

**TOWN OF OLDS
BYLAW NO. 2017-07**

2017 Election

BEING A BYLAW TO PROVIDE FOR THE 2017 MUNICIPAL ELECTIONS IN THE TOWN OF OLDS

The Council of the Town of Olds, in the Province of Alberta, enacts as follows:

Title

1. This bylaw may be called the "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:

"Ballot tape" means a printed record, which can be used to manually verify the voting results;

"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;

"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;

"Local Jurisdiction" means, and includes, The Town of Olds, Mountain View County, the Chinook's Edge School Division, and the Red Deer Catholic Regional School Division #39;

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

- (a) the number of ballots received;



- (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; and

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

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.

Returning Officer

- 5 That W.J.G. (Bill) Johnston of The Town of Olds is appointed the Returning Officer for The Town (hereinafter referred to as the "Returning Officer") for the purpose of conducting elections under the Act.

Nomination Hours

- 6 The Returning Officer will receive nominations of candidates for the local jurisdiction elections between the hours of 8:30 a.m. and 12:00 noon on Nomination Day and on any subsequent day to which the time for receipt of nominations is adjourned.

Receipt of Nominations

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

Voting Subdivisions

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

Ballot Template

- 9 Following nomination day, the Returning Officer will ensure ballot templates are prepared for the electronic ballot device.

Form of Ballot

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

Voting Hours

- 11 (1) Every voting station will be kept open continuously on election day from 8



am until 8 pm.

(2) The hours, of advanced voting, will be established by the Returning Officer and advertised in accordance with the Act.

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.

Advance Voting

13 An advance vote may be held on any vote held in an election for the local jurisdiction.

14 The advance vote will be held on the dates and times set by the Returning Officer.

- 15 An electronic voting system will be used to conduct the advance vote.
- 16 Electronic voting will be held in accordance with the voting procedures established in this Bylaw.
- 17 At the end of each day of an advance vote the presiding deputy will place the electronic voting system in sleep mode.

Incapacitated Elector at Home

- 18 If a voter is unable to attend at a voting station because of physical incapacity 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.
- 19 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.
- 20 At the designated time the deputies will bring inside the residence the mobile electronic voting device and register the voter.
- 21 Electronic voting will be held in accordance with the voting procedures established in this Bylaw.

Institutional Voting Stations

- 22 The Returning Officer is authorized to designate the location of one or more institutional voting stations for an election.
- 23 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.
- 24 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.
- 25 Electronic voting will be held in accordance with the voting procedures established in this Bylaw.
- 26 Upon completion of institutional and incapacitated elector voting the presiding deputy will secure the mobile electronic voting device.



Automated Voting System

27 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.

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

- (a) 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
- (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.

29 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;

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

30 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.

31 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

32 The voter may only vote by selecting a candidate's name or candidates' names,

and where there is a vote on a bylaw or question, beside "yes" or "no."

33 In the event that a voter leaves the voting station without pressing the "cast my vote" button to cast the ballot, the two deputies will enter the booth and:

(a) if the voter had selected candidates, one of the deputies will press the "cast my vote" button; or

(b) if candidates have been selected for one office and no candidates selected for the other office one of the deputies will select the "abstain from voting" button for the office in which no candidates were selected and press the "cast my vote" button; or

(c) if no candidates have been selected for either office one of the deputies will select the "abstain from voting" button for both offices and then press the "cast my vote" button.

Electronic Voting Device Failure

34 Notwithstanding sections 27 to 34, the Returning Officer may establish such other procedures as required to facilitate an electronic vote.

35 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.

36 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.

Vote on a Bylaw or Question

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

Sealing of Ballot Boxes

38 (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 for the counting of ballots, or may make any other direction deemed necessary for the storage and disposition of said devices.

Post Vote Procedures

- 39 (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 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.
- (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 their 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

- 40 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.



Recount

41 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

42 (1) 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.

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

43 This bylaw shall expire on December 31, 2017.

Read a first time this 8th day of May, 2017.

Read a second time this 8th day of May, 2017.

Received Unanimous Consent for presentation of third reading this 8th day of May, 2017.

Read a third and final time this 8th day of May, 2017.



Judy Dahl,
Mayor



Michael Merritt
Chief Administrative Officer

SIGNED by the Chief Elected Officer and the Interim Chief Administrative Officer this 10th day of May, 2017.

