of an Election including:
- a. the voting procedures to be used;
 - b. the taking of votes, and
 - c. the counting of votes.

Joint Elections

- 4.2.0 The Returning Officer is authorized to enter into agreements, on behalf of the Town, to conduct Elections on behalf of another Local Jurisdiction in the Town of Stony Plain whose boundaries may or may not be contiguous with the Town but do have areas in common.

Nomination Day

- 4.3.0 Nomination papers shall be received at the Town Administration Office.

Voting Hours on Election Day

- 4.4.0 Voting Stations in the Town shall open at 9:00 a.m. and close at 8:00 p.m. on Election Day.

Voting Stations on Election Day

- 4.5.0 The Returning Officer is hereby authorized to designate more than one Voting Station and the location of those Voting Stations for an Election.

Ballot Cards

- 4.6.0 The Returning Officer shall establish the form of Ballot Card for an Election.
- 4.7.0 Sufficient Ballot Cards shall be printed to ensure that there are Ballot Cards available to each Elector who wishes to vote.
- 4.8.0 The Returning Officer may direct that Ballot Cards for each office may be differentiated by colour or any other means.
- 4.9.0 A separate Ballot Card shall be used to:
- 4.9.1 set out the offices to be voted on in the Election, the candidates for each office, and any bylaws and/or questions that are to be put to the electors in an Election,
 - 4.9.2 contain a brief explanatory note stating the maximum number of candidates for each office for which an Elector can vote without making the Ballot Card void, and
 - 4.9.3 provide a space for the Elector to mark their vote on each Ballot Card.
- 4.10.0 Candidates' names shall be listed on the Ballot Card alphabetically by last name. Each last name will be capitalized and bolded.

Advanced Voting

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

Institutional Voting

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

Special Ballots

- 4.13.0 Electors may vote by Special Ballot during an Election subject to the provisions under the Act.
- 4.14.0 An application for a Special Ballot may be made to the Returning Officer:
- a. in writing;
 - b. by telephone;
 - c. in person; or
 - d. by email.
- 4.15.0 Applications for Special Ballots must be submitted between August 1 of the year in which the Election is held and 4:30 p.m. on the Friday immediately preceding Election Day.
- 4.16.0 Applications for Special Ballots will be sent out from the Town via Canada Post or made available for pick-up at the Town Administration Office.
- 4.17.0 Completed Special Ballots must be received by the Returning Officer no later than 4:30 p.m. on Election Day.

Voting Procedure

- 4.18.0 Each Elector shall be confirmed to be on the Electors Register and produce identification as required by the Act prior to being issued a Ballot Card.
- 4.18.1 If an Elector is not listed on the Electors Register, the Elector will be required to provide proof of identification as required under the Act to confirm eligibility to vote in an Election; upon proof of eligibility, the Elector will be added to the Electors Register and issued a Ballot Card.
- 4.19.0 Each Elector shall be given one Ballot Card, which has been initialed by the DRO, for each applicable office or question for which an Elector can vote.
- 4.20.0 The DRO shall record on the Electors Register that an Elector has received a Ballot Card for any one or more of the following that are applicable to the election:
- 4.20.1 chief elected official;
- 4.20.2 councillors;
- 4.20.3 public school trustees;
- 4.20.4 separate school trustees;
- 4.20.5 bylaw or question.
- 4.21.0 Upon receiving a Ballot Card, an Elector shall immediately proceed to a voting compartment alone to vote.
- 4.22.0 Despite Section 4.21.0:
- 4.22.1 an Elector may bring a minor child into the voting compartment.
- 4.22.2 At the request of an Elector, the Returning Officer must provide Elector assistance in accordance with section 78 of the Act.
- 4.23.0 An Elector shall:
- 4.23.1 only mark the Ballot Card in the voting compartment; and
- 4.23.2 only use the Marking Device provided in the voting compartment to mark the Ballot Card.
- 4.24.0 An Elector shall mark a Ballot Card as follows:
- 4.24.1 with an "X" in the square corresponding with the choice of the Elector's candidate, or if there is more than one vacancy, the candidates of the Elector's choice; and
- 4.24.2 where the Ballot Card is on a bylaw or question, marking an "X" in the square corresponding with the Elector's choice on the bylaw or question either in the affirmative or the negative.
- 4.25.0 After an Elector has finished marking a Ballot Card, the Elector shall:
- 4.25.1 fold the Ballot Card exposing the initials of the DRO who issued the ballot; and;
- 4.25.2 without showing the markings on the Ballot Card to anyone leave the voting compartment and deliver the Ballot Card to the DRO supervising the Ballot Box.
- 4.26.0 Keeping the Ballot Card folded, the DRO supervising the Ballot Box must verify the DRO's initials on the Ballot Card and shall insert the folded Ballot Card into the Ballot Box ensuring not to expose the marks made by the Elector.
- 4.27.0 Notwithstanding subsection 4.25.0, the DRO supervising at the Ballot Box may permit an Elector to deposit the Elector's Ballot Card into the Ballot Box.
- 4.28.0 When the Elector's Ballot Card has been deposited into the Ballot Box, the Elector shall immediately leave the Voting Station.
- 4.29.0 The voting procedures prescribed in this section shall apply during an advance vote and an institutional vote as is practicable and modified as may be necessary at the discretion of the Returning Officer.

Post Voting Procedure at Advance Voting Stations and Institutional Voting

- 4.30.0 Immediately after the close of an Advance Voting Station and Institutional Voting, the PDRO at each Voting Station shall:
- 4.30.1 ensure the doors are locked and all Electors have exited the Voting Station once they complete the voting process,
 - 4.30.2 reconcile the unused, rejected, and spoiled Ballot Cards.
 - 4.30.3 place the rejected and spoiled Ballot Cards, packaged separately, sealed and initialed into a Ballot Box.
 - 4.30.4 seal the Ballot Box against receiving any more Ballot Cards,
 - 4.30.5 ensure the sealed Ballot Box, the Electors Register, the unused Ballot Cards, and all required forms are delivered to the Returning Officer and securely stored until Election Day.
- 4.31.0 The Returning Officer shall record receipt of the sealed Ballot Box, the Electors Register, the unused Ballot Cards, and all required forms.

Post Voting Procedure at Voting Stations on Election Day

- 4.32.0 Immediately after the close of a Voting Station, the PDRO at each Voting Station shall:
- 4.32.1 ensure the doors are locked and all Electors have exited the Voting Station once they complete the voting process,
 - 4.32.2 reconcile the unused, rejected, and spoiled Ballot Cards,
 - 4.32.3 produce a results report of the votes from the Voting Station,
 - 4.32.4 place the rejected and spoiled Ballot Cards, packaged separately, sealed and initialed into a Ballot Box,
 - 4.32.5 seal the Ballot Box against receiving any more Ballot Cards,
 - 4.32.6 ensure the sealed ballot box, the Electors Register, the unused Ballot Cards, and all required forms are delivered to the Returning Officer at the Counting Centre.
- 4.33.0 The Returning Officer shall record receipt of the sealed Ballot Box, the Electors Register, the unused Ballot Cards, and all required forms.

Counting Centre

- 4.34.0 The Returning Officer may designate a single location as a Counting Centre for the purposes of Special Ballot Boxes, Institutional Ballot Boxes, and Advance Vote Ballot Boxes and shall notify all affected candidates, official agents and scrutineers of the location of the Counting Centre.
- 4.35.0 The Returning Officer shall ensure the Counting Centre is secure from unauthorized access by persons who are not entitled to be present during the processing and counting of Election results.
- 4.36.0 At the Counting Centre the Returning Officer shall:
- 4.36.1 ensure that no earlier than 7:30 pm on Election Day, the Special Ballot Box, Institutional Ballot Box, and Advance Vote Ballot Boxes are opened and Ballots Cards are counted;
 - 4.36.2 produce a cumulative results report of the votes from all the Voting Stations;
 - 4.36.3 record receipt of the sealed Ballot Boxes, the Electors Register, the unused Ballot Cards, and all required forms..

Rejected and Spoiled Ballots

- 4.37.0 A Ballot Card is void and will not be counted in the Election results if the Ballot Card:
- 4.37.1 does not bear the initials of the DRO who issued the Ballot Card;
 - 4.37.2 has been torn, defaced, or dealt with in such a way by an Elector that the Elector can be identified;
 - 4.37.3 has been marked for more candidates than there are offices to be filled;
 - 4.37.4 in the event of a bylaw or question, has been marked both in the affirmative and in the negative;
 - 4.37.5 has not been marked by the Elector; or
 - 4.37.6 has been marked outside of the space indicated for the placing of the Elector's mark.
- 4.38.0 If an Elector has inadvertently made a mistake on the provided Ballot Card the Elector may, upon returning it to the DRO who issued the Ballot Card, request a new Ballot Card.

4.39.0 If the Elector requests another Ballot Card, the DRO must issue a new Ballot Card to the Elector and mark the returned Ballot Card "SPOILED" and place it in the envelope provided for Spoiled Ballot Cards. Spoiled Ballot Cards must be retained and kept separately from all other Ballot Cards and must not be counted in the Election results.

Recount by Returning Officer

4.40.0 If the Returning Officer makes a recount under Section 98 of the Act, the voted Ballot Cards shall be recounted in the same manner as the original vote count or as required by the Act.

5.0.0 Severability

5.1.0 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

6.0.0 Effective Date and Review

6.1.0 Bylaw 2641/G/21 is hereby repealed.

6.2.0 This bylaw shall be reviewed prior to the next Election in accordance with the Act.

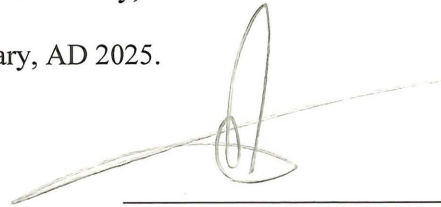
6.3.0 This bylaw shall take full force and effect on the date it is passed.

Read a first time this 27th day of January, AD 2025.

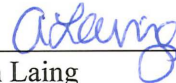
Read a second time this 27th day of January, AD 2025.

Given unanimous consent this 27th day of January, AD 2025.

Read a third time this 27th day of January, AD 2025.



Mayor William Choy



Ann Laing
General Manager, Corporate Services