



Mayerthorpe

***OCTOBER 18, 2021
GENERAL ELECTION
INFORMATION PACKAGE***

**INFORMATION FOR POTENTIAL CANDIDATES
FOR THE OFFICE OF:**

**MAYOR
COUNCILLOR**

THE FOLLOWING LONG-TERM GOALS, (SUPPORTED BY A NUMBER OF GUIDING PRINCIPLES), HAVE BEEN ESTABLISHED BY COUNCIL. WITH A PHILOSOPHY THAT:

THE TOWN IS A "BUSINESS" AND AS SUCH REQUIRES SHORT AND LONG RANGE PLANNING, SUPPORTED BY SOUND FINANCIAL, ADMINISTRATIVE AND GOVERNANCE FRAMEWORKS TO ASSIST THE COMMUNITY IN REMAINING VIABLE.

VISION STATEMENT

MAYERTHORPE WILL ADAPT AND EVOLVE TO CELEBRATE ITS HISTORY WHILE GROWING ITS FUTURE

MISSION STATEMENT

MAYERTHORPE WILL SERVE ITS RESIDENTS, BUSINESSES, AND VISITORS THROUGH LEADERSHIP AND PARTNERSHIP WHILE EMBRACING OPPORTUNITIES FOR CURRENT AND FUTURE GENERATIONS

OUR VALUES

IN ADVANCING OUR STRATEGIC PLAN, MAYERTHORPE TOWN COUNCIL AND ADMINISTRATION BELIEVE:

THE HEART OF MAYERTHORPE IS **ITS PEOPLE**.

WE WORK **COOPERATIVELY** TO BUILD AND PRESERVE OUR COMMUNITY.

WE EMBRACE AND ENCOURAGE UNITY, DEDICATION AND **PROGRESS**.

ELECTION TRIVIA

What elections are conducted by Town of Mayerthorpe?

Mayor
Councillor

How often are municipal elections held?

Every 4 years on the third Monday in October.

How many positions are there for each office?

Mayor 1 position
Councillor 6 positions

How is the number of eligible voters determined?

The Town census is used to determine the approximate number of eligible voters.

How are ballots counted?

Ballots are counted by hand.

INTRODUCTION

This information package is for your assistance and has no legislative sanction. It contains:

- a) answers to the most frequently asked questions regarding election procedures, and;
- b) important facts candidates should be aware of.

This package provides information for **Town of Mayerthorpe** for the elected offices of **Mayor and Councillors**.

RETURNING OFFICER JURISDICTION

The Returning Officer and Substitute Returning Officer for the Town of Mayerthorpe are:

Karen St.Martin

Returning Officer
786-2416
Email: cao@mayerthorpe.ca

Candi Graumann

Substitute Returning Officer
786-2416
Email: admin@mayerthorpe.ca

The Returning Officer is responsible for the conducting of elections for the following offices:

Office	Jurisdiction	Authority
Mayor	Town of Mayerthorpe	Town
Councillor	Town of Mayerthorpe	Town

INFORMATION SOURCES

For detailed information or documentation, the following sources are available to you:

- Copies of Provincial Legislation
Includes the Local Authorities Election Act, Municipal Government Act.
Alberta Queen's Printer
Main Floor, Park Plaza, 10611-98 Avenue
Edmonton, Alberta T5K 2P7
Telephone: (780) 427-4952 Fax: (780) 452-0668
Email: qp@gov.ab.ca
Municipal Government Act:
http://www.qp.alberta.ca/1266.cfm?page=m26.cfm&leg_type=Acts&isbncln=9780779795352
Local Authorities Election Act:
http://www.qp.alberta.ca/1266.cfm?page=L21.cfm&leg_type=Acts&isbncln=9780779780495
- Questions or Information relative to the Election Process
Contact the Returning Officer (see above)
- Questions or Information relative to the Offices of Mayor or Councillor
Contact the Returning Officer (see above)

PURPOSE, POWER AND CAPACITY OF LOCAL JURISDICTIONS

Within Canada there are three levels of government:

- Federal - Elected representatives referred to as Members of Parliament (MPs)
- Provincial - Elected representatives referred to as Members of the Legislative Assembly (MLAs)
- Local - Elected representatives referred to as Mayor and Councillors

Individuals elected to the Federal and Provincial governments typically represent a particular political party with the party having the most representatives elected forming the government. Local government is not based on "Party Politics".

In the book "Government and Politics in Alberta", A. Tupper/R. Gibbons it is stated that local government is a creation of the provincial government:

"Alberta's municipalities are legally subordinate to the provincial government as is the case of municipalities in all of the provinces. Under the Constitution Act, national and provincial governments have separate spheres of power with local government falling under the purview of the provinces. Thus, constitutionally a province can create, change, and abolish municipalities at will."

The Province provides the structure for local governments through the following legislation:

Town Council – Municipal Government Act

- Section 3 The purposes of a municipality are
- (a) To provide good government,
 - (b) To foster the well-being of the environment,
 - (c) To provide services, facilities, and other things that, in the opinion of council, are necessary or desirable for all or part of a community.

BASIC PRINCIPLES OF GOVERNANCE

Council of the Town of Mayerthorpe are committed to the following principles

Council:

- ◆ Articulate and communicate the Town vision is in line with community needs. The Council focuses on the strategic planning and direction. Through policy, the Council defines the parameters within which the Town organization operates.
- ◆ Focuses on the whole Town organization, rather than on particular issues of interest to the Council or individuals of the Council.
- ◆ Is a corporate body and must work as a whole. No individual Council member, on their own, including the Mayor or group of individuals, such as committees, has the authority to direct the Chief Administrative Officer or its staff.
- ◆ Speaks with one voice. Once Council has approved an action through a motion, it becomes the Town's Official policy and Council members are bound by that policy. Council members must not undermine the CAO or other Council members.
- ◆ Directs the Town organization's work, by approving policy and monitoring the impact of policy. The Council makes Policy in three areas: framework, Council self-governance and operations.
- ◆ Is responsible for its own management. This includes orientation, agenda development, evaluation and meeting management.
- ◆ Hires, supervises and releases only one employee, the CAO.
- ◆ Avoids making management and operational decisions even though individual Council members may have expertise in a specific area.
- ◆ Offers all ratepayers the same information, consideration, and opportunity without prejudice or favouritism.
- ◆ Makes the decision process transparent and shares any information that is not expressly designated as confidential.

- ◆ Any information that directly affects any ratepayer is confidential. Ensures that this information is not shared beyond the meeting in which it arises.
- ◆ Is aware of, and follows the law (including fiduciary responsibilities). Is ethical and expects ethical behaviour from each of its members.
- ◆ Encourages cooperation and mutual support among members.
- ◆ Ensures that there are clear guidelines for professional behaviour and expects all members to act in a professional manner.
- ◆ Acts in a manner that is consistent with decisions, guidelines and principles of the organization. Helps its colleagues to do the same.
- ◆ Values honesty and integrity. Does not tolerate the lack of these characteristics on any Board or Committee.
- ◆ Is accountable to the public. Councillors must make an effort to understand and represent the needs of members and be prepared to explain the positions taken.
- ◆ Councillors must declare any potential conflict of interest prior to participation in decisions that may result in direct personal gain. Each must act in a manner that assures others that they are not influencing decisions for their own benefit.
- ◆ Celebrate the contributions of its members. Enthusiasm is contagious.

GUIDING PRINCIPLES

1. To develop effective policies and procedures that provides the necessary framework to govern the Town of Mayerthorpe.
2. To ensure responsible short and long term planning with sound financial accountability.
3. Maintain and enhance existing infrastructure and plan for future demands.
4. Be open, accessible and accountable to the ratepayers and other community stakeholders of Mayerthorpe.
5. Provide the Chief Administrative Officer with clear direction; ensure her/his compliance with the Municipal Government Act and accountability to council.
6. Enhance the quality of life by providing a desirable community with quality services and facilities.
7. Promote a good working relationship with other municipalities and levels of government.
8. Promote the Town of Mayerthorpe internally and to potential new taxpayers, in order to sustain a stable community.

THE OFFICE OF MAYOR
TERM: Next Election October 2025

DUTIES OF MAYOR
(Chief Elected Official)

The Mayor is the chief elected official of the municipality and has duties that encompass those of both Councillor and Chief Elected Official.

Excerpts from Sections 153 and 154 of the Municipal Government Act

- 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;
 - (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;
 - (f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.
- 154** (1) A chief elected official, in addition to performing the duties of a councillor, must
- (a) preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and;
 - (b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.
- (2) The chief elected official is a member of all council committees and all bodies to which council has the right to appoint members under this Act, unless the council provides otherwise.
- 201** (1) A council is responsible for:
- (a) developing and evaluating the policies and programs of the municipality;
 - (b) making sure that the powers, duties and functions of the municipality are appropriately carried out;
 - (c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.
- (2) A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

THE OFFICE OF COUNCILLOR
TERM: Next Election October 2025
NUMBER OF COUNCILLORS: 6 Positions

DUTIES OF COUNCILLOR

The Municipal Government Act provides that every municipality shall have a council, the members of which shall be elected in accordance with the Local Authorities Election Act. The Municipal Government Act provides for a broad spectrum of powers and duties for a council and councillors including:

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 to anything that would promote the welfare or interests of the municipality;
- (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;
- (f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.

201 (1) A council is responsible for

- (a) developing and evaluating the policies and programs of the municipality;
- (b) making sure that the powers, duties and functions of the municipality are appropriately carried out;
- (c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.

(2) A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

Council Meetings are held every second and fourth Monday of the month at 7:00 pm.

Policies and Priorities Committee Meetings are held every third Monday of the month at 7:00 p.m.

Time Commitment

The demands on your time while being an elected official will be heavy. During your time in office you will be required to attend:

regular and special meetings of council;
council committee meetings;
meetings of other boards and agencies to which you are appointed as a council representative;
conferences, conventions, seminars and workshops for training and discussion; and
other events promoting your municipality.

Time must also be spent reading agenda material and talking with residents, the Chief Administrative Officer (CAO) and other relevant stakeholders. This will all be part of the necessary preparation for meetings so that you can make informed decisions.

Alberta Urban Municipalities Association (AUMA)

The mission statement of AUMA states: AUMA is the voice of urban municipalities and provides visionary leadership, solutions-based advocacy, and service excellence.

Each year in the fall, an AUMA convention is held that attracts approximately 800 to 1,000 delegates from urban councils and administration. The convention that is held during election years is strongly geared toward newly elected Council members and for this reason, those successful candidates, if the budget allows, are expected to set aside time to attend this event.

The 2021 AUMA convention will be held in September, Date and Location TBD.

Federation of Canadian Municipalities (FCM)

The Federation of Canadian Municipalities (FCM) has been the national voice of municipal government since 1901.

With more than 1,400 members, FCM represents the interests of municipalities on policy and program matters that fall within federal jurisdiction. Members include Canada's largest cities, small urban and rural communities, and 18 provincial and territorial municipal associations.

FCM is dedicated to improving the quality of life in all communities by promoting strong, effective and accountable municipal government. Along with its policy interests, FCM remains a professional association serving elected municipal officials.

The Town of Mayerthorpe is a member of FCM and as such, members of Council, if the budget allows and if it is held in Alberta, are expected to attend the annual conference of FCM.

ADVANCE VOTING

TOWN OF MAYERTHORPE'S ADVANCE VOTING WILL TAKE PLACE on

MONDAY, OCTOBER 4, 2021 BETWEEN 3:00 PM and 7:00 PM.

THE ADVANCE VOTING STATION WILL BE LOCATED AT

PLEASANT VIEW LODGE
4407 - 42ND A AVENUE
MAYERTHORPE, ALBERTA

ELECTION DAY—VOTING STATIONS

MONDAY, OCTOBER 18, 2021

MAYERTHORPE ROYAL CANADIAN LEGION will serve as the VOTING

STATION and will OPEN PROMPTLY AT 10:00 AM

AND WILL BE KEPT OPEN CONTINUOUSLY UNTIL 8:00 PM.

5111-45TH AVE.

**THERE WILL BE INSTITUTIONAL VOTING FOR 1 HOUR AT THE FOLLOWING
LOCATION**

MAYERTHORPE HEALTHCARE CENTRE (1:00 PM)

ELIGIBILITY TO VOTE

Excerpts from the **Local Authorities Election Act**

- 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) ... 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.
- (3) If a local authority establishes a voting station at a work site, the local authority may direct that those workers who are electors who wish to vote and who are required to work at the site during the hours for which the voting station is open shall vote at that voting station, notwithstanding that those workers do not reside in the voting subdivision in which that voting station is located.

NOTES:

The Town of Mayerthorpe does not compile a Voter's List.

PROOF OF ELECTOR ELEGIBILITY

Excerpts from the **Local Authorities Election Act**

- 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.
- (2) A statement referred to in subsection (1)(b)(i) must include the address of the person's residence.
- (3) A person may validate the person's identity and the address of the person's residence for the purpose of subsection (1)(b)(ii)
- (a) if a bylaw has been passed under section 53.01, by producing the number and types of identification required by the bylaw, or
 - (b) by producing one of the following:
 - (i) one piece of identification issued by a Canadian government, whether

- federal, provincial or local, or an agency of that government, that contains a photograph of the person, the person's name and the address of the person's residence,
 - (ii) one piece of identification authorized by the Chief Electoral Officer under the Election Act for the purposes of section 95(1)(a)(ii) of that Act that establishes the person's name and current address, or
 - (iii) one piece of other acceptable identification referred to in section 53.02.
- 4) Notwithstanding subsection (1)(b)(ii) and (iii), a person may validate the person's identity, the address of the person's residence and, if applicable, the person's age if the person is accompanied by an elector who
 - (a) validates the elector's identity and the address of the elector's residence in accordance with subsection (3) and, if applicable, verifies the elector's age in accordance with subsection (1)(b)(iii), and
 - (b) vouches for the person in accordance with subsection (7).
- (5) A scrutineer shall not vouch for a person under subsection (4)(b).
- (6) An elector shall not vouch for a person if any of the following circumstances apply:
 - (a) the elector has relied on the process described in subsection (4) to validate the elector's identity, address and, if applicable, age;
 - (b) subject to subsection (6.1), the elector has already vouched for another person. (7) For the purposes of subsection (4)(b), an elector who vouches for a person must make a statement, in the prescribed form, that
- (6.1) An elector may vouch for more than one person if every person the elector vouches for shares the same place of residence.
- (7) For the purposes of subsection (4)(b), an elector who vouches for a person must make a statement, in the prescribed form, that
 - (a) the elector knows the person,
 - (b) the elector knows that the person resides at the address indicated in the person's statement, and
 - (c) the elector has not relied on the process described in subsection (4) to validate the elector's identity, address and, if applicable, age.
- (8) A person who attends at a voting station shall not be permitted to vote unless that person meets the requirements of this section.

BYLAW NO. 988 VOTER IDENTIFICATION

1. In addition to the other forms of acceptable identification referenced in s. 53(1) of the *Local Authorities Election Act*, a person who attends at a voting station to vote in an election will be permitted to vote if they produce for inspection by a Deputy Returning Officer of that voting station:



- a) Correspondence issued by a hospital, auxiliary hospital, nursing home or seniors' or special care accommodation facility such as a letter of stay, admission form, or patient profile sheet that attests to the person's residency at that facility and provides the person's name or current municipal address or legal description of residency;
 - b) Correspondence from the Town of Mayerthorpe, the Government of Alberta, or the Government of Canada (or one of their agencies) setting out the person's name and municipal address or legal description of residence, together with proof of age issued by the Government of Alberta or Government of Canada (or one of their agencies).
2. A person who does not meet the requirements of s. 53(1) of the *Local Authorities Election Act* or s. 3 of this Bylaw is not eligible to vote.

RULES OF RESIDENCE

Excerpts from the *Local Authorities Election Act*

- 48** (1) For the purposes of this Act, the place of residence is governed by the following rules:
- (a) a person may have only one place of residence for the purposes of 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.
- (1.1) For the purposes of subsection (1)(a.1), a person shall designate the person's place of residence in accordance with the following factors in the following order of priority:
- (a) the address shown on the person's driver's licence or motor vehicle operator's licence issued by or on behalf of the Government of Alberta or an identification card issued by or on behalf of the Government of Alberta;
 - (b) the address to which the person's income tax correspondence is addressed and delivered;
 - (c) the address to which the person's mail is addressed and delivered.

VOTING TIME FOR EMPLOYEES

Excerpts from the **Local Authorities Election Act**

- 58**
- (1) An employee who is an elector shall, while the voting stations are open on Election Day, have 3 consecutive hours for the purpose of casting the employee's vote.
 - (2) If the hours of the employee's employment do not allow for 3 consecutive hours, the employee's employer shall allow the employee any additional time for voting that is necessary to provide the employee the 3 consecutive hours, but the additional time for voting shall be granted at the convenience of the employer.
 - (3) No employer shall make any deduction from the pay of an employee nor impose on the employee or exact from the employee any penalty by reason of his absence from his work during the 3 consecutive hours or part of it.
 - (4) Subsections (1), (2) and (3) do not apply if the employer provides for the attendance of an employee who is an elector at a voting station while it is open during the hours of the employee's employment with no deduction from the employee's pay and without exacting any penalty.

NOMINATION DAY

Excerpts from the **Local Authorities Election Act**

NOMINATION DAY is Monday, September 20, 2021.

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 read and comply with the municipality's code of conduct if elected, and
 - (v) that the persons 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.
 - (1.1) A person who files a nomination shall also submit, in the prescribed form, the following information to the returning officer:
 - (a) the full name and contact information of the candidate;
 - (b) the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;
 - (c) the name and address of the financial institutions to be used by or on behalf of the candidate for the candidate's campaign account, if applicable;

- (d) the names of the signing authorities for each account referred to in clause (c), if applicable.
- (1.2) When there is any change in the information required to be provided under subsection (1.1), the candidate shall notify the local jurisdiction in writing within 48 hours after the change, and on receipt of the notice the local jurisdiction shall update the information accordingly.
- (1.3) Notice under subsection (1.2) may be sent by fax or e-mail.
- (2) Notwithstanding subsection (1), a city that is a local jurisdiction with a population of at least 10 000 or a board of trustees under the Education Act of a local jurisdiction with a population of at least 10 000 may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office, but that number must be at least 5 and not more than 100.
- (3) Notwithstanding subsection (1), if a system of wards is in effect, only an elector who is a resident of the ward for which a candidate for election is being nominated may sign the nomination of the candidate.

(NOTE - Town of Mayerthorpe does not require a deposit.)

Filing of Nomination Papers

Nomination day

- 25** (1) Nomination day is 4 weeks before Election Day.
- (2) A person may file a nomination to become a candidate
- (a) for a General Election, within the period beginning on January 1 in a year in which a general election is to be held and ending at 12 noon on nomination day, and
 - (b) for a By-Election, within the period beginning on the day after the resolution or bylaw is passed to set election day for the by-election and ending at 12 noon on nomination day.

QUALIFICATIONS OF ELECTORS WHO SIGN NOMINATION PAPERS

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

A person is eligible to vote in an election held pursuant to the Local Authorities Election Act if he/she

- (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

NOTE:

1. **"Local Jurisdiction"** means the area within the boundaries of the Town of Mayerthorpe.
2. The person who signs the Nomination Papers must be a resident in the local jurisdiction on the date of signing the Nomination Papers.

3. To ensure validity of their Nomination Papers, a Candidate may submit more than the required **FIVE** electors' signatures but not more than 100.

QUALIFICATIONS OF CANDIDATES

Excerpts from the **Local Authorities Election Act**

- 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;
 - (c) is not otherwise ineligible or disqualified.
- (2) Notwithstanding subsection (1), in the case of a town, a candidate for councillor is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the town.
- (3) Notwithstanding subsection (1), a candidate for trustee of a board of a school division that is wholly or partly within the boundaries of a city is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the school division.
- (4) If the boundaries of a local jurisdiction are altered by the addition of land, a person who has been a resident of the added land for at least 6 months immediately preceding nomination day is deemed, for the purposes of this Act, to have been a resident, during that time, of the local jurisdiction to which the land was added.

INELIGIBILITY

Excerpts from the **Local Authorities Election Act**

- 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
 - (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).
- (1.1) A person is not eligible to be nominated as a candidate for election as a trustee of a board of a school division if on nomination day the person is employed by

- (a) a school division,
- (b) a charter school, or
- (c) a private school, in Alberta unless the person takes a leave of absence under this section.

(1.2) A person is not eligible to be nominated as a candidate for election as a councillor or a school board trustee if

- (a) a report was transmitted under section 147.8(1) in respect of the person,
- (b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
- (c) subject to subsection (1)(d.1), nomination day for the election occurs within
 - i) the 8-year period following the day on which the secretary transmitted the report to council or the school board, or
 - ii) where the disclosure statement required by section 147.4 has been filed with the secretary, the 3-year period following the day of filing,whichever period expires first.

(1.3) Subsection (1.2) applies

- (a) with respect to a candidate for election as a councillor, if a report has been transmitted under section 147.8(1)(a) respecting a campaign period beginning on or after January 1, 2014, and
 - (b) with respect to a candidate for election as a school board trustee, if a report has been transmitted under section 147.8(1)(b) respecting a campaign period beginning on or after January 1, 2019.
- (4) Subsection (1) does not apply to a person by reason only:

(3) Subsection (1)(b) to (d) do not apply to a candidate for election as a trustee of a board of a school division.

(4) Subsection (1)(b) does not apply to a person by reason only

(a) - (f) repealed 2018 c23 s11;

(g) that the person is appointed to a position under the Emergency Management Act;

(h) repealed 2018 c23 s11;

(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 c23 s11;

(m) 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.

(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 bylaw, 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.

23(1) A person is not eligible to be nominated for more than 1 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.

DISQUALIFICATION OF COUNCILLORS

Excerpts from the **Municipal Government Act**

174 (1) A councillor is disqualified from council if

(a) when the councillor was nominated, the councillor was not eligible for nomination as a candidate under the Local Authorities Election Act;

(b) the councillor ceases to be eligible for nomination as a candidate under the Local Authorities Election Act;

(b.1) the councillor

(i) fails to file a disclosure statement as required under section 147.4 of the Local Authorities Election Act before the end of the time period referred to in section 147.7 of the Local Authorities Election Act, and

(ii) has not been relieved from the obligation to file a disclosure statement by a court order under section 147.8 of the Local Authorities Election Act;

(c) the councillor becomes a judge of a court or a member of the Senate or House of Commons of Canada or of the Legislative Assembly of Alberta;

- (d) the councillor is absent from all regular council meetings held during any period of 8 consecutive weeks, starting with the date that the first meeting is missed, unless subsection (2) applies;
 - (e) the councillor is convicted (i) of an offence punishable by imprisonment for 5 or more years, or (ii) of an offence under section 123, 124 or 125 of the Criminal Code (Canada);
 - (f) the councillor does not vote on a matter at a council meeting at which the councillor is present, unless the councillor is required or is permitted to abstain from voting under this or any other enactment;
 - (g) the councillor contravenes section 172;
 - (h) the councillor has a pecuniary interest in an agreement that is not binding on the municipality under section 173;
 - (i) the councillor uses information obtained through being on council to gain a pecuniary benefit in respect of any matter;
 - (j) the councillor becomes an employee of the municipality;
 - (k) the councillor is liable to the municipality under section 249.
- (2) A councillor is not disqualified by being absent from regular council meetings under subsection (1)(d) if
- (a) the absence is authorized by a resolution of council passed at any time
 - (i) before the end of the last regular meeting of the council in the 8-week period, or
 - (ii) if there is no other regular meeting of the council during the 8-week period, before the end of the next regular meeting of the council, or
 - (b) the absence is in accordance with a bylaw under section 144.1.
- (3) For the purposes of this section, a councillor is not considered to be absent from a council meeting if the councillor is absent on council business at the direction of council.
- (4) A councillor who is disqualified under this section is eligible to be elected at the next general election in the municipality if the person is eligible for nomination under the Local Authorities Election Act.

WITHDRAWAL OF NOMINATION

Excerpts from the *Local Authorities Election Act*

- 32**
- (1) A person nominated as a candidate may withdraw as a candidate at any time during the nomination period.
 - (2) Subject to subsection (3), at any time within 24 hours after the close of the nomination period, if more than the required number of candidates for any particular office are nominated, any person so nominated may withdraw as a candidate for the office for which the candidate was nominated by filing with the returning officer a withdrawal in writing.
 - (3) If, after one or more candidates have withdrawn in accordance with subsection (2), 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 FINANCES AND CONTRIBUTIONS DISCLOSURE

Please refer to Part 5.1 of the Local Authorities Election Act

For more information about registering as a candidate you are encouraged to speak with the Returning Officer or Chief Administrative Officer. The municipality will have the required forms that you will need to complete.

CANDIDATES' AGENTS / SCRUTINEERS

If a candidate would like to either personally or by way of an agent, observe the election process at one or more of the voting stations, the following process shall be followed:

Excerpts from the Local Authorities Election Act

Appointment of 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, the Election Finances and Contributions Disclosure 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, the Election Finances and Contributions Disclosure 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 at the same time 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 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.

IDENTIFICATION OF CANDIDATES & CAMPAIGN WORKERS

Section 52 of the Local Authorities Election Act provides that all candidates and campaign workers (Mayor and Councillors) must have identification, provided by the elected authority, indicating the role of that person.

To comply with this legislation candidates are required to direct their workers to the Town Office to receive the identification required by this legislation.

ELECTION ADVERTISING

Word of mouth, door-to-door campaigning, paid advertising, elections signs, media interviews.....how you choose to market your campaign is entirely up to you. Following is information you need to know relative to the most commonly used candidate promotions.

FORUMS

A Forum is the opportunity for the public to hear from individuals running for office. A Forum may involve candidates being asked to present their platforms or may be conducted in a question/answer format whereby members of the public can ask questions to which the candidates respond. Forums are hosted by business/special interest groups and are not a part of the legislated election process. The Town is not involved in coordinating these events.

ROLE OF THE MEDIA

Media is not affiliated with the election process yet is an integral component in getting the news of an election to citizens. Media support the election process by providing news/special features, conducting interviews, highlighting upcoming dates and events, and profiling the candidates running for various offices. It may be useful for potential candidates to have a brief biography prepared as part of his/her election campaign to provide to media.

You may wish to discuss with the media their policy regarding election coverage. For your information, following are the local media contacts:

CAMPAIGN ADVERTISING ELECTION SIGNS

BEFORE LOCATING SIGNS ASK PERMISSION....
& Call before you dig!
ALBERTA ONE-CALL 1-800-242-3447

PLACEMENT OF CAMPAIGN ADVERTISING

Bylaw No.1051 Community Standards

18 1(c) An Election Sign may be placed on a Boulevard if the Election Sign is posted

- i) with respect to municipal and school elections, only between 12:00 noon on nomination day and 24 hours after the closing of polling stations, and
- ii) with respect to provincial and federal elections, only between 12:00 noon on the day when an election writ is handed down and 24 hours after the closing of polling stations; and
- iii) is not located within any Town-owned or occupied facility, or on or within any property upon which that facility is situated.

Advertising may be placed on private property, always with the permission of the owner. Generally, signs are not allowed if they interfere in any way with the safe and orderly movement of pedestrians or vehicles. Signs that do not meet legislative requirements may be confiscated and you may be fined.

POSTING OF ELECTION CAMPAIGN LITERATURE

- (1) under the regulations passed pursuant to the ***Electrical Protection Act*** of the Province of Alberta, it is illegal to post handbills on electrical lights or telephone poles. Action may be taken against candidates or their agents who deface bridges, light or telephone poles with election campaign literature.

REMOVAL OF CAMPAIGN ADVERTISING

All advertising **must be promptly** removed following the election.

For safety, and as a courtesy to the landowners, candidates should ensure that the site is cleaned up and that any holes in the ground, created by the placement of signs, be filled with a mixture of soil and grass seed.

CAMPAIGN LITERATURE: BALLOTS

Excerpts from the Local Authorities Election Act

- 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 (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 a fine and imprisonment.

NOTE: It is **no longer a requirement** that any printed advertisement, handbill, placard, poster, circular, pamphlet or other paper having reference to an election, bear the name and address of its printer/publisher.

CAMPAIGN ACTIVITIES AT A VOTING STATION
Excerpts from the **Local Authorities Election Act**

- 152** (1) Subject to subsection (2), a person who, at an advance vote or on election day, canvasses or solicits votes, or communicates with any person for the purpose of influencing that person's vote, in a voting station or within the boundaries of the land on which a building used for a voting station is located 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.
- (3) If a person contravenes this section, the deputy may issue one or more of the following directions to the person:
- (a) to cease all conduct that constitutes a contravention;
 - (b) to leave a location referred to in subsection (1) or (2);
 - (c) to move to a location specified by the deputy.
- (4) A person who, on receiving a direction under subsection (3), fails to immediately comply with the direction is guilty of an offence and liable to a fine of not more than \$500.
- (5) If a person contravenes this section, the deputy may request the assistance of a peace officer
- (a) to aid the deputy in maintaining unobstructed public access to the voting station, and
 - (b) to remove a person who has refused to comply with a direction referred to in subsection (3) from a location referred to in subsections (1) and (2).

INTERFERENCE WITH POSTED DOCUMENTS
Excerpts from the **Local Authorities Election Act**

- 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 \$1000, and
 - (b) in any other case, to a fine of not more than \$200.

OFFENCES

Excerpts from the **Local Authorities Election Act**

- 148** (1) No person shall
- (a) without authority supply a ballot to any person,
 - (b) fraudulently put into a ballot box any paper other than a ballot that the person is authorized by this Act to deposit,
 - (c) fraudulently take a ballot out of the voting station,
 - (d) without authority destroy, take, open or otherwise interfere with any ballot box or packet of ballots then in use for the purpose of an election.
- (2) No person shall
- (a) request a ballot in the name of some other person, whether the name is that of a person living or dead or of a fictitious person, or
 - (b) having voted once, request at the same election a ballot in the person's own name.
- (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 \$5000 or to imprisonment for a term not exceeding 2 years or to both fine and imprisonment.

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.

116 Bribery

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 subclause (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.

You may also view Alberta Municipal Affairs Guide – Running for Municipal Office in Alberta at <http://municipalaffairs.alberta.ca/documents/Running%20for%20Municipal%20Office%20in%20Alberta%20-%20A%20Candidate%27s%20Guide.pdf>

FREEDOM OF INFORMATION & PROTECTION OF PRIVACY (FOIPP)

The Freedom of Information and Protection of Privacy Act was first introduced in Alberta in 1995. The Act applies to all public bodies, which are directed by government legislation. The Act took effect for municipalities on October 1, 1999.

The Act addresses two main areas. First of all, it establishes regulations relating to access of information held by a public body. Secondly, the Act sets out regulations relating to the collection, use, protection and disclosure of personal information. The five principles of the Act are as follows:

1. To allow a right of access to any person to the records in the custody or control of a public body subject only to limited and specific exceptions.
2. To control the manner in which a public body may collect personal information and to control the use the public body may make of the information; and to control the disclosure by a public body of that information.
3. To allow individuals, subject to limited and specific exceptions, the right to have access to information about themselves which is held by the public body.
4. To allow individuals the right to request corrections to information about themselves held by a public body.
5. To provide an independent review of decisions made by a public body under the legislation.

For more information regarding FOIPP and how it relates to you, contact:

Louise Kormos, FOIPP Coordinator
Box 420 Mayerthorpe, AB T0E 1N0
780-786-2416