

**TOWN OF OLDS
BYLAW NO. 2020-18**

2021 Municipal General Election

**BEING A BYLAW TO PROVIDE FOR THE 2021 MUNICIPAL GENERAL ELECTION
IN THE TOWN OF OLDS**

WHEREAS, the *Local Authorities Election Act*, RSA 2000, c. L-21 , and amendments thereto, hereinafter referred to as "the Act" provides for the conduct of elections by local authorities; and

WHEREAS, the Act permits the local authority to establish bylaws for the conduct of such election procedures.

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

Title

1. This bylaw may be called the "**2021 Election Bylaw**".

Definitions

2. Except as otherwise provided for in this bylaw, the terms used in the *Local Authorities Election Act* (the *Act*), where used or referred to in this bylaw, have the same meaning as defined or provided in the *Act*.
3. In this bylaw, the following terms mean:

"Act" means the *Local Authorities Election Act*, RSA 2000, c. L-21, as amended, together with any regulations made thereunder.

"Automated Voting System" means the vote tabulators, memory storage, remote accumulation systems, printers, computers and software used to count votes and generate election results.

"Auxiliary ballot box" means a separate compartment in the ballot box for ballots that have been marked by voters but not counted by the vote tabulator.

"Ballot" means the paper listing the names of candidates standing for election, and questions or bylaws posed to electors, with places for electors to mark their choices.

"Ballot box" means a container for paper ballots that have been marked by the voters or printed ballot tapes that have been produced by the electronic ballot device.

"Candidate" means an individual who has been nominated to run for election in the local jurisdiction as a councillor or school board trustee, as applicable.

"Council" means the Council of The Town elected pursuant to the Act.



"Counting centre" means an area designated by the Returning Officer in a controlled access building and equipped for the counting of votes and the tabulation of election results.

"Deputy" means the deputy returning officer.

"Electronic Voting System" means a system that records and counts votes by electronic means.

"Institutional Vote" means the vote conducted at a hospital, auxiliary hospital, nursing home or seniors' accommodation facility for the benefit of electors confined to, or resident of, those facilities.

"Local Jurisdiction" means The Town of Olds, the Chinook's Edge School Division, or the Red Deer Catholic Regional Division #39, as applicable.

"Persons with disabilities at home" means a voter who is unable to leave their place of residence to attend to a voting station or an advance voting station to vote who may require assistance during the voting process.

"Persons with disabilities" means a voter who is unable to vote in the usual manner and may require assistance during the voting process by either a friend/relative or an election worker.

"Register Tape" means the printed record generated from the Master Control Unit which shows:

- (a) the number of ballots received; and
- (b) the number of votes for each candidate; and
- (c) where there is a vote on a bylaw or question, the number of votes for and against each bylaw or question.

"Secrecy Sleeve" means the open ended envelope used to cover a marked ballot that conceals the elector's choices but reveals the initials of the Deputy who issued the ballot to the elector.

"Town" means the municipal corporation of The Town of Olds, in the Province of Alberta.

"Voting Subdivision" has the same meaning as in section 1(dd) of the Act.

"Voter" has the same meaning as "Elector" under the Act.

"Vote Tabulator" means a device with a memory storage component into which marked Ballots are inserted and which automatically counts the votes on each ballot.

Joint Election

4. The Returning Officer of The Town is authorized to enter into agreements, on behalf of The Town,



to conduct elections on behalf of other local jurisdictions in Olds whose boundaries may or may not be contiguous with the Town but do have areas in common.

Vote on a Bylaw or Question

5. Unless otherwise specified by statute or decided by council, a vote on any bylaw or question (referendum / plebiscite) may be held in conjunction with a general municipal election.

Returning Officer & Substitute Returning Officer

6. That the Legislative Clerk of The Town of Olds is hereby appointed the **Returning Officer** for The Town (hereinafter referred to as the "Returning Officer") for the purpose of conducting elections under the Act.
7. That the Communications Coordinator of the Town of Olds is hereby appointed the **Substitute Returning Officer** for the Town (herein referred to as the "Substitute Returning Officer") for the purpose of conducting elections under the Act.
8. The Returning Officer is authorized to negotiate and enter into agreements on behalf of the Town for the conduct of the municipal general election subject to and in accordance with Town policies and procedures.

Nomination Hours

9. The Returning Officer or designate will receive nominations of candidates for the local jurisdiction election during regular business hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, from January 4, 2021 to September 17, 2021 and on Monday, September 20, 2021 from 8:30 am until noon, at the Town of Olds Municipal Building located 4512 46 street, Olds, Alberta.

Receipt of Nominations

10. The Returning Officer may establish locations where a Deputy may receive nominations.

Form of Nominations

11. Pursuant to Section 27 & 28 of the *Local Authorities Election Act*.

Death

12. If a candidate dies prior to the opening of voting stations on election day, the election for the position for which the deceased candidate was nominated will be discontinued, and a new election for that position must be held as soon as practicable.

Ballot Template

13. Following the nomination period, the Returning Officer will ensure ballot templates are prepared for the electronic ballot device.

Form of Ballot

14. The form of the ballot will be established by the Returning Officer.

Voting Hours

15. Every voting station will be kept open continuously on election day from 8 am until 8 pm.
16. The hours, of advanced voting, will be established by the Returning Officer and advertised in accordance with the Act.

Voting Subdivisions

17. The elected authority by resolution, or the returning officer if authorized by resolution of the elected authority, may divide the local jurisdiction into voting subdivisions and may from time to time alter their boundaries but may not alter them between the time of the giving of notice of an election and the Election Day.

Forms of Identification

18. 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 an Elector Register (Form 13). 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.



Advance Voting

19. An advance vote may be held on any vote held in an election for the local jurisdiction.
20. The advance vote will be held on the dates and times set by the Returning Officer as follows:
Friday, October 1, 2021 between the hours of 4:00 pm and 8:00 pm
Voting Station: Council Chambers at Town of Olds Municipal Office, 4512 46 Street, Olds AB
Saturday, October 2, 2021 between the hours of a 10:00 am and 2:00 pm
Voting Station: Council Chambers at Town of Olds Municipal Office, 4512 46 Street, Olds AB
21. An electronic voting system will be used to conduct the advance vote. Electronic voting will be held in accordance with the voting procedures established in this Bylaw.
22. At the end of each day of an advance vote the presiding deputy will secure the mobile electronic voting device.

Persons with disabilities at Home

23. If a voter is unable to attend at a voting station because of physical disability or mobility limitations, that voter may request, at least 48 hours before the end of the advance vote period, to have a deputy attend at the voter's residence in order to take the vote of the voter.
24. If the Returning Officer is satisfied that the voter is unable to attend at a voting station due to physical incapacity or mobility limitations, the Returning Officer will:
 - (a) advise the voter that the request has been accepted;
 - (b) appoint two deputies to attend at the voter's residence; and
 - (c) inform the voter of the date and approximate time that the deputies will attend the residence.
25. At the designated time the deputies will bring inside the residence the mobile electronic voting device and register the voter.
26. Electronic voting will be held in accordance with the voting procedures established in this Bylaw.

Institutional Voting Stations

27. The Returning Officer is authorized to designate the location of one or more institutional voting stations for an election.
28. Date(s) and time(s) of the institutional vote will be posted at the institution at least two days before the vote is to be taken.
29. The deputies, accompanied by an official of the institution, will locate the mobile electronic voting device in a common area for those patients or residents who desire to vote during the designated times.
30. Electronic voting will be held in accordance with the voting procedures established in this Bylaw.



31. Upon completion of institutional and incapacitated elector voting the presiding deputy will secure the mobile electronic voting device.

Automated Voting System

32. The taking of votes of the electors and the tabulation of election results on any question or in any election conducted by The Town may be done by means of an automated voting system, as directed by the Returning Officer.

33. In the event that an automated voting system is used in the election, the Returning Officer will:

- (a) satisfy themselves, 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
- (b) take whatever reasonable safeguards may be necessary to secure the automated voting system and any part thereof, including but not limited to: the vote tabulators and the ballot boxes from unauthorized access, entry, use, tampering, or any unauthorized use of the ballot cards or tabulated results.

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

- (a) a malfunction of an automated voting system;
- (b) the unavailability of an automated voting system or any of its components;
- (c) anything related to the operation of an automated voting system or any of its components;

35. The Returning Officer may make any directions that they think necessary or desirable with respect:

- (d) to the voting procedures to be used;
- (e) to the taking of votes;
- (f) for the counting of the votes; and
- (g) where required, for a recount.

Voting Procedures

36. An electronic voting device will be used to conduct the vote and a mobile electronic voting device will be used to conduct the incapacitated and institutional vote.

37. For each elector eligible to vote a deputy will:

- (a) explain the voting procedures for the electronic voting device;
- (b) direct the voter to the voting compartment

Electronic Voting Device Failure

38. Notwithstanding sections 32 to 37, the Returning Officer may establish such other procedures as required to facilitate an electronic vote.
39. The voting procedure prescribed in this bylaw will, during an advance vote and an institutional vote, as far as is practicable, apply and may be modified as may be necessary upon the direction of the Returning Officer.
40. 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.

Tabulator Errors

41. If a ballot is rejected by a tabulator, a deputy will advise the elector to obtain a replacement ballot, and if the elector;
 - a) requests a replacement ballot, the original ballot will be marked "SPOILED"
 - b) declines to obtain a replacement ballot, the original ballot will be marked "REJECTED".
42. A deputy will retain the SPOILED and REJECTED ballots separate from all other ballots.
43. If all tabulators fail or malfunction, the Returning Officer will provide direction as required for the proper conduct of the election. Electors will insert their marked ballots into the auxiliary ballot box. The auxiliary ballot box will remain closed until the voting stations closes, at which time ballots will be counted in accordance with Post Vote Procedures.

Sealing of Ballot Boxes

44. 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.
45. Electronic equipment used to acquire electronic votes is deemed to be a sealed ballot box.
46. 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.
47. The Returning Officer may direct that the locked mobile electronic voting system be delivered to the counting centre for the counting of ballots, or may make any other direction deemed necessary for the storage and disposition of said devices.

Post Vote Procedures

48. 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 they consider necessary, and the candidates or their agents if any and:



- (a) produce the required number of the results as directed by the Returning Officer;
- (b) together with another deputy, certify the results 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; and
- (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 results to the counting centre.

49. The Returning Officer may also require that results be reported by telephone.

50. The presiding RO or designate shall not permit more than one candidate or their agent, or more than one agenda of either side of a vote on bylaw or question to be present at the same time after the voting station is closed.

Ballot Counting

51. The deputy supervising at the counting centre will:

- (a) Receive all sealed ballot boxes containing printed ballot tapes or ballots; and
- (b) After 8:00 p.m. on Election Day produce the required number of copies of the results, 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.
- (c) Ensure all unused ballots are counted.

Recount

52. If the Returning Officer directs a recount be made, pursuant to the *Act*, the vote shall be recounted using the physical record.

Disposition of Election Material

53. Upon the completion of the tabulation of the election results, the Returning Officer shall retain the voting registers, the ballot boxes with their seals unbroken, for six (6) weeks from the date of voting.

54. After six weeks from the date of voting the Returning Officer will ensure that all voter registers and printed ballot tapes are destroyed.

Campaign Material

55. Election signs may only be placed on road right-of-ways within the Town between noon on Monday, September 20, 2021 (close of nomination day) until 72 hours after Election Day.



- 56. Election signs shall not be placed anywhere on property where any voting station is located. This includes a fence that may be located on or border the property, or property adjacent to any voting station.
- 57. Campaign material, in any form, is not permitted within a building used for a voting station or within the boundaries of the land on which a building used for a voting station is located. All campaign propaganda or other campaign material must be removed, prior to entering any voting station.
- 58. Election campaigning on the Town of Olds' social medial channels, such as Facebook, Twitter, Instagram and YouTube is strictly prohibited.

Use of Town of Olds Logo

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

Repeal

- 60. Town of Olds Bylaw No. 2019-29 and all amendments thereto are repealed

Read a first time this twenty-third day of November, 2020.

Read a second time this fourteenth day of December, 2020.

Read a third and final time this fourteenth day of December, 2020.



Michael Muzychka,
Mayor



Michael Merritt
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 15th day of December, 2020.



M. Merritt