

BYLAW 24-022

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A BYLAW OF LETHBRIDGE COUNTY TO  
PROVIDE FOR MUNICIPAL ELECTIONS WITHIN  
LETHBRIDGE COUNTY

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**WHEREAS** the Local Authorities Election Act, Chapter L-21, R.S.A. 2000, as amended, (hereinafter referred to as the "Act"), provides for the holding of local elections by municipalities;

**AND WHEREAS** the Act 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 Education Act, Chapter E-0.3, R.S.A., 2000 as amended;

**AND WHEREAS** the Municipal Government Act Chapter M-26, R.S.A. 2000, provides for the submission of bylaws and questions to the electors.

**NOW THEREFORE** the Municipal Council of Lethbridge County, duly assembled, enacts as follows:

**PURPOSE**

**PART 1 – PURPOSE, DEFINITIONS AND INTERPRETATION**

1. This Bylaw may be called the "Municipal Elections Bylaw".
2. The purpose of this Bylaw is to delegate authority and establish rules for the conduct of elections in accordance with the requirements of the *Act*.
3. If there is any conflict between a provision of the Bylaw and a provision of one or more of the following:
  - a) the Act;
  - b) the Alberta Senate Election Act, Chapter A-33.5, 2019 as amended;
  - or
  - c) the Referendum Act, Chapter R-8.4, R.S.A. 2000 as amended

the provision of the statute prevails.
4. The provisions of this Bylaw apply in generally the same fashion, but with all the necessary modifications, to:
  - a) a by-election; or
  - b) an election for trustees or any other election conducted in conjunction with an election for County Council

**DEFINITIONS**

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. In this Bylaw, the following terms shall have the following meanings:

- a) "Ballot" means a printed form 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;
- b) "Ballot Account" means an account of ballots prepared in the form required by the Act;
- c) "Ballot Box" means the container for ballots that have been marked by the electors;
- d) "Council" means the Council of Lethbridge County, elected pursuant to the Municipal Government Act;
- e) "County" means the municipal corporation of Lethbridge County, in the Province of Alberta;
- f) "Counting Centre" means the area designated by the Returning Officer and equipped for the counting of votes;
- g) "Deputy" means Deputy Returning Officers appointed by the Returning Officer to assist with an election;
- h) "Election Day" means the day fixed for voting at an election;
- i) "Elector Register" means an Elector Register of residents in the municipality who are eligible to vote that is compiled and revised primarily using information received from the provincial Chief Electoral Officer;
- j) "Marking Device" means the pen or other instrument, approved by the Returning Officer, for the use in marking Ballot(s) by the elector;
- k) "Nomination Day" is the day four weeks before Election Day;
- l) "Returning Officer" means the person appointed by Council of Lethbridge County to execute the municipal election;
- m) "Transfer Box" means a box used to transport election materials from a voting station to the Returning Officer;
- n) "Voting Station" means a place where an Elector votes;
- o) "Voting Subdivision" means that area of a local jurisdiction designated as a voting subdivision by the Returning Officer.

## **PART II – JOINT ELECTION**

### **JOINT ELECTION WITH ANOTHER ELECTED JURISDICTION**

1. Lethbridge County may conduct elections on behalf of other elected local jurisdiction in Lethbridge where an agreement has been established.

## **PART III – ELECTION WORKERS**

1. The Returning Officer may be assisted by one or more Deputies and by such other persons as may be necessary to carry out all duties under the Act.

## **PART IV – PREPARATION FOR ELECTIONS ELECTOR REGISTER**

1. As per the Act, the Returning Officer must prepare a permanent Elector Register of residents in the City who are entitled to vote in Elections.

## **NOMINATIONS**

1. The Returning Officer or the Deputy Returning Officers will receive all nominations at the County Administration Office, 100, 905 4 Avenue South, Lethbridge, Alberta in accordance with the Act.
2. A deposit in the amount of \$100.00 must be collected with nomination papers.
3. The minimum number of electors required to sign the nomination papers of a candidate for the office of Councillor is five (5).
4. The Release of Information form must be signed along with nomination papers.

## **DEATH OF A CANDIDATE**

1. If a candidate dies after being nominated, the Returning Officer shall cause a notice of the death to be posted at all relevant voting stations.

## **FORM OF BALLOT**

1. Ballots for candidates may be in the general form prescribed by the Returning Officer.
2. Following Nomination Day, the Returning Officer will ensure there are sufficient ballots for the election.

## **PART VI – VOTING PROCEDURES VOTING SUBDIVISIONS AND VOTING STATIONS**

1. The Returning Officer may alter the boundaries of voting subdivisions and create additional voting subdivisions.

2. The Returning Officer may designate more than one voting station for each subdivision and the location of those voting stations.

### **VOTING STATION**

1. Each voting compartment in each voting station shall have a copy of the "Instructions for Electors" posted within each voting compartment, at a location within the voting station and shall ensure that the instructions remain posted until the close of the voting station.

### **REGISTRATION**

1. A Deputy responsible for issuing ballot(s) will:
  - a) Ensure that the elector is voting in the correct voting station;
  - b) Ensure that every person who wishes to vote shall complete the prescribed form(s) which states the following:
    - i. The name and address of the elector;
    - ii. whether the elector is a Public School Resident or Separate School Resident; and
    - iii. The elector is eligible to vote as an elector.

### **ELECTOR IDENTIFICATION**

1. An elector may vote after producing government issued identification as prescribed by the Act or identification approved by the Minister of Municipal Affairs and is named on the permanent Elector Register.

### **VOTING PROCEDURES**

#### **MARKING BALLOT**

1. Once permitted to vote, the elector shall be given ballot(s) that has been initialed by the Deputy.
2. Upon receiving the ballot(s), the elector shall forthwith proceed to the voting compartment to vote.
3. While the elector is in the voting compartment, they shall mark the ballot(s) only with the Marking Device provided by marking with an "X" in the square designated for a vote adjacent to the candidate's name.

#### **CHECKING AND INSERTING BALLOTS**

1. The elector may not mark the ballot for more candidates than there are offices to be filled.
2. After the elector has finished marking the ballot(s) and has completed their voting, they shall:
  - a) fold the ballot;
  - b) leave the voting compartment; and
  - c) insert the ballot(s) in the Ballot Box(es), or request the Deputy to do so on their behalf, if they so desire.

### **SPOILED BALLOT**

1. If the elector requests another ballot(s), the Deputy must issue a new ballot(s) to the elector and mark the returned ballot(s) "SPOILED". Spoiled ballots must be retained and kept separately from all other ballots.

### **PART VII – ADVANCE VOTE**

1. An advance vote will be held in an election for the local jurisdiction.
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.
3. The voting procedure described shall, insofar as is practical, apply to an Advance Vote and may be modified as necessary upon the direction of the Returning Officer.
4. The Deputy must ensure on the completion of each day of the Advance Vote, that the Ballot Boxes used are sealed to prevent the insertion of additional ballots and are delivered to the Election Office or other location(s) specified by the Returning Officer.
5. The Returning Officer must ensure that the Ballot Boxes used for the Advance Vote remain sealed until the counting process is started.

### **PART X - POST VOTE PROCEDURES**

#### **CLOSING STATION – BALLOT BOX**

1. Immediately after the close of the voting station, the Deputies shall:
  - a) seal and initial the Ballot Boxes and provide the sealed Ballot Boxes for delivery to the Counting Centre; and
  - b) count the unused ballots and place the unused ballots and the spoiled ballots, together with the Elector Register, if any, and all oaths, declarations and statements, if any, in designated Transfer Box(es) and deliver them as directed by the Returning Officer.

#### **COUNTING CENTRE**

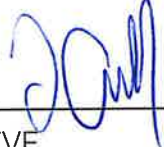
1. The Returning Officer shall determine the location of Counting Centre(s) and procedures associated with the counting.
2. The Returning Officer may count the advance vote Ballot Boxes immediately after 7:30 p.m. on Election Day. Any of the results may not be generated prior to 8:00 p.m. on Election Day.
3. After the completion of counting, the Ballot Boxes, the Transfer Boxes, and other records shall be stored as directed by the Returning Officer.

4. Any recounts required will be in accordance with the Act.

**PART XII – GENERAL**

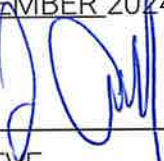
1. The Returning Officer, when necessary, is hereby authorized to make application to the Minister of Municipal Affairs and to the Lieutenant Governor in Council for the requisite directions or regulations pursuant to the Act, for the approval and implementation of the procedure prescribed by this bylaw, or any other directions or regulations for conducting an election permitted by the Act.
2. Bylaw 313 – Unnecessary to Complete List of Electors is hereby rescinded.
3. Bylaw 750 – Election Deposits is hereby rescinded.
4. Bylaw 21-012 – Electronic Voting Machine Bylaw is hereby rescinded.
5. This Bylaw shall come into effect on the date of final passing thereof.

READ A FIRST TIME THIS 19<sup>th</sup> DAY OF DECEMBER 2024.

  
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REEVE

  
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CAO

READ A SECOND TIME THIS 19<sup>th</sup> DAY OF DECEMBER 2024.

  
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REEVE

  
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CAO

READ A THIRD TIME THIS 19<sup>th</sup> DAY OF DECEMBER 2024.

  
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REEVE

  
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CAO