


# Town of

The logo for the Town of Olds features the word "OLDS" in a large, bold, sans-serif font. Each letter is filled with a pattern of overlapping, semi-transparent shapes in shades of blue, yellow, and green, creating a modern, multi-colored effect.

## 2020 Municipal By-Election

### Information for Candidates for the Office of:

- **Councillor**

Note: All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulation should be consulted for all purposes of interpreting and applying the law.

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## INTRODUCTION

This information package has been assembled for your information and contains some of the provisions most frequently questioned. It also contains some very important but lesser-known facts of which candidates should be aware.

This information is certainly not all-inclusive, and any person wishing a complete copy of the Local Authorities Election Act and/or the Municipal Government Act may obtain copies from:

The Queens Printer for Alberta  
7<sup>th</sup> Floor, Park Plaza  
10611 – 98 Avenue  
Edmonton, AB T5K 2P7  
Telephone: 780-427-4953  
E-mail: [qp@gov.ab.ca](mailto:qp@gov.ab.ca)

or from their website at [www.qp.alberta.ca](http://www.qp.alberta.ca)

Should you wish to view any Provincial Statutes or Town Bylaws, or if you have any questions or desire further information, please do not hesitate to contact:

Marcie McKinnon  
Returning Officer  
Town of Olds  
Telephone: 403-556-6981  
e-mail: [mmckinnon@olds.ca](mailto:mmckinnon@olds.ca) OR [legislative@olds.ca](mailto:legislative@olds.ca)

This is an information package only and has no legislative sanction. For certainty, the relevant statutes, regulations and bylaws should be consulted.

## COLLECTION OF PERSONAL INFORMATION

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 about the collection of this information, contact Cara Cochrane, FOIP Coordinator, Town of Olds, at (403) 556-6981 or email [ccochrane@olds.ca](mailto:ccochrane@olds.ca) during regular business hours.

## PURPOSES OF A MUNICIPALITY

The purposes of a municipality are as contained in Section 3 of the Municipal Government Act, are:

- (a) to provide good government,
  - (a.1) to foster the well-being of the environment,
- (b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality,
- (c) to develop and maintain safe and viable communities, and
- (d) to work collaboratively with neighbouring municipalities to plan, deliver and fund intermunicipal services.

These purposes are to govern the direction and decisions of a Council.

## INFORMATION FOR PROSPECTIVE CANDIDATES FOR THE OFFICE OF COUNCILLOR

Term of Office: ends October 2021 election

Duties: Section 153 of the Municipal Government Act (MGA) General duties of councillor, provides as follows:

### General Duties of Councillors

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;
- (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); and
- (f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.

Councillors are appointed by council to various boards and committees (described later in this document) and serve as Deputy Mayor as established at the annual organizational meeting held the fourth Monday in October.

### REMUNERATION

The following rates and fees from the Town of Olds Remuneration Policy No. 106C came into effect on November 26, 2018.

Members of Council Honorarium Rates:

- Councillor \$1,543.79 per month (2018 Rates)

The following constitutes an Honorarium:

- Regular Organizational Meeting
- Regular Council Meetings
- Public Hearings that are part of Regular or Special Council Meetings
- Preparation time for meetings
- Meetings with residents
- Correspondence related to Council business
- Public Events including the following and is not limited to:
  - Canada Day

- Remembrance Day
- Summer Oldstice
- Olds Fashioned Christmas
- Volunteer Appreciation
- Grand Openings and Ribbon Cuttings
- Anniversaries/Birthdays/Graduations
- National Indigenous Peoples Day
- Any staff functions

The following Per Diem rates are:

- < 30 minutes \$ 50.00
- 30 minutes to 2 hours \$100.00
- 2 to 4 hours \$150.00
- 4 to 8 hours \$250.00
- 8 plus hours \$325.00 (Covers an actual full day of 10-14 hour days (including travel time). The Per Diem would compensate for the actual time away from home, business or other activities.)
- Special Events \$100.00

Claimable Per Diems includes the following:

- Policies and Priorities Committee Meetings
- Ad Hoc Committee Meetings
- Special Council Meetings
- Travel time
- Public Hearings outside of a Regular Council Meeting
- Meetings outside of a Regular Council Meeting such as meetings with community partners and ministries
- Meetings of Authorities, Boards, Commissions, Committees that the member, or alternate has been appointed to that do not Remunerate
- Conferences, Conventions, Education Sessions, Seminars and Workshops
- Elected Official Orientation and Training
- Special Events such as golf tournaments, facility tours and galas

Other

- Travel by personal vehicle may be claimed at the current rate per kilometer as approved by the Provincial Government. Mileage will need to be logged and reimbursed along with other monthly expenses.
- The actual cost of lodging and meals supported by paid receipts while on Town business.
- Councillors are eligible to enroll in any benefit program(s), offered to elected officials by the carriers of Town benefit programs, with 100% of the cost of the premium paid by the Town of Olds.

## **MEETINGS AND TIME COMMITMENT**

The time commitment required of an elected official is considerable. The rule of thumb is, for every scheduled Council, Board or Committee meeting, multiply that by two.

Regular council meetings are scheduled: the second Monday of each month at 1 p.m. and the fourth Monday of each month at 6 p.m. On average these meetings last two hours, however from time to time last much longer. Each year, at the Council Organizational Meeting (held the fourth Monday in October) the regular council meeting schedule is approved, by resolution, for the next twelve month period.

Policy and priority committee meetings are held the first Monday of each month at 1 p.m. On average these meetings last two hours, however, from time to time last much longer.

CAO briefings are held the third Monday of each month from 1 p.m. to 3 p.m.

On a normal election year, a regional Council orientation is scheduled for after the election and all elected officials are strongly encouraged to attend. The session will be facilitated by an experienced municipal consultant. The session is to provide information on the duties of an elected official including: Council roles and responsibilities, policies, meeting procedures, resolutions, bylaws, planning documents, the budget process, the committees and their terms of reference and will include a presentation by a municipal lawyer on legal issues that elected officials need to be aware of.

Regional communities make up the Municipal Area Partnership (MAP): Carstairs, Cremona, Didsbury, Mountain View County, Olds and Sundre.

The Alberta Urban Municipalities Association (AUMA), of which the Town is a member, holds a convention in the fall of each year. The mayor and all councillors normally attend this convention. The convention location moves between and Edmonton, Calgary and Red Deer.

The AUMA Board of Directors schedules Municipal Leadership Caucus meetings three to four times a year. They were designed as way to meet with groups of members based on population thresholds to facilitate decision-making by establishing direct communications on a regular basis.

The Rural Municipalities of Alberta (RMA), holds a convention in the Spring and Fall in Edmonton, AB. The mayor and a councillor typically attend one convention each year.

The Federation of Canadian Municipalities (FCM), of which the Town is also a member, holds a convention in the Spring, and moves between the Provinces from year to year. In an effort to offer equal opportunity:

- the Mayor is approved to attend the annual conference of the Federation of Canadian Municipalities (FCM) every two years when hosted outside Alberta.
- Up to three members of Council (excluding the Mayor) are approved to attend FCM conferences and attendance will be completed on a two year rotating basis. All Elected Officials will be permitted to attend FCM when the FCM Conference is held in Alberta.

## **EXTERNAL COMMITTEE MEETINGS**

Only those elected officials, or alternates who are appointed to serve on a committee and/or board are required to attend meetings of those boards or committees; only those appointed have the right to vote at those meetings.

There are several types of committees:

- Committees established under the Municipal Government Act.
- Committees established under other legislation.
- Other committees and/or boards that request or require representation by a councillor.

The following is a list of the boards, commissions and committees to which councillors are presently appointed:

- Central Alberta Economic Partnership (1 member) – meet every 2<sup>nd</sup> month
- Chamber of Commerce - Olds & District (1 member) – meet monthly
- Citizens on Patrol (COP) (1 member) – meet every 2<sup>nd</sup> month
- Community Policing Society (Olds and District) (1 member)
- Emergency Management / Disaster Services (all of council)
- Family and Community Support Services Committee (1 member) – meet 5-6 times yearly
- Library Board - Olds Municipal (1 member) – meet monthly

- Library - Parkland Regional (1 member)
- Mountain View Seniors' Housing (1 member) – meet quarterly
- Mountain View Regional Waste Management Commission (1 member) – meet monthly
- Mountain View Regional Water Services Commission (1 member) – meet monthly
- Municipal Planning Commission (minimum 2 members from Council) – meet monthly
- Olds Institute of Community and Regional Development (OICRD) (1 member)
- Olds Institute Technology Committee (1 member) – meet twice a month
- Parkland Community Planning Services (1 member) – meet quarterly
- Public Art Advisory Committee (2 members) – meet as required
- Red Deer River Municipal Users Group (1 member) – meet 5-6 times yearly
- REGION: Inter-Municipal Planning Commission (2 members)
- REGION: Inter-Municipal Subdivision & Development Appeal Board (2 members)
- REGION: Inter-Municipal Co-operation Committee (ICC) (3 members) – meet monthly
- REGION: Municipal Area Partnership (MAP) (1 member)
- Southern Alberta Energy from Waste Association (1 member) – meet monthly
- South Red Deer Regional Wastewater Commission (1 member) – meet every 2<sup>nd</sup> month

## QUALIFICATIONS OF CANDIDATES

Federal Public Servant seeking nomination:

A Federal public servant may seek nomination but they must request permission from the Public Service Commission of Canada before filing the nomination paper by calling 1-866-707-7152 or emailing [pa-ap@psc.gc.ca](mailto:pa-ap@psc.gc.ca)

### **The following are excerpts from the Local Authorities Election Act (LAEA): (current as of September 1, 2019)**

#### **Qualification of Candidates**

- 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
  - (a) is not otherwise ineligible or disqualified.

**Note:** *it is not the responsibility of the Returning Officer to ensure a candidates' eligibility.*

#### **Ineligibility**

- 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).
- (4) Subsection (1) 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
  - (j) 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.

Other portions of this section deal with an employee who wishes to be nominated for a municipal election.

- (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 person's last working day prior to nomination day that the person is taking a leave of absence without pay under this section.
- (5.1) A person employed by an entity referred to in subsection (1.1) who wishes to be nominated as a candidate for election as a trustee of a board of a school division may notify that person's employer on or after July 1 in the year of an election but before the person's last working day prior to nomination day that the person is taking a leave of absence without pay under this section.
- (6) Notwithstanding any bylaws, 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.
- (6.1) Repealed 2012 c5 s107.
- (7) An employee who takes a leave of absence under this section is subject to the same conditions that apply to taking a leave of absence without pay for any other purpose.
- (8) If an employee who takes a leave of absence under this section is not elected, the employee may return to work, in the position the employee had before the leave

commenced, on the 5th day after election day or, if the 5th day is not a working day, on the first working day after the 5th day.

- (9) If an employee who takes a leave of absence under this section is declared elected, the employee is deemed to have resigned that position as an employee the day the employee takes the official oath of office as an elected official.
- (10) If an employee who takes a leave of absence under this section is declared elected but, after a recount under Part 4, is declared not to be elected, the employee may return to work on the first working day after the declaration is made, and subsections (7) and (8) apply.
- (11) Subject to subsection (12), an employee who takes a leave of absence under this section and is declared elected continues to be deemed to have resigned that position as an employee if the employee subsequently forfeits the elected office or if the employee's election is adjudged invalid.
- (12) If, through no act or omission of the employee, an employee forfeits the elected office or the employee's election is adjudged invalid, the employee may return to work on the first working day after the office is forfeited or the election is adjudged invalid, and subsections (7) and (8) apply.

### **Ineligibility for Nomination**

- 23
- (1) A person is not eligible to be nominated for more than one office of the same elected authority.
  - (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.

### **Nomination Day**

25 Nomination day is 6 weeks before election day.

**Note:** *Nomination Day is MONDAY, DECEMBER 9, 2019 (8:30 am until NOON).*

The Returning Officer or designates will receive nominations of candidates for the local jurisdiction by-election between the hours of 8:30 a.m. and 4:30, Monday to Friday, from October 29, 2019 to December 8, 2019 and on December 9, 2019 from 8:30 am until noon, at the Town of Olds Municipal Building located 4512 46 street, Olds, Alberta.

### **Form of Nomination**

- 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,
    - (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 ready and comply with the municipality's code of conduct if elected, and
- (v) that the person 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.

**Note:** *For greater security and that the nomination papers are valid we suggest that additional signatures be placed on the reverse side of the nomination form.*

**NOMINATION DAY**  
**December 9, 2019**  
**8:30 a.m. to 12 noon**  
**Town Office Municipal Building, 4512 46 Street, Olds**

**Nominations**

- 28 (1) Nominations shall be submitted at the local jurisdiction office at any time during the relevant period referred to in section 25(2).

**Note:** **Town of Olds By-Election Bylaw 2019-29 provides that the Returning Officer or designates will receive nominations of candidates for the local jurisdiction by-election between the hours of 8:30 a.m. and 4:30, Monday to Friday, from October 29, 2019 to December 8, 2019 and on December 9, 2019 from 8:30 am until noon, at the Town of Olds Municipal Building located 4512 46 street, Olds, Alberta.**

- (2) The person who is nominated as a candidate is responsible for ensuring that the nomination filed under subsection (1) meets the requirements of section 27.
- (3) Any person may file a nomination described in section 27 in accordance with subsection (1).
- (4) A returning office shall not accept the following for filing:
  - (a) a nomination that is not completed in the subscribed 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.

- (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.
- (6) At any time after the commencement of the relevant period referred to in section 25(2) 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.
- (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.
- (8) Twenty-four 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.
- (9) A statement referred to in subsection (8) may be forwarded by electronic means, including by fax or e-mail.
- (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.

## **QUALIFICATIONS OF ELECTORS WHO SIGN NOMINATION FORMS**

IT IS IMPERATIVE THAT A PERSON WHO SIGNS A NOMINATION FORM IS ELIGIBLE TO VOTE.

### **Withdrawal of Nomination**

- 32** (1) Subject to subsection (2), if more than the required number of candidates for any particular office are nominated, any person so nominated may, at any time within 24 hours after the close of the nomination period, withdraw as a candidate for the office for which the candidate was nominated by filing with the returning officer a withdrawal in writing.
- (2) If, after one or more candidates have withdrawn, the number of remaining candidates does not exceed the number of vacancies to be filled, the returning officer shall refuse to accept further withdrawals.

### **Election by Acclamation**

- 34** (1) When at the close of nominations the number of persons nominated for any office is the same as the number required to be elected, the returning officer shall declare the persons nominated to be elected to the offices for which they were nominated.

## **ELECTION DAY AND VOTING STATION**

**Election Day is Monday, JANUARY 20, 2020**  
**Voting station is the Royal Canadian Legion, Olds Branch.**  
**The Voting Station shall open promptly at 8:00 a.m. and will close at 8:00 p.m.**

### **Eligibility to Vote**

- 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.
- (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.

## **VOTING AT A VOTING STATION**

At the poll on election day, a voter will be required to sign a statement declaring that he/she is eligible to vote. Section 53 of the Local Authorities Election Act states:

### **Proof of Elector Eligibility**

- 53 (1) Every person who attends at a voting station for the purpose of voting must be permitted to vote if
- (a) the person's name appears on the list of electors, if any, or
  - (b) the person
    - (i) makes a statement that the person is eligible to vote as an elector in the presence of an officer at the voting station, in the prescribed form,
    - (ii) validates the person's identity and address of the person's residence in accordance with subsection (3), and
    - (iii) where required by a bylaw passed under section 53.01, produces the number and types of identification permitted by the bylaw to verify the person's age.

### **Town of Olds Election Bylaw 2019-29 Forms of Identification:**

- 12 Pursuant to Section 53(1)(b)(i) of the Local Authorities Election Act each person shall provide one piece of identification in order to vote in addition to completing a Voting Register (Form 8).

Acceptable forms of identification are:

- (1) Identification issued by a Canadian Government, whether federal, provincial or local, or an agency of that government, that contains a photograph of the elector and his or her name and current address; or
- (2) Identification authorized by the Chief Electoral Officer under the Election Act that establishes the electors name and current address including:
  - i. Bank/Credit card statement or personal cheque
  - ii. Correspondence issued by a school, college or university
  - iii. Government cheque or cheque stub
  - iv. Income/property tax assessment notice
  - v. Insurance policy or coverage card
  - vi. Letter from a public curator, public guardian or public trustee
  - vii. One of the following, issued by the responsible authority of a shelter or soup kitchen: Attestation of residence, letter of stay, admission form or statement of benefits

- viii. Pension Plan statement of benefits, contributions or participation
- ix. Residential lease or mortgage statement
- x. Statement of government benefits, e.g. employment insurance, old-age security social assistance, disability support or child tax benefit.
- xi. Utility bill, e.g. telephone, public utilities commission, television, hydro, gas or water.
- xii. Vehicle ownership or insurance certificate.

- (3) In addition to the above forms of identification an elector voting in an institution the following forms of identification may also be accepted:
- a. Correspondence issued by a hospital, auxiliary hospital, nursing home or seniors or special care accommodation facility attesting residency such as a letter of stay, admission form, or patient profile sheet that includes the name and current address of the person.

## **Person Objected To**

Section 54 of the Local Authorities Election Act states:

- 54 (1) If a candidate or the candidate's official agent or scrutineer objects to a person who makes a statement, a deputy shall note in the elector register the reason for the objection and the name of the candidate or official agent or scrutineer making the objection and shall initial the objection.
- (1.1) A candidate, official agent or scrutineer may only make an objection under subsection (1) at the time the person makes the statement under section 53(1)(b) or (2), or 78.
- (2) If a returning officer on reasonable and probable grounds believes that a person is not eligible to be an elector, the returning officer must note in the elector register the reason for the belief and initial it.

## **Rules of Residence**

- 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;
  - (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.

### **Option for Official Agent**

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

(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.

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

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

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

### **Candidate's Scrutineer**

69 (1) If, at any time during voting hours, a person who is at least 18 years old presents to the presiding deputy a written notice, in a form acceptable to the returning officer,

(a) signed by a candidate, and

(b) stating that the person presenting the notice is to represent that candidate as the candidate's scrutineer at the voting station,

the person presenting the notice shall be recognized by the presiding deputy as the scrutineer of the candidate.

(1.1) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada) is not eligible to be recognized as a scrutineer.

(2) Before a person is recognized as a scrutineer, the person shall make and subscribe before the presiding deputy at the voting station a statement in the prescribed form.

(3) The presiding deputy shall not permit a candidate to have an official agent or a scrutineer present while the candidate is present in a voting station during voting hours.

(3.1) the presiding deputy shall not permit a candidate to have both an official agent and a scrutineer present while the candidate is present in a voting station during voting hours.

(4) A candidate or official agent personally may

(a) undertake the duties that the candidate's scrutineer may undertake, and

(b) attend any place that the candidate's scrutineer is authorized by this Act to attend.

- (5) The presiding deputy may designate the place or places at a voting station where a candidate, an official agent or a scrutineer of a candidate may observe the election procedure, and in designating the place or places, the presiding deputy shall ensure that the candidate, official agent or scrutineer can observe any person making a statement under section 53(1)(b) or (2) or 78.
- (6) When, in the provisions of this Act that relate to the election of a member of an elected authority, expressions are used requiring or authorizing an act or thing to be done or implying that an act or thing is to be done in the presence of an official agent, a scrutineer or a candidate, the expression is deemed to refer to the presence of those an official agents and scrutineers
  - (a) that are authorized to attend, and
  - (b) that have in fact attended at the time and place where that act or thing is being done,

and if the act or thing is otherwise properly done, the non-attendance of an official agent or a scrutineer at that time and place does not invalidate it.

## **POST VOTE PROCEDURE**

Town of Olds Bylaw 2019-29 prescribes the voting procedures to be used, including procedures for the counting of votes taken; Section 40, 41 and 42 are excerpts from Bylaw 2019-29.

### **Sealing of Ballot Boxes**

- 40 (1) Prior to the removal of the ballot box(es) from any voting station, the ballot box(es) containing the printed ballot tapes shall be:
  - (a) closed and sealed with the presiding deputy's seal so that it cannot be opened without breaking the seal; and
  - (b) marked on the outside with the voting station name and number.
- (2) Electronic equipment used to acquire electronic votes is deemed to be a sealed ballot box.
- (3) The mobile electronic voting system used in the institutional and incapacitated elector vote will be closed and sealed upon the completion of the institutional and incapacitated electors votes and will remain like that until opened for the counting of ballots on election day.
- (4) The Returning Officer may direct that the locked mobile electronic voting system be delivered to the counting centre until it is opened for the counting of ballots, or may make any other direction deemed necessary for the storage and disposition of said devices.

### **Post Vote Procedures**

- 41 (1) Immediately after the close of the voting station, the presiding deputy 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 and:
  - (a) produce the required number of copies of the tally register tape(s) detailing the number of votes cast for each candidate as directed by the Returning Officer;
  - (b) together with another deputy, certify the tally register tape(s) as directed by the



Returning Officer;

- (c) package separately, in ballot boxes, the printed ballot tape along with the voting register and all statements;
  - (d) seal and initial the ballot boxes and ensure they are ready to be delivered to the Returning Officer;
  - (e) ensure that the deputy supervising the electronic voting system and one other deputy designated by the presiding deputy report the results to the Returning Officer by immediately delivering the tally register tapes to the counting centre;
- (2) The Returning Officer may also require that results be reported by telephone.
- (3) The presiding deputy shall not permit more than one candidate or his or her agent, or more than one agent of either side of a vote on any bylaw or question to be present at the same time after the voting station is closed.

### **Ballot Counting**

42 The deputy supervising at the counting centre will:

- (a) receive all sealed ballot boxes containing printed ballot tapes and number in a check-in book and initial each entry;
- (b) after 8:00 p.m. on election day, insert a key into the master control units used for the advance vote and the institutional vote and produce the required number of copies of the tally register tape(s), as directed by the Returning Officer, and deliver those tapes to the Returning Officer and the sealed ballot boxes containing the printed ballot tape(s) along with the voting register and all statements.

### **Declaration of Election Results**

- 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.
- (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.
- (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.
- (4) On complying with subsection (2), the Returning Officer shall forward a signed statement showing the number of votes for each candidate and indicate each candidate declared to be elected to the secretary and the relevant Minister's Deputy Minister.

### **Printing of Campaign Literature**

- 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.
- (6) Notwithstanding anything in this section, the Returning Officer may at any time after nomination day cause a facsimile of the ballot for chief elected official, member of an elected authority, bylaw or question to be published as often as the Returning Officer considers necessary in a newspaper circulating in the area, for the information of the electors.
- (7) A person who contravenes subsection (1), (2), (3), (4) or (5) is guilty of an offence and liable to a fine of not more than \$10,000 or imprisonment for not more than 6 months or to both fine and imprisonment.

## **POSTING OF CAMPAIGN LITERATURE**

Pursuant to the Electrical Protection Act of the Province of Alberta, it is illegal to post handbills on electric light or telephone poles. Action may be taken against candidates or their agents who deface bridges, light or telephone poles with election campaign literature.

Permission must be obtained from the owner of any parcel of land before any signs are erected. If questioned the Returning Officer will advise the owner of any parcel of land that the owner may remove any election sign from the owner's property for which the owner has not given approval.

The Town of Olds will permit election campaign signs on boulevards adjacent to Town-owned parcels as long as each candidate removes the signs within 24-hours of the election. If the Town must remove the signs, the cost of removing them will be charged to the candidate.

The following web link is provided as reference to the Guidelines for the Installation of Election Signs.  
<https://www.alberta.ca/election-signs.aspx>

## **USE OF THE TOWN OF OLDS LOGO**

The Town of Olds Logo is strictly prohibited from use on any campaign materials.

## **Advertisement Distribution**

- 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 on the property on which a building used for a voting station is located, or
  - (b) distributes within a building used for a voting station or on the property 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.
- (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.
- (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.

### **Interference with Posted Documents**

- 153 A person who, without authorization, takes down, covers up, mutilates, defaces or alters any notice or other document required to be posted under this Act is guilty of an offence and liable
- (a) if the person is an officer, to a fine of not more than \$1,000, and
  - (b) in any other case, to a fine of not more than \$200.

### **Bribery**

- 116 A person commits the offence of bribery
- (a) who directly or indirectly by himself or herself or by any other person on his or her behalf,
    - (i) gives, lends or agrees to give or lend or offers or promises money or valuable consideration, or gives or procures or agrees to give or procure or offers or promises an office, place or employment to or for an elector or to or for a person on behalf of an elector or any person, in order to induce an elector or a person to vote or to refrain from voting at an election, or
    - (ii) corruptly does an act described in sub clause (i) because a person has voted or has refrained from voting at an election,
  - (b) who directly or indirectly by himself or herself or by any other person on his or her behalf, makes a gift, loan, offer, promise or agreement described in clause (a) to or for a person in order to induce that person to procure or defeat or endeavour to procure or defeat
    - (i) the election of a candidate,
    - (ii) the passing of a bylaw,
    - (iii) the result of a vote on a question, or
    - (iv) the vote of an elector at an election,
  - (c) who in return for a gift, loan, offer, promise or agreement procures or defeats or engages or promises or endeavours to procure or defeat
    - (i) the election of a candidate,
    - (ii) the passing of a bylaw,
    - (iii) the result of a vote on a question, or
    - (iv) the vote of an elector at an election,
  - (d) who

- (i) advances or pays or causes to be paid money to or for the use of any other person with the intent that the money or part of it be expended in bribery at an election, or
  - (ii) knowingly pays or causes to be paid any money to a person in discharge or repayment of any money wholly or in part expended in bribery at an election,
- (e) who, being an elector, before or during an election directly or indirectly by himself or herself or by any other person on his or her behalf receives, agrees to, accepts or contracts for any money, gift, loan or valuable consideration, office, place or employment for the elector or any other person for
  - (i) voting or agreeing to vote,
  - (ii) refraining or agreeing to refrain from voting, or
  - (iii) voting or agreeing to vote for or against a particular candidate, bylaw or question,
 at an election, or
- (f) who after an election directly or indirectly by himself or herself or by any other person on his or her behalf receives any money or valuable consideration because some person
  - (i) has voted or refrained from voting,
  - (ii) has induced any other person to vote or refrain from voting, or
  - (iii) has voted for or against or has induced any other person to vote for or against a candidate, bylaw or question,
 at an election.

## Offences

- 148 (3) No person shall vote knowing that the person has no right to do so.
- (3.1) No person shall obstruct any person carrying out an inquiry, investigation or examination under this Act or withhold from that person or conceal or destroy any books, papers, documents or things relevant to the subject-matter of the investigation or examination.
- (4) No person shall make or sign a false statement for any purpose related to an election or vote held or to be held under this Act.
- (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.
- (6) Notwithstanding anything in this section, the Returning Officer may at any time after nomination day cause a facsimile of the ballot for chief elected official, member of an elected authority, bylaw or question to be published as often as the Returning Officer considers necessary in a newspaper circulating in the area, for the information of the electors.

- (7) A person who contravenes subsection (1), (2), (3), (3.1), (4) or (5) is guilty of an offence and liable to a fine of not more than \$10,000 or to imprisonment for not more than 6 months or to both fine and imprisonment.

### **Offences – Integrity of the Vote**

- 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.
- (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.
- (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.
- (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.
- (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.
- (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.
- (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.
- (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.
- (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.

### **Offence – Candidate's Acceptance**

- 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.

## **PART 5.1 ELECTION FINANCES AND CONTRIBUTION DISCLOSURE**

### **Interpretation**

- 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, or
    - (v) the conduct of election surveys or other surveys or research during a campaign period;
  - (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;
  - (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.
- (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.
- (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.
- (4) For the purposes of this section, the use of goods in a 2nd or subsequent election is a non-monetary contribution.
- (5) In this section, “expense incurred” means an expense that is incurred, whether it is paid or unpaid.

### **Application of Part**

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

### **Limitations on Contributions**

- 147.2 (1) Only an individual ordinarily resident in Alberta may make a contribution to a candidate.
- (2) No prohibited organization and no individual ordinarily resident outside Alberta shall make a contribution to a candidate.
- (3) No individual ordinarily resident in Alberta shall contribute in any campaign period an amount that exceeds
- (a) \$4000 in the aggregate to candidates for election as councillors, and
- (b) \$4000 in the aggregate to candidates for election as school board trustees.
- (4) 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 is a contribution to the candidate's own campaign and is subject to the limit prescribed by subsection (3).
- (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.
- (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).

### **Duties of Candidate**

- 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 \$1000 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.
- (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**

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

### **Receipts**

- 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**

- 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.
- (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.



- (3) 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.
- (4) This section does not apply to the borrowing of money for purposes unrelated to the candidate's election campaign.

### **Campaign Expense Limits**

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**

- 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.
- (2) If a candidate's disclosure statement from the election campaign shows a campaign deficit and the candidate does not file nomination papers before the next general election, the candidate shall eliminate the deficit within 6 months after the date of the next general election.
- (3) A payment made by a candidate to eliminate a deficit referred to in subsection (2) is deemed not to be a contribution for the purpose of section 147.2.
- (4) A candidate who has a deficit referred to in subsection (2) shall, within 30 days after the expiration of the 6-month period referred to in subsection (2), file an amended disclosure

statement showing that the deficit has been eliminated.

- (5) With respect to the period during which a candidate is nominated, this section applies to a candidate who withdraws as a candidate.
- (6) If a candidate becomes aware that any of the information reported in the disclosure statement required under subsection (1) 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.
- (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.
- (8) An elected authority may pass a bylaw requiring candidates running for election in that local jurisdiction to file a pre-election disclosure statement with the secretary of the local jurisdiction
  - (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.
- (9) A bylaw passed under subsection (8) must
  - (a) set out the information that a candidate must disclose in a pre-election disclosure statement, which may include, without limitation, any of the information required in subsection (1)(a) to (j), with necessary modifications,
  - (b) prescribe the form in which a candidate must make the pre-election disclosure statement,
  - (c) set the date by which the pre-election disclosure statement must be submitted for filing, which must be prior to the date of the election to which the pre-election disclosure statement relates,
  - (d) set out the manner in which the local authority will make the information referred to in subsection (10) publicly available,
  - (e) set out the period of time within which the local authority will make the information referred to in subsection (10) publicly available, and
  - (f) include any other provisions that the elected authority considers necessary or advisable with respect to pre-election disclosure statements.
- (10) An elected authority that passes a bylaw under subsection (8) must make the following information publicly available in the manner and during the period of time set out in the bylaw:
  - (a) the information provided by each candidate on the pre-election disclosure statement;
  - (b) if a candidate fails to submit a pre-election disclosure statement in accordance with the bylaw, the fact that the candidate has failed to submit a pre-election disclosure statement.

### **Campaign Surplus**

- 147.5 (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, if a candidate's disclosure statement shows a surplus, the candidate shall pay the amount of the surplus to the local jurisdiction.

- (2) The local jurisdiction shall hold any amount received under subsection (1) in trust for the candidate at a financial institution.
- (3) If the candidate in respect of whom the amount is held under subsection (2) files nomination papers to be a candidate in the next general election or in a by-election called before that time, the local jurisdiction shall pay the amount received under subsection (1) to the candidate for use in that election.
- (4) If the candidate in respect of whom an amount is held in trust under subsection (2) does not file nomination papers before the next general election, the candidate shall, within 6 months of the date of the election, direct the local jurisdiction to donate the amount to a registered charity.
- (5) If the local jurisdiction does not receive a direction under subsection (4), the money becomes the property of the local jurisdiction.
- (6) This section applies to candidates whether or not the candidate is elected.

### **Late filing**

- 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.
- (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.
  - (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.
  - (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.
  - (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**

- 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.
- (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.
  - (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.
- (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.
- (5) The decision of the Court is final and not subject to appeal.

**Information on the By-Election may be found on the Town of Olds website here:**

<https://www.olds.ca/council/election>

**Council Code of Conduct Bylaw 2018-01**

<https://www.olds.ca/sites/default/files/uploads/bylaws/conduct.pdf>

**Town of Olds By-Election Bylaw 2019-29**

[https://www.olds.ca/sites/default/files/uploads/bylaws/bylaw\\_2019-29\\_by-election\\_bylaw\\_-\\_signed.pdf](https://www.olds.ca/sites/default/files/uploads/bylaws/bylaw_2019-29_by-election_bylaw_-_signed.pdf)

**Further information may be found at the follow links:**

**Local Authorities Election Act**

<https://www.alberta.ca/municipal-elections-overview.aspx#toc-2>

**Government of Alberta Municipal Affairs, A Candidate's Guide**

<http://www.municipalaffairs.alberta.ca/documents/Running%20for%20Municipal%20Office%20in%20Alberta%20-%20A%20Candidate%27s%20Guide.pdf>

**Government of Alberta Guidelines for the Installation of Election Signs (2012)**

<https://open.alberta.ca/dataset/59550c8f-2b3c-445f-9a84-289126105832/resource/efb0cb8f-8aee-490a-a775-7aa784ad783e/download/2012electionsignguidelines.pdf>



If you have questions on the election process, or on the office of Council, please contact the Town of Olds, Legislative Services at 403-556-6981 or via email of [legislative@olds.ca](mailto:legislative@olds.ca)