

## BYLAW 1878-17

### A BYLAW IN THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA, FOR THE REGULATION OF THE MUNICIPAL ELECTION IN THE CITY OF WETASKIWIN.

**WHEREAS** the *Local Authorities Election Act*, Chapter L-21, RSA 2000, as amended, provides for the holding of local elections by municipalities;

**WHEREAS** pursuant to the *Local Authorities Election Act*, Chapter L-21, RSA 2000, as amended, an elected authority may provide for an Advanced Vote;

**WHEREAS** pursuant to the *Local Authorities Election Act*, Chapter L-21, RSA 2000, as amended, an elected authority may establish locations for an Institutional Vote;

**WHEREAS** pursuant to the *Local Authorities Election Act*, Chapter L-21, RSA 2000, as amended, an elected authority may provide for the taking of votes of the electors by means of an Automated Voting System;

**NOW THEREFORE** the Municipal Council of the City of Wetaskiwin in the Province of Alberta enacts as follows:

1. Title: This bylaw shall be called the "Municipal Election Bylaw"
  
2. Definitions:
  - 2.1 "Act" means the Local Authorities Election Act, Chapter L-21, RSA 2000, as amended;
  - 2.2 "Advanced Voting" means early voting dates that accommodate voters who would be otherwise unable to vote on Election Day;
  - 2.3 "Automated Voting System" means the voting machines used for the purpose of collecting Ballot Cards and counting votes. This includes:
    - 2.3.1 hardware, such as devices;
    - 2.3.2 software used to tabulate results;
  - 2.4 "Ballot Card" means the paper ballot presented to the elector on which is printed the municipality in which they are voting, the names of the candidates and/or the bylaw or question to be voted on, and spaces to mark their vote;
  - 2.5 "City of Wetaskiwin" means the municipal corporation of the City of Wetaskiwin in the Province of Alberta;
  - 2.6 "CAO" means the City Manager of the City of Wetaskiwin;

- 2.7 "Counting Centre" means the area designated by the Returning Officer in a controlled access building and equipped for the counting of votes and the tabulation of election results;
- 2.8 "Institutional Vote" means the mobile Voting Station set up at alternative locations to the main Voting Station to accommodate voters who would be unable to travel to the regular Voting Station on Election Day;
- 2.9 "Register Tapes" means the printed record generated from the Automated Voting System device;
- 2.10 "Secrecy Sleeve" means an open-ended envelope used to cover the Ballot Card to conceal the Voter's marks but reveals the Deputy Returning Officer's initials;
- 2.11 "Voting Station" means the location where an elector votes;
- 2.12 "Voting Register" means the record of electors who cast a ballot in the election.

3. Returning Officer:

- 3.1 Council shall appoint an individual by resolution to act as Returning Officer to conduct the Municipal Election for the City of Wetaskiwin.
- 3.2 The Returning Officer is authorized to negotiate and enter into agreements on behalf of the City of Wetaskiwin for the conduct of the Municipal Election subject and in accordance with the City of Wetaskiwin policies and procedures.

4. Nominations:

- 4.1 The Returning Officer will receive nominations of candidates for the City of Wetaskiwin elections between the hours of 10:00AM and 12:00PM noon on Nomination Day and on any subsequent day to which the time for receipt of nominations is adjourned.
- 4.2 The Returning Officer may establish locations, in addition to the local jurisdiction office, where a Deputy Returning Officer may receive nominations.

5. Voting Subdivisions:

- 5.1 The Returning Officer may establish voting subdivisions, alter the boundaries of voting subdivisions and create additional voting subdivisions as long as the changes are made before notice of election is given.

6. Ballots:

6.1 The general form of the ballot is located in schedule A.

6.2 Following Nomination Day, the Returning Officer will ensure sufficient ballots are prepared and printed for Election Day and for the Advanced Vote.

7. Voting Hours:

7.1 Every Voting Station will be kept open continuously on Election Day from 10:00AM to 8:00PM.

7.2 The hours of Advanced Voting will be established by the Returning Officer and advertised in accordance with the Act.

8. Advanced Voting

8.1 City Council may by resolution provide that an Advanced Vote be held for any general election, bi-election, vote on a question, or a vote on a bylaw in the City of Wetaskiwin.

8.2 The Advanced Vote will be held on the dates and times set by the Returning Officer.

8.3 An Automated Voting System may be used to conduct the Advanced Vote and automated voting procedures shall be held in accordance with the Voting Procedures established in this Bylaw.

8.4 At the end of each day of an Advanced Vote the presiding Deputy Returning Officer will secure the Automated Voting System so that no more ballots can be inserted and physically lock the master control unit.

8.5 The Automated Voting System device(s) used in the Advance Vote will be closed and sealed upon the completion of the Advanced Vote and will remain like that until opened for the counting of ballots on Election Day.

9. Institutional Vote:

9.1 City Council may by resolution provide that an Institutional Vote be held for any general election, bi-election, vote on a question, or a vote on a bylaw in the City of Wetaskiwin.

9.2 The locations for the Institutional Vote are established in accordance with the Act. A list of the locations is located in the attached Schedule B of this bylaw.

9.3 The time(s) of the Institutional Vote on Election Day shall be determined by the Returning Officer and posted at the Institutional Vote at least two days before the vote is to be taken.

9.4 The Deputy Returning Officers, accompanied by an official of the institution, will locate the mobile Voting Station in a common area for those patients or residents who desire to vote during the designated times.

9.5 Ballot Cards shall be collected in a mobile ballot box; upon return to the Counting Centre the Ballot Cards shall be fed from the ballot box into the Electronic Voting System device by the Deputy Returning Officer(s).

10. Automated Voting System:

10.1 The taking of votes of the electors and the tabulation of election results on any question or any bylaw or in any election conducted by the City may be done by means of an Automated Voting System as directed by the Returning Officer.

10.2 In the event that an Automated Voting System is used in the election, the Returning Officer will:

10.2.1 satisfy himself or herself, prior to the date of the election, that the Automated Voting System has been pre-tested and is accurate and in good working order; and

10.2.2 take whatever reasonable safeguards may be necessary to secure the Automated Voting System and any part thereof, including the Automated Voting System devices and the ballot boxes from unauthorized access, entry, use, tampering, or any unauthorized use of the ballot cards or tabulated results.

10.2.3 establish procedures and guidelines for the Deputy Returning Officer(s) related to the preparation and operation of the Automated Voting System.

11. Notwithstanding anything in this bylaw, in the event of:

11.1 a malfunction of an Automated Voting System;

11.2 the unavailability of an Automated Voting System or any of its components;

11.3 anything related to the operation of an Automated Voting System or any of its components;

11.4 In the event a scenario from section 11, the Returning Officer may make any directions that he or she thinks necessary or desirable with respect:

11.4.1 to the voting procedures to be used;

11.4.2 to the taking of votes;

11.4.3 for the counting of the votes; and

11.4.4 where required, for a recount;

subject to the provisions of this Bylaw and the Act.

12. Voting Procedures:

12.1 In accordance with the provisions of the Act all electors on City of Wetaskiwin Municipal Elections will be required to show identification as prescribed by the Act prior to being given a ballot card.

12.2 Each elector eligible to vote shall be given:

12.1.1 the ballot card(s) that the elector is eligible to receive and that has been initialled by a deputy;

12.1.2 a secrecy sleeve; and

12.1.3 an explanation of the voting procedures.

12.3 Upon receiving the ballot card(s) and secrecy sleeve, the elector will proceed to the voting compartment to vote. While the elector is in the voting compartment, the elector will

12.3.1 mark the ballot cards only with the marking instrument provided in the compartment, by marking his/her choice of candidate or,

12.3.2 where there is more than one vacancy, the candidates of the elector's choice;

12.3.3 where the ballot includes a bylaw or question, the elector will mark his/her vote within the portion of the ballot containing the affirmative or negative, for or against, whichever way he/she decides to vote by marking his/her choice.

12.4 After the elector has finished marking the ballot card and has completed voting, he/she shall immediately:

12.4.1 insert the ballot card into the secrecy sleeve without showing the markings on the ballot card to anyone and without folding the ballot card; and

12.4.2 leave the voting compartment and deliver the secrecy sleeve, containing the ballot card, to the deputy supervising the ballot box and/or the Automated Voting System device.

12.5 Each elector must follow the voting procedures as set out in this bylaw and as posted in the Voting Station; and upon casting his or her ballot, the elector shall leave the Voting Station.

13. Vote on a Bylaw or a Question

13.1 Unless otherwise specified by a statute or decided by council, a vote on any bylaw or question will be held in conjunction with a general municipal election.

14. Spoiled Ballot Card:

14.1 If a voter has made a mistake when marking a Ballot Card, the voter may return the Ballot Card to the Deputy Returning Officer.

14.2 The Deputy Returning Officer must issue a new Ballot Card to a voter and mark the Ballot Card 'SPOILED' if the Deputy Returning Officer is satisfied the voter made a mistake.

14.3 If a Ballot Card is rejected by the Automated Voting System device, the Deputy Returning Officer at the ballot box must advise the voter to request another Ballot Card.

14.4 If the voter requests another Ballot Card, the Deputy Returning Officer must issue a new Ballot Card to the voter and mark the returned Ballot Card 'SPOILED.'

14.5 If the voter refuses to request another Ballot Card, the Ballot Card must be inserted into the Automated Voting System device.

14.6 Spoiled Ballot Cards must be retained and kept separately from all other Ballot Cards.

15. Sealing of Ballot Boxes:

15.1 Automated Voting System devices used to collect votes are deemed to be a sealed ballot box.

15.2 Prior to the removal of the ballot box(es) from any Voting Station, the ballot box(es) containing the ballots shall be:

15.2.1 closed and sealed with the presiding Deputy Returning Officer's seal so that it cannot be opened without breaking the seal; and

15.2.2 marked on the outside with the Voting Station name and number.

15.3 The ballot boxes used in the Institutional Vote will be closed and sealed upon the completion of the Institutional Vote on Election Day and will remain like that until opened for the counting of ballots after polls close.

15.4 The Returning Officer may direct that the Institutional Vote ballot box(es) be delivered to the Counting Centre until it is opened for the counting of ballots after

polls close on Election Day, or may make any other direction deemed necessary for the storage of the ballot boxes.

16. Post Vote Procedures

16.1 The Presiding Deputy Returning Officer shall not permit more than one candidate or his or her agent, or more than one agent of either side of a vote on a bylaw or question to be present at the same time after the Voting Station is closed.

16.2 Immediately after the close of the Voting Station, the Presiding Deputy Returning Officer shall in the presence of at least one Deputy and any additional officers that he or she considers necessary, and the candidates or their agents, if any, shall:

16.2.1 ensure that ballots from the Institutional Vote are inserted into an Automated Voting System device;

16.2.2 secure the Automated Voting System device so that no more ballot cards can be inserted;

16.2.3 produce the required number of copies of the register tape(s) from the Advance Vote, the Institutional Vote and Election Day as directed by the Returning Officer;

16.2.4 together with another Deputy, certify the register tape(s) as directed by the Returning Officer;

16.2.5 package separately, in ballot boxes, the printed register tape along with the voting register and all statements;

16.2.6 seal and initial the ballot box(es) and ensure they are ready to be delivered to the Returning Officer.

17. Recount

17.1 If the Returning Officer conducts a recount, pursuant to the Act, the votes shall be recounted using the Automated Voting System.

18. Disposal of Election Material

18.1 Upon completion of the tabulation of the election results, the City Manager or designate shall retain the voting registers, the ballot boxes with their seals unbroken, for six (6) weeks from the date of voting unless otherwise directed by a court of law.

18.2 After six weeks from the date of voting the City Manager or designate will ensure that all voter registers and printed ballot tapes are destroyed in accordance with the Act.

19. General

19.1 Bylaws 1809-13 and 1694-07 are hereby repealed.

19.2 Bylaw 1878-17 shall take full force and effect after third reading and upon being signed.

Read a first time this 11<sup>th</sup> day of April, 2017.

Read a second time this 11<sup>th</sup> day of April, 2017.

Read a third time this 11<sup>th</sup> day of April, 2017.

\_\_\_\_\_  
ORIGINAL SIGNED  
Mayor

\_\_\_\_\_  
ORIGINAL SIGNED  
City Manager



SCHEDULE A – FORM OF THE BALLOT



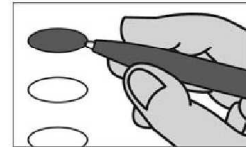
# GENERAL ELECTION

Monday October 16, 2017

**DRO INITIALS**

**INSTRUCTIONS TO VOTE:**

Using a blue or black ink pen, completely fill in the oval to the right of the candidate(s) of your choice, like this:



Ballot for the office of:

**MAYOR**

You are entitled to vote for ONE (1) candidate for this office.

Candidate M1

Candidate M2

Candidate M3

Candidate M4

Ballot for the office of:

**COUNCILLOR**

You are entitled to vote for up to SIX (6) candidates for this office.

Candidate A1

Candidate A2

Candidate A3

Candidate A4

Candidate A5

Candidate A6

Candidate A7

Candidate A8

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# GENERAL ELECTION

Monday October 16, 2017

**DRO INITIALS**

**INSTRUCTIONS TO VOTE:**

Using a blue or black ink pen, completely fill in the oval to the right of the candidate(s) of your choice, like this:



Ballot for the office of: <b>MAYOR</b> You are entitled to vote for ONE (1) candidate for this office.	Ballot for the office of: <b>COUNCILLOR</b> You are entitled to vote for up to SIX (6) candidates for this office.	Ballot for the office of: <b>SCHOOL TRUSTEE</b> Wetaskiwin Regional Public School Division You are entitled to vote for up to _____ candidates for this office.
Candidate M1 <input type="radio"/>	Candidate A1 <input type="radio"/>	Candidate PS1 <input type="radio"/>
Candidate M2 <input type="radio"/>	Candidate A2 <input type="radio"/>	Candidate PS2 <input type="radio"/>
Candidate M3 <input type="radio"/>	Candidate A3 <input type="radio"/>	Candidate PS3 <input type="radio"/>
Candidate M4 <input type="radio"/>	Candidate A4 <input type="radio"/>	Candidate PS4 <input type="radio"/>
	Candidate A5 <input type="radio"/>	Candidate PS5 <input type="radio"/>
	Candidate A6 <input type="radio"/>	Candidate PS6 <input type="radio"/>
	Candidate A7 <input type="radio"/>	
	Candidate A8 <input type="radio"/>	



# GENERAL ELECTION

Monday October 16, 2017

**DRO INITIALS**

**INSTRUCTIONS TO VOTE:**

Using a blue or black ink pen, completely fill in the oval to the right of the candidate(s) of your choice, like this:



Ballot for the office of: <b>MAYOR</b> You are entitled to vote for ONE (1) candidate for this office.	Ballot for the office of: <b>COUNCILLOR</b> You are entitled to vote for up to SIX (6) candidates for this office.	Ballot for the office of: <b>SCHOOL TRUSTEE</b> St. Thomas Aquinas Roman Catholic Separate School Division You are entitled to vote for up to _____ candidates for this office.
Candidate M1 <input type="radio"/>	Candidate A1 <input type="radio"/>	Candidate SS1 <input type="radio"/>
Candidate M2 <input type="radio"/>	Candidate A2 <input type="radio"/>	Candidate SS2 <input type="radio"/>
Candidate M3 <input type="radio"/>	Candidate A3 <input type="radio"/>	Candidate SS3 <input type="radio"/>
Candidate M4 <input type="radio"/>	Candidate A4 <input type="radio"/>	Candidate SS4 <input type="radio"/>
	Candidate A5 <input type="radio"/>	
	Candidate A6 <input type="radio"/>	
	Candidate A7 <input type="radio"/>	
	Candidate A8 <input type="radio"/>	

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## SCHEDULE B – INSTITUTIONAL VOTING LOCATIONS

- (a) Health Services – David Thompson Health Region
  - i. Hospital
  - ii. Long Term Care
- (b) Good Shepherd Lutheran Home
- (c) Peace Hills Lodge
- (d) Kiwanis Court
- (e) Wetaskiwin Meadows
- (f) Madyson Manor
- (g) Sunrise Village