

**Lac Ste. Anne County
Province of Alberta
Bylaw No 08-2025**

A BYLAW OF LAC STE. ANNE COUNTY, IN THE PROVINCE OF ALBERTA, TO SET OUT THE PROCEDURE FOR THE ADMINISTRATION OF ELECTIONS WITHIN LAC STE. ANNE COUNTY.

WHEREAS the *Local Authorities Elections Act*, RSA 2000 Chapter L-21, and amendments thereto, provides for the conduct of general Elections by local authorities; and

WHEREAS the *Local Authorities Elections Act*, RSA 2000 Chapter L-21, and amendments thereto, permits the local authority to pass bylaws for the conduct of such Elections;

NOW THEREFORE, the Council of Lac Ste. Anne County, in the Province of Alberta, duly assembled, enacts as follows:

SHORT TITLE

This Bylaw may be cited as the "Election Procedure Bylaw".

1. DEFINITIONS

- 1.1 "Act" means the *Local Authorities Elections Act*, RSA 2000 Chapter L-21, and any regulations, as amended.
- 1.2 "Advance Vote" means a vote taken in advance of Election Day.
- 1.3 "Ballot" means a paper card, in the form approved by the Returning Officer, listing the names of the Candidates standing for election, and bylaws or questions posed to Electors, with spaces in which the Elector is to mark their vote on the matter to be voted on in the Election.
- 1.4 "Ballot Account" means an account of Ballots prepared in the form required by the Act.
- 1.5 "Ballot Box" means a secure container, in the form approved by the Returning Officer, for the Ballots that have been marked by the Electors.
- 1.6 "Candidate" means an individual who has been nominated to run for Election in a Local Jurisdiction as Councillor.
- 1.7 "Council" means the municipal Council of Lac Ste. Anne County.
- 1.8 "Counting Centre" means a controlled access area, designated by the Returning Officer, for the counting of votes and tabulation of Election results.
- 1.9 "County" means the municipal corporation of Lac Ste. Anne County, in the Province of Alberta.
- 1.10 "County's Administration Office" means the place of the municipal office for the County located at 56521 Range Road 65 in Lac Ste. Anne County, Alberta.
- 1.11 "Election Day" means the third Monday in October in a municipal Election year, pursuant to the Act, or another day set for holding a by-Election, or a vote on a bylaw or question.
- 1.12 "Elector" means a person eligible under the Act to vote at an Election.
- 1.13 "Institutional Voting" means voting which may be established for Electors who reside at an institution who are physically unable to attend a Voting Station on an Advance Vote date or Election Day, and includes eligible Electors of a treatment centre or supportive living facility as defined by the Act.
- 1.14 "Local Jurisdiction" means the County.

- 1.15 "Marking Device" means a writing instrument, approved by the Returning Officer, for use by an Elector to mark a Ballot.
- 1.16 "Nomination Day" means the day that is four (4) weeks before Election Day and is the deadline for a Candidate to submit the Nomination papers to the Returning Officer as set out in the Act.
- 1.17 "Nominations" means the nomination papers in an acceptable form, to be submitted by a Candidate during the nomination period, pursuant to the Act.
- 1.18 "Permanent Electors Register" means the prescribed form on which the name of a person who has been registered to vote is recorded.
- 1.19 "Special Ballot" means a Ballot for an Elector who is unable to vote at an Advance Vote or at the Voting Station on Election Day.
- 1.20 "Voting Station" means the place where an Elector votes.
- 1.21 "Voting Subdivision" means the area of the Local Jurisdiction designated as a voting subdivision.

2. Permanent Electors Register

- 2.1 The County must prepare a Permanent Electors Register of residents in the County who are eligible, or may become eligible, to vote pursuant to section 49(1) of the Act.
- 2.2 The County may:
 - a. compile or revise the Permanent Electors Register manually or by means of any computer-based system; and
 - b. keep the Permanent Electors Register in printed form or may store it in any computer-based system or any other information storage device that is capable of reproducing any required information in legible printed form within a reasonable time.
- 2.3 The County must enter into an agreement with the Chief Electoral Officer, pursuant to section 49(2), to:
 - a. receive from the Chief Electoral Officer information that will assist the County in compiling or revising the Permanent Electors Register; and
 - b. provide to the Chief Electoral Officer information that will assist the Chief Electoral Officer in preparing or revising for the purpose of compiling or revising the register of Electors under the *Election Act*, RSA 2000, c. E-1.
- 2.4 In compiling and revising the Permanent Electors Register, the County:
 - a. must use information primarily received from the Chief Electoral Officer;
 - b. must enter any information in the Permanent Electors Register that is collected under the Act during an Election regarding:
 - i. the residential address, including the postal code of the residence of the person, and the mailing address, including the postal code, if the mailing address is different from the residential address;
 - ii. the surname, given name and middle initial of the person;
 - iii. the residential telephone number of the person;
 - iv. the gender of the person;
 - v. the day, month and year of birth of the person, and whether the person is a public school resident or a separate school resident; and

- c. may use any other information obtained by or available to the County to supplement the information received from the Chief Electoral Officer.
- 2.5 Persons not included in the Permanent Electors Register may submit an application to the County in the prescribed form to be added to the Permanent Electors Register.
- 2.6 Persons who are included in the Permanent Elections Register but wish to correct information about themselves contained within the Permanent Electors Register may submit an application to the County in the prescribed form to have their information corrected.
- 2.7 The prescribed form required to add a person to the Permanent Electors Register or to change the information of a person included on the Permanent Electors Register will be made available:
 - a. on the County's website;
 - b. in person at the County's Administration Office during regular business hours; and
 - c. by email.
- 2.8 The County will only use the Permanent Electors Register and the information contained within it for the purposes consistent with the Act and will not share the Permanent Electors Register or the information contained within it to the public, Candidates, official agents or scrutineers.

3. POWERS, DUTIES AND APPOINTMENT OF THE RETURNING OFFICER AND SUBSTITUTE RETURNING OFFICERS

- 3.1 By way of resolution, Council shall appoint the Returning Officer pursuant to section 13(1) of the Act and the Substitute Returning Officer pursuant to section 13(2.1) of the Act.
- 3.2 The Returning Officer is responsible for exercising all the duties, functions and powers of a Returning Officer under this Bylaw and the Act.
- 3.3 The Returning Officer is authorized to negotiate on behalf of the County for the conduct of Elections for school divisions and other elected authorities.
- 3.4 The Returning Officer may delegate any of their powers or duties to a Constable, Presiding Deputy Officer, or Deputy Officer pursuant to section 14(3) of the Act.
- 3.5 The Returning Officer may appoint one or more Deputy Returning Officers and any other persons the Returning Officer deems are necessary to assist with any of the requirements of this Bylaw or the Act.
- 3.6 The Returning Officer is authorized to designate the location of each Voting Station and may alter or create additional Voting Stations if the changes are made before notice of the Election is given.
- 3.7 The Substitute Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under this Bylaw and the Act when the Returning Officer is incapable of performing those duties, functions, and powers.
- 3.8 When acting as the Returning Officer, the Substitute Returning Officer may delegate any of their powers or duties to Deputy Returning Officers, Presiding Deputy Returning Officers, Constables, and other persons deemed necessary to assist with any of the requirements of this Bylaw or the Act.
- 3.9 The Returning Officer must be independent and impartial when performing their duties pursuant to section 13.1(1).
- 3.10 No persons may obstruct or attempt to influence the Returning Officer in the performance of their duties pursuant to section 13.1(2).

- 3.11 The following individuals are ineligible for appointment as the Returning Officer or the Substitute Returning Officer pursuant to section 13(3) of the Act:
- a. a Candidate, or
 - b. a Candidate's spouse, adult interdependent partner, child, parent, or sibling.

4. NOMINATIONS

- 4.1 Nominations must be submitted in person at the County's Administration Office during regular business hours within the nomination period for an Election pursuant to section 28(1) of the Act.
- 4.2 It is the sole responsibility of the Candidate to ensure the Nomination complies with the requirements of this Bylaw and the Act.
- 4.3 Nominations may be withdrawn at any time during the nomination period for an Election, or within 24 hours after the close of the nomination period pursuant to section 32(3) of the Act, by submitting a nomination withdrawal to the Returning Officer:
- a. in writing delivered to the County's Administration Office during regular business hours;
 - b. by email; or
 - c. by another method to the satisfaction of the Returning Officer.
- 4.4 A person may request to examine filed Nominations at the County's Administration Office, and in the presence of the Returning Officer, deputy or secretary pursuant to section 28(6).
- a. When making Nominations available to the public, the nomination papers shall be partially redacted to ensure that the mailing address and any personal information that, in the Returning Officer's opinion, would compromise the personal safety of a Candidate and the Candidate's official agent are not disclosed pursuant to section 28(6.1) of the Act.
- 4.5 Within 48 hours of the close of Nominations on Nomination Day for an Election, the Returning Officer shall make a list of all nominated Candidates available to the public on the County's website, a copy may be made available upon request at the County's Administration Office during regular business hours.
- 4.6 Nomination papers shall be retained until the term of office, to which the nomination papers relate, has expired pursuant to section 34(4) of the Act.
- 4.7 Nomination papers must be signed by a minimum of five (5) Electors eligible to vote in that Election pursuant to section 27(1)(b) of the Act.
- 4.8 Every Nomination must be accompanied by a deposit of fifty dollars (\$50.00) in the form of cash, certified cheque, money order, debit, or credit card (payable to 'Lac Ste. Anne County').
- 4.9 If the Candidate is not entitled to a refund of the deposit pursuant to section 30 of the Act, the deposit shall then be paid into the General Revenue fund of the County.

5. BALLOTS

- 5.1 The Returning Officer shall be responsible for ensuring that Ballots are produced in accordance with the Act.
- 5.2 A sufficient number of Ballots shall be printed to ensure that there are enough Ballots available for each eligible Elector who wishes to vote.
- 5.3 A single Ballot may contain any of the offices, questions, and bylaws to be voted on in the Election.

- 5.4 The Ballot may include the following, in any order to be determined by the Returning Officer:
- a. Candidates for the office of Councillor;
 - b. Candidates for the office of Public School Trustee;
 - c. Questions that may be put to the Electors under the Act or any other enactment;
 - d. Bylaws that may be voted on by the Electors under the Act or any other enactment;
 - e. Candidates or questions for Provincial or Federal government, as may be required.
- 5.5 Each Ballot shall:
- a. set out the office to be voted on in the Election, the Candidates for each office, and any bylaws or questions that are to be put to the Electors in the Election;
 - b. contain a brief explanatory note stating the maximum number of Candidates for each office for which an Elector can vote without making the Ballot void; and
 - c. provide a space for the Elector to mark the Elector's vote beside each Candidate or vote on a question.
- 5.6 Candidates' names shall be listed on the Ballots pursuant to section 43 of the Act.

6. SPECIAL BALLOTS

- 6.1 The Returning Officer is delegated the authority to provide for Special Ballots pursuant to section 77.1(a) of the Act.
- 6.2 Electors may apply for a Special Ballot beginning on August 1 for a general Election, or on the date set by the Returning Officer for a by-Election or vote on a bylaw or question, if they are unable to vote on Election Day or during an Advance Vote.
- 6.3 Electors who are included in the Permanent Electors Register may apply to the Returning Office for a Special Ballot through one of the following methods:
- a. in person, at the County's Administration Office during regular business hours;
 - b. in writing, delivered to the County's Administration Office;
 - c. by e-mail;
 - d. by telephone; or
 - e. by another method to the satisfaction of the Returning Officer.
- 6.4 Electors who are not included in the Permanent Electors Register must first apply to be added to the Permanent Electors Register before applying for a Special Ballot or being issued a Special Ballot package, pursuant to section 77.1(1.1) of the Act.
- 6.5 The Returning Officer shall require the following information from Electors when applying for a Special Ballot under this Bylaw and pursuant to section 77.1(2.4):
- a. first and last name of the Elector;
 - b. municipal address of the residence of the Elector;
 - c. school elector status, if the Elector is voting for a trustee of a board of a school division;
 - d. mailing address to which the Special Ballot is to be sent;

- e. contact phone number; and
 - f. contact email address, if the Elector is unavailable by phone.
- 6.6 Upon receiving an application for a Special Ballot that complies with the requirements of this Bylaw and the Act, the Returning Officer shall issue a Special Ballot package to the Elector after the close of Nominations on Nomination Day.
- 6.7 Special Ballot packages must be returned to the Returning Officer no later than 4:00 pm on the Election Day, pursuant to section 77.21(2) of the Act.
- 6.8 If a Special Ballot package is not received before 4:00 pm on Election Day, the Special Ballot shall be considered a rejected Ballot pursuant to section 77.3 of the Act.

7. ADVANCE VOTING

- 7.1 The Returning Officer is authorized to conduct an Advance Vote on any vote held in an Election or a vote on a bylaw or question within the County, pursuant to the Act.
- 7.2 The Returning Officer is authorized to set appropriate dates, times, locations, and forms for conducting Advance Votes, pursuant to section 73(6) of the Act.

8. INSTITUTIONAL VOTING

- 8.1 The Returning Officer is authorized to designate appropriate dates, times, and locations for Institutional Voting for the purpose of conducting an Election.
- 8.2 The Returning Officer is authorized to designate appropriate staff to assist with conducting an Election at an institution.
- 8.3 Any Ballot Box used at an Institutional Vote shall be sealed upon completion of the vote and shall not be unsealed and opened until the close of Voting Stations on Election Day.

9. INCAPACITATED VOTING

- 9.1 Provision is made for the attendance of two (2) Deputy Returning Officers at a residence of an Elector, during the hours of an Advance Vote, in order to take the votes of an Elector who, because of physical incapacity or mobility limitations, is unable to attend a Voting Station or an Advance Voting Station to vote.
- 9.2 Incapacitated voting shall be done pursuant to section 79 of the Act.

10. VOTING STATIONS

- 10.1 The Returning Officer is authorized to designate appropriate locations for the Voting Stations within each Voting Subdivision. More than one Voting Station for each Voting Subdivision is permitted.
- 10.2 Voting Stations shall open promptly at 10:00 am on Election Day and shall remain open until 8:00 pm.
- 10.3 The Presiding Deputy Returning Officer shall determine when it is the appointed hour to open and close the Voting Station as set out in this Bylaw.
- 10.4 Promptly at 8:00 pm on Election Day, the Presiding Deputy Returning Officer, in the presence of at least one other Deputy Returning Officer, shall declare the Voting Station closed.
- 10.5 If there are Electors remaining within the Voting Station at the time it is declared closed, they shall be permitted to proceed with the voting process. No other person shall be allowed to enter the Voting Station after it is declared closed.

11. VOTING PROCEDURES

- 11.1 The Deputy Returning Officer shall provide each Elector with one Ballot, which has been initialed by the Deputy Returning Officer.
- 11.2 Prior to issuing a Ballot to an Elector, the Deputy Returning Officer must ensure that:
 - a. The Elector is at the correct Voting Station;
 - b. The Elector produces identification pursuant to the Act;
 - c. The Elector gives the Statement of Elector Eligibility and completes the Elector Register as prescribed by the Act;
- 11.3 Immediately upon receiving the Ballot, the Elector shall proceed to the voting compartment to vote alone or with an assistant as permitted by the Act. The Elector may bring a minor child into the voting compartment.
- 11.4 While the Elector is in the voting compartment, the Elector shall mark the Ballot only with the Marking Device provided in the voting compartment. The Elector shall mark the Ballot as follows:
 - a. with an "X", or other legible mark as prescribed on the Ballot, in the space designed for a vote adjacent to the choice of the Elector's Candidate name; and
 - b. where the Ballot includes a bylaw or question, the Elector shall mark an "X", or other legible mark as prescribed on the Ballot, in the space designed for a vote adjacent to the affirmative or the negative, whichever the Elector decides to vote by marking the appropriate adjacent space.
- 11.5 After the Elector has finished marking the Ballot, the Elector shall leave the voting compartment and deliver the Ballot to the Deputy Returning Officer supervising the Ballot Box.
- 11.6 The Deputy Returning Officer supervising the Ballot Box shall insert the marked Ballot into the Ballot Box, without exposing the marks made on the Ballot by the Elector.
- 11.7 When the Elector's Ballot has been deposited into the Ballot Box, the Elector shall leave the voting station.
- 11.8 The voting procedure prescribed in this section shall apply during an Advance Vote and an Institutional Vote. However, the procedures may be modified at the discretion of the Returning Officer or Presiding Deputy Returning Officer if required.

12. POST VOTING PROCEDURE

- 12.1 The portable Ballot Boxes used in the Special Ballot vote, Advance Vote, and Institutional Vote, shall be sealed upon the completion of the vote in which they are used, and shall not be unsealed and opened until the close of Voting Stations on Election Day.
- 12.2 The Returning Officer may direct that the sealed portable Ballot Boxes be brought to the Counting Centre where they remain sealed until they are opened for the counting of Ballots and may make any other direction they deem necessary for the storage of the Ballot Boxes.
- 12.3 The Deputy Returning Officers at a Voting Station shall:
 - a. count the unused Ballots, the rejected Ballots, and the spoiled Ballots and place them, packaged separately, sealed and initialed, in an empty Ballot Box;
 - b. place the voting registers and all statements required under the Act in the same Ballot Box;
 - c. seal and initial the Ballot Box and provide the sealed box for the delivery to the Returning Officer;

- d. complete the Ballot account; and
- e. personally deliver the Ballot account and Ballot Box to the Returning Officer, or designate.

13. COUNTING CENTRE

- 13.1 The Returning Officer shall designate a location as a Counting Centre and shall notify all affected Candidates, Official Agents and Scrutineers of the location of the Counting Centre.
- 13.2 The Returning Officer shall ensure the Counting Centre is secure from unauthorized access by persons who are not entitled to be present during the processing and tabulation of results.
- 13.3 The Ballot Boxes for Special Ballots, Advance Vote Ballots and Institutional Vote Ballots may be unsealed at the Counting Centre no earlier than 7:30 pm on Election Day, and in the presence of the Returning Officer and a Deputy Returning Officer, counting the Special Ballots, Advance Votes, and Institutional Votes may begin pursuant to section 85.1(4) of the Act.
 - a. The results of early counting of Special Ballots, Advance Vote Ballots, and Institutional Vote Ballots conducted under to this Bylaw, must not be publicly disclosed until after the close of Voting Stations at 8:00 pm on Election Day pursuant to section 85.1(7) of the Act.
- 13.4 The Returning Officer may delegate any of the duties under this section to a Deputy Returning Officer.

14. REJECTED BALLOTS

- 14.1 A Ballot is void and shall not be counted in the Election results if:
 - a. the Ballot does not bear the initials of the Deputy Returning Officer who issued the Ballot;
 - b. the Ballot has more votes cast than an Elector is entitled to cast;
 - c. the Ballot has anything written or marked on it by which an Elector can be identified;
 - d. the Ballot has been torn, defaced or otherwise dealt with by an Elector so that the Elector can be identified;
 - e. the Ballot has not been marked by the Elector;
 - f. in the event of a bylaw or question, the Ballot has been marked both in the affirmative and the negative;
 - g. the Ballot has been marked outside of the space indicated on the Ballot for the placing of the Elector's mark; or
 - h. the ballot cannot be read.
- 14.2 In the event an Elector has made an inadvertent error in marking a Ballot, the Elector may request a new Ballot upon returning the original Ballot to the Deputy Returning Officer who issued the original Ballot. The original Ballot shall be marked as "SPOILED" and shall not be counted or included in the tally of Election results.

15. ELECTION RESULTS

- 15.1 The County shall publish, on the County's website, the official Election results no later than 12:00 pm on the fourth day after an Election pursuant to section 97(2) of the Act.

15.2 The County may publish, on the County's website, the unofficial Election results once counts are received from Voting Stations pursuant to section 97(1) of the Act.

16. RECOUNT BY RETURNING OFFICER

16.1 The Returning Officer may make a recount of the votes cast at one or more Voting Stations if the Returning Officer is satisfied that the circumstances meet the recount requirements pursuant to section 98 of the Act.

17. RETENTION & DISPOSITION OF ELECTION MATERIAL

17.1 Retention and disposition of election materials will be managed in accordance with the Act.

18. SEVERABILITY AND REPEAL

18.1 Nothing in this Bylaw relieves any person from compliance with any other Bylaw, enactment or applicable federal or provincial legislation.

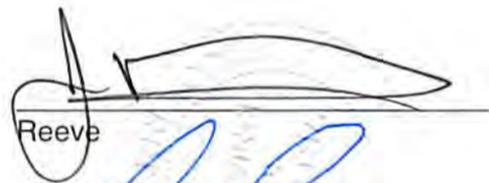
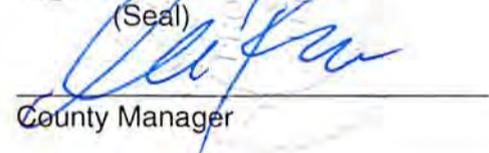
18.2 Every provision of this Bylaw is independent of all other provisions and if any provision is declared invalid by a Court, the invalid portion shall be severed, and the remainder of the Bylaw shall remain valid and enforceable.

19. EFFECTIVE DATE

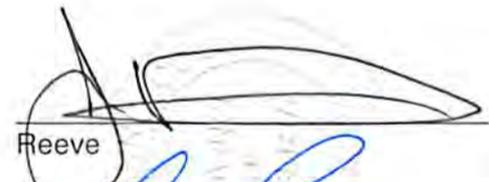
19.1 County Bylaw No. 23-2021 is hereby repealed.

19.2 This Bylaw shall come into force and effect upon third and final reading of the Bylaw.

READ a first time this 27th day of February, 2025.

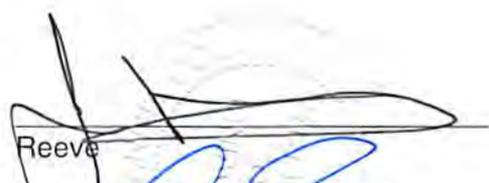
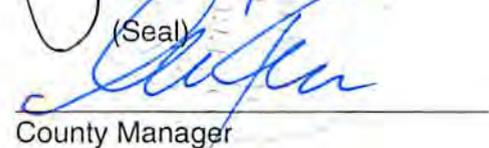

Reeve
(Seal)

County Manager

READ a second time this 13th day of March, 2025.


Reeve
(Seal)

County Manager

READ a third and final time this 13th day of March, 2025.


Reeve
(Seal)

County Manager