

BYLAW 6473

A BYLAW OF THE CITY OF LETHBRIDGE
TO PROVIDE FOR MUNICIPAL ELECTIONS
IN THE CITY OF LETHBRIDGE

WHEREAS the *Local Authorities Election Act*, Chapter L-21, R.S.A. 2000, as amended, (hereinafter referred to as the “*Act*”), provides for the holding of local elections by municipalities;

AND WHEREAS the *Act* further provides that the municipality may, by agreement, conduct an election in conjunction with an election for Trustees or representatives of a school district pursuant to the *Education Act*, Chapter E-0.3, R.S.A., 2000 as amended;

AND WHEREAS the *Municipal Government Act* Chapter M-26, R.S.A. 2000, provides for the submission of bylaws and questions to the electors.

NOW THEREFORE the Municipal Council of the City of Lethbridge, duly assembled, enacts as follows:

PART 1 – PURPOSE, DEFINITIONS AND INTERPRETATION

PURPOSE

1. This Bylaw may be called the “Municipal Elections Bylaw”.
2. The purpose of this Bylaw is to delegate authority and establish rules for the conduct of elections in accordance with the requirements of the *Act*.
3. If there is any conflict between a provision of the Bylaw and a provision of one or more of the following:
 - (a) the *Act*;
 - (b) the *Alberta Senate Election Act*, Chapter A-33.5, 2019 as amended; or
 - (c) the *Referendum Act*, Chapter R-8.4, R.S.A. 2000 as amended

the provision of the statute prevails.

4. The provisions of this Bylaw apply in generally the same fashion, but with all the necessary modifications, to:
 - (a) a by-election;
 - (b) a Ballot on a bylaw or question that is put to the Electors at a time other than a general election; or
 - (c) an election for trustees or any other election conducted in conjunction with an election for City Council

DEFINITIONS

5. 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*.
6. In this Bylaw, the following terms shall have the following meanings:
 - (a) "Ballot" means a printed form on which is indicated the office to be voted on, the names of the candidates, the questions or bylaws posed to electors, if any, and containing the spaces in which the elector is to mark their vote;
 - (b) "Ballot Account" means an account of ballots prepared in the form required by the *Act*;
 - (c) "Ballot Box" means the container for ballots that have been marked by the electors;
 - (d) "City" means the municipal corporation of the City of Lethbridge, in the Province of Alberta;
 - (e) "Council" means the Council of the City, elected pursuant to the *Municipal Government Act*;
 - (f) "Counting Centre" means the area designated by the Returning Officer and equipped for the counting of votes;
 - (g) "Deputy" means Deputy Returning Officers appointed by the Returning Officer to assist with an election;
 - (h) "Election Day" means the day fixed for voting at an election;
 - (i) "Elector Register" means an Elector Register of residents in the municipality who are eligible to vote that is compiled and revised primarily using

information received from the provincial Chief Electoral Officer;

- (j) "Marking Device" means the pen or other instrument, approved by the Returning Officer, for the use in marking Ballot(s) by the elector;
- (k) "Nomination Day" is the day four weeks before Election Day;
- (l) "Portable Ballot Box" means a cardboard container in the prescribed form, approved by the Returning Officer and intended for use in the collection of voted Ballots in an institutional vote or an elector assisted at home vote;
- (m) "Returning Officer" means the City Clerk of the City of Lethbridge;
- (n) "Transfer Box" means a box used to transport election materials from a voting station to the Returning Officer;
- (o) "Voting Station" means a place where an Elector votes;
- (p) "Voting Subdivision" means that area of a local jurisdiction designated as a voting subdivision by the Returning Officer.

PART II – JOINT ELECTION

JOINT ELECTION WITH ANOTHER ELECTED JURISDICTION

- 7. City of Lethbridge may conduct elections on behalf of other elected local jurisdiction in Lethbridge where an agreement has been established.

PART III – ELECTION WORKERS

- 8. The Returning Officer may be assisted by one or more Deputies and by such other persons as may be necessary to carry out all duties under the *Act*. The Returning Officer is hereby delegated the authority to appoint a Substitute Returning Officer.

PART IV – PREPARATION FOR ELECTIONS

ELECTOR REGISTER

9. As per the *Act*, the Returning Officer must prepare a permanent Elector Register of residents in the City who are entitled to vote in Elections.

NOMINATIONS

10. The Returning Officer or the Deputy City Clerk will receive all nominations at City Hall, 910 4 Avenue South, Lethbridge, Alberta in accordance with the *Act*.
11. The minimum number of electors required to sign the nomination papers of a candidate for the office of Councillor is fifty (50).
12. The minimum number of electors required to sign the nomination papers of a candidate for the office of the Mayor is one hundred (100).

DEATH OF A CANDIDATE

13. If a candidate dies after being nominated, the Returning Officer shall cause a notice of the death to be posted at all relevant voting stations.

FORM OF BALLOT

14. Ballots for candidates, questions, or bylaws may be in the general form prescribed by the Returning Officer.
15. Following Nomination Day, the Returning Officer will ensure there are sufficient ballots for the election.

PART VI – VOTING PROCEDURES

VOTING SUBDIVISIONS AND VOTING STATIONS

16. The Returning Officer may alter the boundaries of voting subdivisions and create additional voting subdivisions.
17. The Returning Officer may designate more than one voting station for each subdivision and the location of those voting stations.

VOTING STATION

18. Each voting compartment in each voting station shall have a copy of the “Instructions for Electors” posted within each voting compartment, at a location within the voting station and shall ensure that the instructions remain posted until the close of the voting station.

REGISTRATION

19. A Deputy responsible for issuing ballot(s) will:
 - (a) Ensure that the elector is voting in the correct voting station;
 - (b) Ensure that every person who wishes to vote shall complete the prescribed form(s) which states the following:
 - i. The name and address of the elector;
 - ii. whether the elector is a Public School Resident or Separate School Resident; and
 - iii. The elector is eligible to vote as an elector.

Elector Identification

20. An elector may vote after producing government issued identification as prescribed by the *Act* or identification approved by the Minister of Municipal Affairs and is named on the permanent Elector Register.

VOTING PROCEDURES

Marking Ballot

21. Once permitted to vote, the elector shall be given ballot(s) that has been initialed by the Deputy.
22. Upon receiving the ballot(s), the elector shall forthwith proceed to the voting compartment to vote.
23. While the elector is in the voting compartment, they shall mark the ballot(s) only with the Marking Device provided by marking with an "X" in the square designated for a vote adjacent to the candidate's name or, where there is more than one vacancy, the candidates of their choice. Where the ballot includes a bylaw or question, the elector shall mark with an "X" in the square designated for a vote adjacent to the affirmative or negative, whichever way they decide to vote.

Checking and Inserting Ballots

24. The elector may not mark the ballot for more candidates than there are offices to be filled, or, where the ballot includes a question or a bylaw, the elector may not mark the ballot both in the affirmative and negative for any one bylaw or question.
25. After the elector has finished marking the ballot(s) and has completed their voting, they shall:
 - (a) fold the ballot(s) in the same way that it was received so that the initials of the Deputy are showing;

- (b) leave the voting compartment and deliver the ballot(s), to the Deputy supervising the Ballot Box(es); and
- (c) observe the placing of the ballot(s) into the Ballot Box by the Deputy or may insert the ballot(s) in the Ballot Box(es), if they so desire.

Spoiled Ballot

- 26. If the elector requests another ballot(s), the Deputy must issue a new ballot(s) to the elector and mark the returned ballot(s) "SPOILED". Spoiled ballots must be retained and kept separately from all other ballots.

PART VII – ADVANCE VOTE

- 27. An advance vote will be held in an election for the local jurisdiction.
- 28. The Returning Officer will determine the number and location of the advance voting stations and the days and the hours during which they will operate.
- 29. The voting procedure described shall, insofar as is practical, apply to an Advance Vote and may be modified as necessary upon the direction of the Returning Officer.
- 30. The Deputy must ensure on the completion of each day of the Advance Vote, that the Ballot Boxes used are sealed to prevent the insertion of additional ballots and are delivered to the Election Office or other location(s) specified by the Returning Officer.
- 31. The Returning Officer must ensure that the Ballot Boxes used for the Advance Vote remain sealed until the counting process is started.

PART VIII - INSTITUTIONAL VOTE

- 32. For the purpose of conducting institutional voting, the Returning Officer shall designate the time or times during which the votes in the institutions shall be taken and may appoint the Deputies necessary for the taking of the institutional votes.
- 33. Portable Ballot Boxes shall be provided for the collection of the voted ballots of the electors who vote as part of the institutional vote.

34. A Portable Ballot Box may have its seal broken to allow for the deposit of ballots if the vote must be conducted throughout a facility to accommodate the physical disability of the residents.
35. After close of an institutional Voting Station, the Ballot Boxes used are sealed to prevent the insertion of additional ballots and are delivered to the Election Office or other location(s) specified by the Returning Officer.
36. The Returning Officer must ensure that the Ballot Boxes used for the institutional Vote remain sealed until the counting process is started.
37. The Returning Officer shall take such steps as are necessary to ensure the institutional voting procedure shall as nearly as possible follow the voting procedures as at other voting stations.

PART IX - ELECTORS ASSISTED AT HOME

38. An elector who is unable to attend a voting station or an advance voting station because of physical incapacity shall request that the Returning Officer have two Deputies attend at the elector's place of residence for the purpose of taking the elector's vote.
39. The Returning Officer shall provide for the attendance of Deputies at the places of residence of such electors assisted at home at the times fixed for the taking of such votes.
40. The Returning Officer may direct that the Portable Ballot Boxes, as defined in this Bylaw, be used for the collection of voted ballots of such electors assisted at home.
41. The votes of electors assisted at home taken under this Part shall be taken during the hours a voting station or an advance voting station is open.
42. The Ballot Boxes used are sealed after completion of the Electors Assisted at Home to prevent the insertion of additional ballots and are delivered to the Election Office or other location(s) specified by the Returning Officer.
43. The Returning Officer must ensure that the Ballot Boxes used for the Electors Assisted at Home remain sealed until the counting process is started.
44. The Returning Officer shall take such steps as are necessary to ensure the institutional voting procedure shall

as nearly as possible follow the voting procedures as at other voting stations.

PART X - POST VOTE PROCEDURES

Closing Station – Ballot Box

45. Immediately after the close of the voting station, the Deputies shall:
 - (a) seal and initial the Ballot Boxes and provide the sealed Ballot Boxes for delivery to the Counting Centre(s); and
 - (b) count the unused ballots and place the unused ballots and the spoiled ballots, together with the Elector Register, if any, and all oaths, declarations and statements, if any, in designated Transfer Box(es) and deliver them as directed by the Returning Officer.

Counting Centre

46. The Returning Officer shall determine the location of Counting Centre(s) and procedures associated with the counting.
47. The Returning Officer may count the advance vote Ballot Boxes, and institutional Ballot Boxes immediately after 7:30 p.m. on Election Day. Any of the results may not be generated prior to 8:00 p.m. on Election Day.
48. After the completion of counting, the Ballot Boxes, the Transfer Boxes, and other records shall be stored as directed by the Returning Officer.
49. Any recounts required will be in accordance with the *Act*.

PART XI – VOTE ON A BYLAW/QUESTION

50. Wherever practical, and unless otherwise provided for by a resolution of City Council, the date for a vote of the electors on a question on which the opinion of the electors is to be obtained (hereinafter referred to as a “question”) or on a bylaw shall be the date of the general election.
51. Any question for a vote of the electors must be adopted by Council June 30 the year of the general election.
52. Unless otherwise provided for by a resolution of City Council, the ballot for a vote on a bylaw or a question shall

generally be in the following form:

(a) in the case of a bylaw:

“Are you in favour of Bylaw _____ (title of Bylaw)”?

Yes

No

(Mark only “yes” or “no” with marking with an “X” in the square designated for a vote)

provided that a copy of the text of the bylaw shall be posted in at least one (1) place at each voting station;

(b) in the case of a question, a short statement of the question followed by:

“Are you in favour of the above proposed resolution?”

Yes

No

(Mark only “yes” or “no” marking with an “X” in the square designated for a vote)

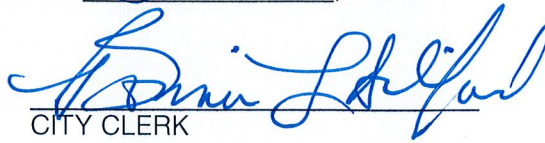
PART XII – GENERAL

53. The Returning Officer, when necessary, is hereby authorized to make application to the Minister of Municipal Affairs and to the Lieutenant Governor in Council for the requisite directions or regulations pursuant to the *Act*, for the approval and implementation of the procedure prescribed by this bylaw, or any other directions or regulations for conducting an election permitted by the *Act*.
54. Bylaw 5803 and amendments thereto is hereby repealed.
55. This Bylaw shall come into effect on the date of final passing thereof.

READ A FIRST TIME THIS 10 DAY OF December, 2024.

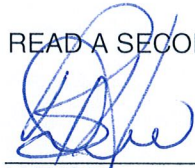


MAYOR

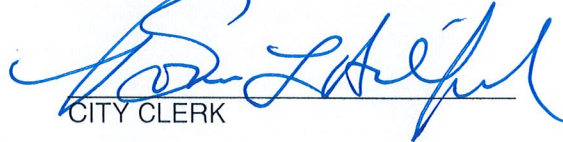


CITY CLERK

READ A SECOND TIME THIS 21 DAY OF January 2025.

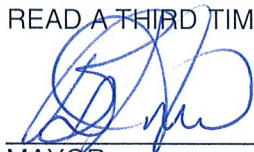


MAYOR

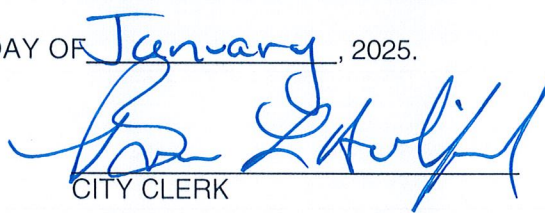


CITY CLERK

READ A THIRD TIME THIS 21 DAY OF January, 2025.



MAYOR



CITY CLERK