

BYLAW 34-2001

A BYLAW OF STRATHCONA COUNTY TO PROVIDE FOR THE CONDUCT OF ELECTIONS.

WHEREAS the Local Authorities Election Act, S.A. 1983, Chapter L-27.5, as amended, provides for the holding of local elections by municipalities; and

WHEREAS the Local Authorities Election Act provides for the taking of the votes of the electors by means of voting machines, vote recorders or automated voting systems; and

WHEREAS the Local Authorities Election Act provides options with respect to nomination day and election day hours, voting subdivisions, advance vote, institutional vote and joint elections;

NOW THEREFORE the Council of Strathcona County, in the Province of Alberta, duly assembled, enacts as follows:

1. TITLE

1.1 This Bylaw shall be called the Election Bylaw.

2. DEFINITIONS

2.1 Except as otherwise provided for in this Bylaw, the terms used in the Act, where used or referred to in this Bylaw, shall have the same meaning as defined or provided in the Act.

2.2 In this Bylaw:

2.2.1 "Act" means the Local Authorities Election Act, S.A. 1983, Chapter L-27.5, as amended;

2.2.2 "Automated Voting System" means an automated or electronic system designed to automatically count and record votes and process and store the election results;

2.2.3 "Ballot Box" means a container in a form approved by the Returning Officer intended to contain the voted ballots;

2.2.4 "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;

2.2.5 "Elected Authority" means an elected authority as defined in the Act and includes the Province of Alberta;

2.2.6 "Manager" means Manager of Legislative and Legal Services for Strathcona County, or whatever subsequent name shall be conferred on that position from time to time;

2.2.7 "Marking Device" means a pen or other instrument approved by the Returning Officer for use in marking ballots by the elector;

2.2.8 "Secrecy Sleeve" means an open-ended envelope in a form approved the Returning Officer, intended to be used to cover the ballot so as to conceal the markings made on the ballot by the elector without covering the initials of the election official;

2.2.9 "Seniors' Accommodation Facility" means lodge accommodation as defined in the Alberta Housing Act for 10 or more persons who are 65

years of age or older, and a facility for seniors that provides accommodation for 10 or more persons who are 65 years of age or older;

2.2.10 "Tally Register Tape" means the printed record generated by a vote tabulator showing the number of accepted ballots, the ballots read and the results of the ballots read by the Automated Voting Machine.

3. RETURNING OFFICER

3.1 The Manager is hereby appointed as the Returning Officer for Strathcona County for the purpose of conducting elections under the Act.

4. AUTOMATED VOTING SYSTEM

4.1 The tabulation of election results may be done by means of an Automated Voting System as may be directed by the Returning Officer.

4.2 When an Automated Voting System is used in an election, the Returning Officer shall:

4.2.1 ensure that the Automated Voting System has been pre-tested and is accurate and in good working order; and

4.2.2 take whatever reasonable safeguards may be necessary to secure the Automated Voting System from unauthorized access, entry, use, tampering and any unauthorized use of the ballots or tabulated results.

5. BALLOTS

5.1 Following nomination day, the Returning Officer shall cause sufficient ballots to be printed for the following unless elected by acclamation or unless agreement has not been reached with an Elected Authority for the conduct of their elections:

5.1.1 candidates for the office of the Mayor;

5.1.2 candidates for the office of Councillor;

5.1.3 candidates for the office of Public School Trustee;

5.1.4 candidates for the office of Separate School Trustee;

5.1.5 questions;

5.1.6 bylaws;

5.1.7 any other office as may be specified or required by the Act or any other applicable legislation.

5.2 Ballots for candidates will be in the general form prescribed in Schedule "A", attached hereto and forming part of this Bylaw, unless otherwise prescribed by the Returning Officer; and ballots required for offices, bylaws or questions as set out in Section 5.1 herein may be separated or combined in any manner deemed appropriate by the Returning Officer.

6. VOTING PROCEDURES

6.1 On receiving, from a deputy, the ballots that an elector is entitled to receive, together with a Secrecy Sleeve, the elector shall forthwith proceed into the voting compartment provided and shall mark each of his or her ballots with a Marking Device

6.1.1 by completing the arrow pointing to his or her choice of candidate or

candidates where there is more than one vacancy, and

6.1.2 in the case of a ballot for a bylaw or question, by completing the arrow pointing to the "yes" or "no" or pointing to the "for" or "against",

whichever way he or she desires to vote.

6.2 After marking a ballot, the elector shall insert the ballot into the Secrecy Sleeve

6.2.1 to conceal the names of the candidates or the bylaw or question, and the marks on the face of the ballot; and

6.2.2 immediately after leaving the voting compartment shall deliver the Secrecy Sleeve to the deputy supervising at the Ballot Box.

6.3 The deputy supervising at the Ballot Box shall verify the deputy's initials on the ballot and insert the marked ballot contained in the Secrecy Sleeve into the Ballot Box so that the ballot is extracted from the Secrecy Sleeve without exposing the marks made on the ballot by the elector.

6.4 When the elector's ballot has been deposited into the Ballot Box, the elector shall forthwith leave the voting station.

6.5 The voting procedure prescribed in this Bylaw shall apply during an advance vote, an institutional vote and an incapacitated elector vote, insofar as is practicable and may be modified as necessary at the discretion of the Returning Officer.

7. EARLY BALLOT BOX PICK-UP

7.1 At 4:30 p.m. or as soon thereafter as is reasonable, the presiding deputy shall in the presence of at least one other deputy ensure that each Ballot Box is closed and sealed and shall ensure that the Ballot Box is handed to the deputy assigned by the Returning Officer to deliver them to the Counting Centre.

7.2 The presiding deputy shall ensure that replacement Ballot Boxes are prepared so as to allow the voting procedure to continue.

8. POST VOTE PROCEDURE

8.1 Immediately after the close of the voting station, the presiding deputy shall in the presence of at least one other deputy ensure that each Ballot Box is closed and sealed and shall ensure that the Ballot Boxes are handed to the deputy assigned by the Returning Officer to deliver them to the Counting Centre.

8.2 The presiding deputy shall thereafter complete the ballot account and shall deliver it to the Returning Officer to complete following the Counting Centre process. The unused ballots, voting registers and all statements as required under the Act shall be sealed in a box and returned to the Returning Officer.

8.3 The Ballot Boxes used for the advance vote, the institutional vote and the incapacitated elector vote shall be closed and sealed upon completion of the vote and delivered to the Counting Centre.

8.4 The Returning Officer shall assign deputies at the Counting Centre to:

8.4.1 receive all sealed Ballot Boxes and record receipt on the form provided;

8.4.2 open the sealed Ballot Boxes and cause the ballots to be counted by inserting the ballots through the Automated Voting System;

- 8.4.3 upon completion of the ballot count for each voting station, place the counted ballots and the ballots rejected pursuant to Section 8, into the Ballot Box and close and seal the Ballot Box;
- 8.4.4 activate the Automated Voting System to produce one copy of the Tally Register Tape for each voting station, or in such other manner as may be directed by the Returning Officer and deliver to the Returning Officer the Tally Register Tapes and the sealed Ballot Boxes.
- 8.5 Ballots in the Ballot Boxes delivered to the Counting Centre prior to the close of the voting stations may be processed through the Automated Voting System at the Counting Centre provided that no results or Tally Register Tapes are produced for the ballots that have been processed.
- 8.6 Access to the Counting Centre is restricted to authorized deputies as determined by the Returning Officer.

9. REJECTED BALLOTS

- 9.1 Any ballot
 - 9.1.1 that does not bear the initials of the deputy,
 - 9.1.2 on which more votes are cast than an elector is entitled to cast,
 - 9.1.3 on which anything is written or marked by which an elector can be identified,
 - 9.1.4 that has been torn, defaced or otherwise dealt with by an elector so that he or she can thereby be identified,
 - 9.1.5 on which no vote has been cast by an elector,
 - 9.1.6 that has not been marked sufficiently for the Automated Voting System to discern a vote,shall be rejected and shall not be counted.
- 9.2 Notwithstanding Section 9.1.6, if a vote, though incorrectly marked on a ballot, clearly indicates for whom or what the elector intended to vote, a duplicated ballot may be prepared in the presence of two deputies to reflect the intent of the elector and such duplicated ballot may be inserted into the Automated Voting System to be counted. The original ballot which could not be discerned by the Automated Voting System shall be endorsed as "duplicated" and one of the deputies shall initial the endorsement.

10. RETURNING OFFICER RECOUNT

- 10.1 If the Returning Officer makes a recount pursuant to the Local Authorities Election Act and an Automated Voting System has been used to conduct the election, the voted ballots shall be recounted by the Automated Voting System.

11. STORAGE, RETENTION AND DISPOSITION OF ELECTION MATERIAL

- 11.1 Upon completion of the tabulation of the election results the Manager shall retain the programs and memory packs from the Automated Voting System in accordance with the provisions of the Act pertaining to the retention of election material.

11.2 The Returning Officer may make any decision he or she deems necessary for the storage of the Ballot Boxes and disposition of the contents of the Ballot Boxes.

12. CONDUCT OF ELECTIONS FOR OTHER ELECTED BODIES

12.1 In the event that an election for another Elected Authority is held in conjunction with the Strathcona County election, the provisions of this Bylaw shall apply to the election for that Elected Authority.

12.2 The Manager is authorized to negotiate agreements on behalf of Strathcona County for the conduct of elections for other Elected Authorities.

13. NOMINATION DAY HOURS

13.1 The Returning Officer shall receive nominations between the hours of 9:00 a.m. and 12:00 noon on Nomination Day.

14. VOTING HOURS

14.1 Each voting station shall be kept open continuously on Election Day from 9:00 a.m. until 8:00 p.m.

15. VOTING SUBDIVISIONS

15.1 The Returning Officer may divide the wards into voting subdivisions.

15.2 The Returning Officer may alter the boundaries of voting subdivisions or create additional voting subdivisions as long as the changes are made before notice is given for the election.

16. ADVANCE VOTE

16.1 There will be an advance vote for each election.

17. INSTITUTIONAL VOTING STATIONS

17.1 Institutional voting stations shall be established at the following locations:

CLOVERBAR LODGE and KIWANIS APPLEBLOSSOM MANOR	100 Fir Street, Sherwood Park
COUNTRY COTTAGE	75 Cranford Way, Sherwood Park
LAKESIDE LEGION MANOR	495 Woodbridge Way, Sherwood Park
SHERWOOD PARK CARE CENTRE	2020 Brentwood Boulevard, Sherwood Park
SILVER BIRCH LODGE	910 Bison Way, Sherwood Park
STRATHCONA CARE CENTRE	12 Brower Drive, Sherwood Park

18. INCAPACITATED ELECTOR AT HOME

18.1 If an elector is unable to attend at a voting station because of physical incapacity, that elector may request, at least 48 hours before the end of the advance vote period, that the Returning Officer have deputies attend at the elector's residence to take his or her vote.

18.2 If the request is received by the Returning Officer at least 48 hours before the end of the advance vote period and the Returning Officer is satisfied that the elector is unable to attend at a voting station due to physical incapacity, the Returning Officer must:

- (1) advise the elector that the request has been accepted;
- (2) appoint two deputies to attend at the elector's residence;
- (3) appoint one of the deputies as the presiding deputy; and
- (4) inform the elector of the approximate time during the advance vote that the deputies will attend at the residence.

18.3 If the Returning Officer refuses the request, the Returning Officer must advise the elector in writing of the refusal and must give reasons for it.

18.4 The Returning Officer may, at his or her sole discretion, waive the 48 hour notice period required under this Section if the circumstances are such that it would have been impossible to give notice as required and if the Returning Officer has available deputies to take the vote.

19. REPEAL OF BYLAW 43-98

19.1 This Bylaw repeals Bylaw 43-98.

20. EFFECTIVE DATE OF BYLAW

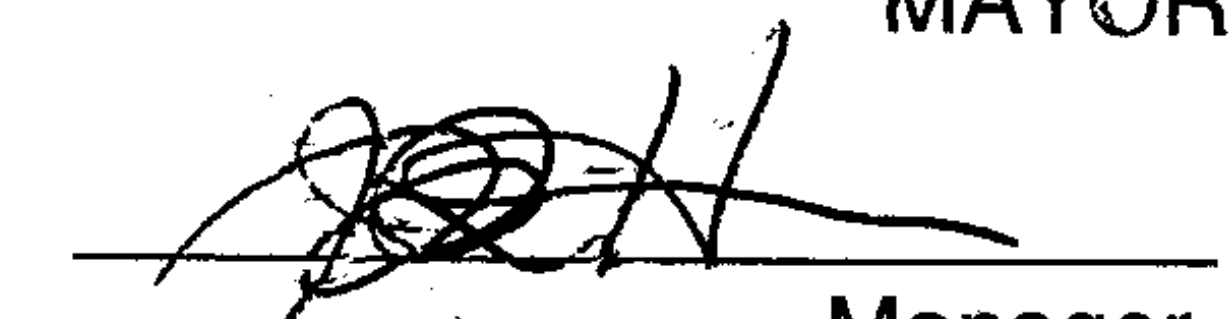
20.1 This Bylaw shall come into effect on the date of final passing of the bylaw.

READ a first time this 17 day of April, 2001.

READ a second time this 17 day of April, 2001.

READ a third time and finally passed this 17 day of April, 2001.


MAYOR


Manager,
Legislative & Legal Services

Date Signed: April 24, 2001

SCHEDULE "A"

**CIVIC ELECTION
CITY OF CANADA**

To Vote, completely fill in the arrow(s) ← →
 Point to your choice(s) like this: ← →
 Use the Special Marking Pen Provided

MAYOR (Vote for One Only)	OFFICE OF COUNCILLOR (Vote for not more than Eight)	OFFICE OF SCHOOL TRUSTEE (Vote for not more than Seven)
BROADBENT, ED ← →	ACKROYD, DAN ← →	BENNETT, W.A.C. ← →
CLARK, JOE ← →	ADAMS, BRYAN ← →	CAMERON, DON ← →
DIEFENBAKER, JOHN ← →	ATWOOD, MARGARET ← →	DAVIS, BILL ← →
MULRONEY, BRIAN ← →	CANDY, JOHN ← →	DEVINE, GRANT ← →
TRUDEAU, PIERRE ← →	FOX, MICHAEL J. ← →	DOUGLAS, TOMMY ← →
TURNER, JOHN ← →	GOULET, ROBERT ← →	DUPLESSIS, MAURICE ← →
QUESTION NO. 1 Are you in favour of building a new City Hall at an estimated cost of \$10 million?	GREENE, LORNE ← →	GETTY, DON ← →
YES ← →	GRETZKY, WAYNE ← →	LEVESQUE, RENE ← →
NO ← →	KIDDER, MARGOT ← →	LOUGHEED, PETER ← →
QUESTION NO. 2 Would you be in favour of an increase in the G.S.T. if it was accompanied by a legislative requirement that all the proceeds would be used to reduce the national debt?	LITTLE, RICH ← →	LYON, STERLING ← →
YES ← →	LOMBARDO, GUY ← →	MANNING, ERNEST ← →
NO ← →	LLOYD, CHRISTOPHER ← →	SCHREYER, ED ← →
	MCNEIL, RITA ← →	SMALLWOOD, JOEY ← →
	MITCHELL, JONI ← →	VANDER ZALM, BILL ← →
	MURRAY, ANN ← →	
	NELLIGAN, KATE ← →	
	PLUMMER, CHRISTOPHER ← →	
	SHATNER, WILLIAM ← →	
	SHORT, MARTIN ← →	
	YOUNG, NEIL ← →	