



**TOWN OF BLACKFALDS
BYLAW 1160/13**

A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO PROVIDE FOR MUNICIPAL AND SCHOOL TRUSTEE ELECTIONS IN THE TOWN OF BLACKFALDS.

WHEREAS the Municipal Government Act, R.S.A., 2000, Chapter M-26 as amended, Municipalities may be bylaw provide for municipal and school elections within their boundaries.

WHEREAS the Local Authorities Election Act, Chapter L-21, RSA 2000, as amended (the "Act"), provides for the holding of local elections by municipalities;

NOW THEREFORE the Council of the Town of Blackfalds in the Province of Alberta duly assembled and under the powers conferred upon it by authority of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, enacts as follows:

TITLE

This Bylaw may be called the "Municipal Election Bylaw".

DEFINITIONS

1. Except as otherwise provided for in this bylaw, the terms used in the Local Authorities Election Act (the Act) where used or referred to in this bylaw have the same meaning as defined or provided in the Act.
2. In this bylaw, the following terms mean:
 - a) "BALLOT" means a paper ballot presented to an elector on which is printed the office to be voted on, the names of the candidates, the bylaw name and the number or the questions, if any, and containing spaces in which the elector is to mark his/her vote;
 - b) "BALLOT BOX" means a container for ballots that have been marked by the voters or printed ballot tapes that have been produced by the electronic ballot device;
 - c) "BALLOT TAPE" means a printed record, produced by a master control unit, which can used to manually verify the voting results;
 - d) "COUNCIL" means the Council of the Town of Blackfalds elected pursuant to the Act;
 - e) "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;
 - f) "ELECTRONIC VOTING SYSTEM" means a system that records and counts votes by electronic means where a voter casts his or her vote using touch button technology;
 - g) "ELECTRONIC VOTING TERMINAL" means a device connected to a master control unit and is used in place of a paper ballot. The device contains the names and images of each candidate for each office and a button in which the voter presses to indicate his or her vote;
 - h) "LOCAL JURISDICTION" means, and includes, the Town of Blackfalds, the Wolf Creek School Division No. 72, and the Red Deer Catholic Regional Division No. 39.
 - i) "MASTER CONTROL UNIT" means a device which controls each electronic voting terminal and contains memory for storage of electronic voting and a paper tape for the printing of voting results;

- j) "REGISTER TAPE" means the printed record generated from the Master Control Unit which shows the number of ballots received and the number of votes for each candidate and where there is a vote on a bylaw or question, the number of votes for and against each bylaw or question;
- k) "TOWN" means the municipal corporation of the Town of Blackfalds in the Province of Alberta;

JOINT ELECTION

- 3. The Chief Administrative Officer of the Town of Blackfalds is authorized to enter into agreements on behalf of the Town, to conduct elections on behalf of other local jurisdictions in Blackfalds whose boundaries may or may not be contiguous with the Town but do have areas in common.

RETURNING OFFICER

- 4. Council shall appoint, by resolution, an individual to act as Returning Officer for the Town (hereinafter referred to as the "Returning Officer") for the purpose of conducting elections under this Act.

NOMINATION HOURS

- 5. The Returning Officer or his designate will receive nominations for the local jurisdiction elections between the hours of 10:00am and 12:00 noon on Nomination Day and on any subsequent day to which the time for receipt of nominations is adjourned.

FORM OF NOMINATION

- 6. The Form of Nomination must be signed by five (5) electors who are eligible to vote and are a resident of the Town of Blackfalds on the day of signing.

RECEIPT OF NOMINATIONS

- 7. Nominations shall be received by the Returning Officer, or in the absence of the Returning Officer a duly appointed deputy, at the Town of Blackfalds Civic Centre located at 5018 Waghorn Street, Blackfalds, Alberta within the hours identified under Section 5, Nomination Hours.

BALLOTS

- 8. Following Nomination Day, the Returning Officer will ensure sufficient ballots and ballot cards are printed and/or prepared or ensure ballot templates are prepared for the electronic ballot device.

FORM OF BALLOT

- 9. The form of the ballot will be established by the Returning Officer in accordance with the Act.

VOTING HOURS

- 10. Every voting station will be kept open continuously on Election Day and during the advance vote from 10:00am to 8:00pm.

ADVANCE VOTING

11. An advance vote may be held on any vote held in an election for the local jurisdiction.
12. The advance vote will be held on dates and times set by the Returning Officer.
13. The advance vote shall be held on the dates and times and at the locations set by resolution of Council.
14. An electronic voting system may be used to conduct the advance vote.
15. Electronic voting shall be held in accordance with the voting procedures established in this Bylaw.
16. At the end of each day of an advance vote, the presiding deputy shall place the electronic voting system into a protective lock mode and physically lock the master control unit.
17. Upon the close of the advance vote the Presiding Deputy shall close off the voting by printing additional lines of privacy text, shall remove the printed ballot tape and place the printed ballot tape into a ballot box which shall then be sealed and shall remain like that until opened for the tabulation of results on Election Day.

INCAPACITATED ELECTOR AT HOME

18. If a voter is unable to attend at a voting station because of a physical incapacity or mobility limitations, that voter may request, at least 48 hours before the end of the advance vote period, to have a deputy attend at the voter's residence in order to take the vote of the voter.
19. If the Returning Office is satisfied that the voter is unable to attend at a voting station due to a physical incapacity or mobility limitations, the Returning Officer will":
 - a) Advise the voter that the request has been accepted;
 - b) Appoint two deputies to attend at the voter's residence;
 - c) Inform the voter of the date and approximate time that the deputies will attend the residence.

At the designated time the deputies may bring inside the residence the mobile electronic voting device and register the voter.

Electronic voting shall be held in accordance with the voting procedures established in this Bylaw.

If electronic voting is not possible, the Returning Officer shall ensure alternative voting procedures are established in accordance with the Act.

The ballot boxes used in the incapacitated elector at home vote will be closed and sealed upon the completion of the incapacitated elector at home vote and will remain like that until opened for the counting of the ballots on Election Day.

ELECTRONIC VOTING SYSTEM

20. The taking of votes of the electors and the tabulation of election results on any question or in any election conducted by the Town may be done by means of an electronic voting system, as directed by the Returning Officer.

In the event that an electronic voting system is used in the election, the Returning Officer shall:

- a) be satisfied that the electronic voting system, prior to the date of the election, has been pre-tested and is accurate and in good working order;

- b) take whatever reasonable safeguards may be necessary to secure the electronic voting system and any part thereof, including the vote tabulators and the ballot boxes from unauthorized access, entry, use, tampering, or any unauthorized use of the ballot cards or tabulated results, and;
- c) establish procedures and guidelines for deputy returning officers related to the preparation and operation of the electronic voting system and electronic voting devices.

Notwithstanding anything in this Bylaw, in the event of:

- a) a malfunction of an electronic voting system;
- b) the unavailability of an electronic voting system or any of its components;
- c) anything related to the operation of an electronic voting system or any of its components; the Returning Officer may take any actions that he or she thinks necessary with respect to:
 - d) the voting procedures to be used;
 - e) the taking of votes;
 - f) the counting of the votes; and
 - g) where required, a recount subject to the provisions of this Bylaw and the Act.

VOTING PROCEDURES

- 21. An electronic voting device may be used to conduct the vote and where practical, a mobile electronic voting device may be used to conduct the incapacitated vote.
- 22. For each elector eligible to vote a deputy will:
 - a) explain the voting procedures for the electronic voting device;
 - b) activate one of the electronic voting terminals; and
 - c) direct the voter to the voting compartment with the activated electronic voting device.
- 23. The voter may only vote by selecting a candidate's name (or candidates, where there is more than one vacancy up to the maximum number of vacancies) and where there is a vote on a bylaw or question, beside "yes" or "no". The voter may also choose to abstain from voting by selecting that button.
- 24. Once a voter has pressed the "cast my vote" button and cast the ballot, the voter will not be allowed to cast another ballot.
- 25. In the event that a voter leaves the voting station without pressing the "cast my vote" button to cast the ballot, the two deputies will enter the booth and;
 - a) if the voter had selected candidates, one of the deputies will press the "cast my vote" button; or
 - b) if candidates have been selected for one office and no candidates selected for the other office one of the deputies will select the "abstain from voting" button for the office in which no candidates were selected and press the "cast my vote" button; or
 - c) if no candidates have been selected for either office one of the deputies will select the "abstain from voting" button for both offices and then press the "cast my vote" button.

ELECTRONIC VOTING DEVICE FAILURE

- 26. Notwithstanding section 14, the Returning Officer may establish such other procedures as required to facilitate an electronic vote.

27. The voting procedure prescribed in this Bylaw shall, during an advance vote and where applicable, an incapacitated elector home vote, as far as is practicable, apply and may be modified as may be necessary upon the direction of the Returning Officer.
28. Each elector must follow the voting procedures as set out in this Bylaw and as posted in the voting station, and upon casting his or her ballot, the elector shall leave the voting station.

VOTING ON A BYLAW OR QUESTION

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

SEALING OF BALLOT BOXES

30. Prior to the removal of the ballot box(es) from any voting station, the ballot box(es) containing the printed ballot tapes or ballots shall be:
 - a) closed and sealed with the presiding deputy's seal so that it cannot be opened without breaking the seal; and b) marked on the outside with the voting station name and number.
31. Electronic equipment used to acquire electronic votes is deemed to be a sealed ballot box.
32. The mobile electronic voting system used in the incapacitated elector vote will be closed and sealed upon the completion of the and incapacitated electors votes and will remain like that until opened for the counting of ballots on Election Day.
33. The Returning Officer may direct that the locked mobile electronic voting system be delivered to the counting centre until it is opened for the counting of ballots, or may make any other direction deemed necessary for the storage and disposition of said devices.

POST VOTE PROCEDURES

34. Immediately after the close of the voting station, the presiding deputy shall in the presence of at least one deputy and any additional officers that he or she considers necessary, and the candidates or their agents if any shall;
 - a) insert a key, into the master control unit, and produce the required number of copies of the tally register tape(s) as directed by the Returning Officer;
 - b) together with another deputy, certify the tally register tape(s) as directed by the Returning Officer;
 - c) package separately, in ballot boxes, the printed ballot tape along with the voting register and all statements;
 - d) seal and initial the ballot boxes and ensure they are ready to be delivered to the Returning Officer;
 - e) ensure that the deputy supervising the electronic voting system and one other deputy designated by the presiding deputy report the results to the Returning Officer by immediately delivering the tally register tapes and any reporting forms required by the Act to the counting centre.
34. The Returning Officer may also require that results be reported by telephone.
35. The presiding deputy shall not permit more than one candidate or his or her agent, or more than one agent of either side of a vote on any bylaw or question to be present at the same time after the voting station is closed.

BALLOT COUNTING

36. The deputy supervising at the counting centre shall:
 - a) receive all sealed ballot boxes containing printed ballot tapes and number in a check-in book and initial each entry;

- b) after 8:00pm on Election Day, insert a key into the master control units used for the advance vote, incapacitated elector home vote and the institutional vote and produce the required number of copies of the tally register tape(s), as directed by the Returning Officer, and deliver those tapes to the Returning Officer and the sealed ballot boxes containing the printed ballot tape(s) and ballots along with the voting register and all statements.

RECOUNT

37. If the Returning Officer makes a recount, pursuant to the Act, the voting shall be recounted using the printed ballot tapes and ballots, where applicable.

DISPOSITION OF ELECTION MATERIAL

38. Upon the completion of the tabulation of the election results, the Secretary shall retain the voting registers, the ballot boxes with their seals unbroken, for six (6) weeks from the date of voting.
39. After six (6) weeks from the date of voting the Secretary will ensure that all voter registers and printed ballot tapes and ballots are destroyed in accordance with the Act.

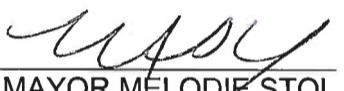
EFFECTIVE DATE AND REPEAL EXISTING BY-LAW

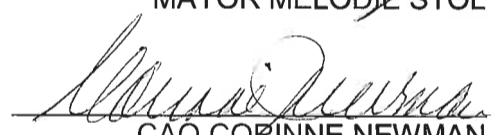
This Bylaw shall come into effect upon Third and Final Reading of the Bylaw.

Town of Blackfalds Bylaw #1047/07 is hereby repealed.

Read for a First time this 13th day of August A.D. 2013


(RES NO. 919/13)



MAYOR MELODIE STOL


CAO CORINNE NEWMAN

Read for a Second time this 13th day of August A.D. 2013


(RES NO. 920/13)



MAYOR MELODIE STOL


CAO CORINNE NEWMAN

Read for a Third and Final time this 13th day of August A.D. 2013

(RES NO. 922/13)


MAYOR MELODIE STOL


CAO CORINNE NEWMAN