CITY OF SPRUCE GROVE

BYLAW C-1349-24

ELECTIONS BYLAW

WHEREAS, the *Local Authorities Elections Act*, R.S.A. 2000, c L-21, and amendments thereto, provides for the conduct of elections by local authorities; and

AND WHEREAS the *Local Authorities Elections Act*, R.S.A. 2000, c L-21, and amendments thereto, permits the local authority to pass bylaws for the conduct of such elections;

NOW THEREFORE, the Municipal Council of the City of Spruce Grove, duly assembled, hereby enacts as follows:

1.   BYLAW TITLE

1.1   This bylaw is called the "Elections Bylaw".

2.   DEFINITIONS

2.1   Except as otherwise provided for in this bylaw, the terms used in the Act, where used or referred to in this bylaw, shall have the same meaning as defined or provided in the Act.

2.2   "Act" means the *Local Authorities Election Act*, RSA 2000 cL-21, as amended.

2.3   "Ballot" means a printed or electronically produced paper card indicating the office to be voted on, the name(s) of the candidate(s), the bylaw name and number or the question(s) if any, and containing the space(s) in which the elector is to mark their vote.

2.4   "Ballot Box" means a container, in a form approved by the Returning Officer, intended to contain the voted Ballots.

2.5   "City" means the municipal corporation of the City of Spruce Grove, in the Province of Alberta.

2.6   "Council" means the council of the City elected pursuant to the Act.

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

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

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

2.10 "Local Jurisdiction" means, and includes, the City of Spruce Grove, the Parkland School Division No 70, and the Evergreen Catholic Separate Regional Division No 2.

2.11 "Marking Device" means a writing instrument approved by the Returning Officer for use by an elector to mark a Ballot.

2.12 "Nomination Day" means the day that is 4 weeks before Election Day, which is the deadline for the Returning Officer to receive nominations papers as set out in the Act.

2.13 "Special Ballot" means a mail-in Ballot as described under the Act.

2.14 "Voting Station" means the place where an elector votes.

3. JOINT ELECTION

3.1 The Returning Officer is authorized to enter into agreements, on behalf of the City, to conduct elections on behalf of another Local Jurisdiction in the City whose boundaries may or may not be contiguous with the City but do have areas in common.

4. RETURNING OFFICER

4.1 The City Clerk is hereby appointed the Returning Officer for the City (hereinafter referred to as the "Returning Officer") for the purpose of conducting elections under the Act.

4.2 The Deputy City Clerk is hereby appointed as the substitute Returning Officer for the City, who has and may exercise all the duties, functions and powers of the Returning Officer under the Act, if the Returning Officer is incapable of performing the duties of Returning Officer due to illness, absence or other incapacity.

4.3 If the City Clerk or Deputy City Clerk are unable or unavailable to carry out the duties of the Returning Officer, Council may by resolution appoint another person to be Returning Officer.

5. NOMINATION FORM

5.1 The Returning Officer is hereby delegated the authority to establish one or more locations, in addition to the Local Jurisdiction office, where nominations may be received.

5.2 Each nomination form of a candidate must:

(a) be signed by a minimum of twenty-five (25) electors eligible to vote in that election and resident in the Local Jurisdiction on the date of signing the nomination;

(b) be accompanied with a deposit of one hundred dollars ($100.00); and

(c) be accompanied with a criminal record check that is dated no earlier than 30 days prior to the date the nomination form is submitted.

5.3 The person nominated as a candidate is responsible for ensuring that the nomination filed meets the requirements of the Act and this Bylaw.

6. VOTING STATIONS

6.1 The Returning Officer is hereby delegated the authority to designate more than one Voting Station and the location of those Voting Stations.

7. ADVANCE VOTING

7.1 Any Ballot Box used in the advance vote shall be sealed upon completion of the vote and shall not be unsealed and opened until the close of Voting Stations on Election Day.

7.2 The advance vote sealed Ballot Box(s) shall be returned to the Counting Centre, or other location specified by the Returning Officer.

8. **INSTITUTIONAL VOTING**

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

8.2 Any Ballot Box used at an institutional vote shall be sealed upon completion of the vote and shall not be unsealed and opened until the close of voting stations on Election Day.

9. **SPECIAL BALLOTS**

9.1 The Returning Officer is hereby delegated the authority to provide for Special Ballots.

9.2 Eligible electors may apply to vote by Special Ballot.

9.3 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.

9.4 Applications for Special Ballots shall be submitted between August 1 of the year in which the general Election is taking place and 4:00 p.m. on the Friday immediately preceding Election Day.

9.5 Completed Special Ballots shall be received by the Returning Officer no later than 4:30 p.m. on Election Day.

10. **VOTING HOURS ON ELECTION DAY**

10.1 Voting Stations shall open promptly at 9:00 a.m. on Election Day and remain continuously open until 8:00 p.m.

10.2 The Presiding Deputy Returning Officer shall determine when it is the appointed hour to open and close the Voting Station, as set out in this bylaw.

10.3 This section applies to all Voting Stations that are subject to an agreement under sections 2(2) or 3(1) of the Act.

11. CLOSING OF VOTING STATIONS

11.1 Immediately after the close of a Voting Station, the Presiding Deputy Returning Officer at that Voting Station shall ensure the doors are locked and all electors have exited once they complete the voting process.

12. COUNTING CENTRE

12.1 The Returning Officer may designate a location as a Counting Centre and shall notify all affected candidates, official agents and scrutineers of the location of the Counting Centre.

12.2 The Returning Officer shall ensure the Counting Centre is secure from unauthorized access by persons who are not entitled to be present during the processing and tabulation of results.

12.3 The Special Ballot Box may be unsealed at the Counting Centre no earlier than 7:30 p.m. on Election Day; and in the presence of the Returning Officer and a Deputy, and count the Ballots.

12.4 The Returning Officer shall preside at the Counting Centre and shall:

(a) receive all sealed Ballot Boxes;

(b) record receipt of Ballot Boxes;

(c) verify the seal of each Ballot Box;

(d) review and verify Ballot accounts from each Voting Station, the advance vote, the institutional vote and Special Ballot vote; and

(e) produce a cumulative tally from all the Voting Stations.

12.5 The Returning Officer may delegate any of the duties under this section to a Deputy Returning Officer.

13. SEVERABILITY

13.1   Every provision of this bylaw is independent of all other provisions and if any provision is declared invalid by a Court, then the invalid provisions shall be severed and the remainder provisions shall remain valid and enforceable.

14. EFFECTIVE DATE

14.1   This bylaw shall come into force and effect when it receives third reading and is duly signed.

15. REPEAL OF BYLAW C-1277-23

15.1   Bylaw C-1277-23 is hereby repealed.

First Reading Carried   28 October 2024

Second Reading Carried   28 October 2024

Third Reading Carried   28 October 2024

Date Signed   28 October 2024

_____
Mayor

_____
City Clerk