

**TOWN OF DRUMHELLER
BYLAW 12.21**

Repeal Bylaw 34.98

BEING A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA, TO PROVIDE ELECTIONS WITHIN THE JURISDICTION OF THE TOWN OF DRUMHELLER;

WHEREAS, under the authority of and subject to the provisions of the *Local Authorities Election Act, RSA 2000, c.1-21*, and amendments thereto, Council may establish, by bylaw, election procedures;

AND WHEREAS subsection 180(3) of the Municipal Government Act, R.S.A. 2000, c. M-26, provides that where council is authorized under any enactment to do something by resolution, it may also be done by bylaw;

THEREFORE, the Council of the Town of Drumheller, in the province of Alberta enacts as follows:

1. SHORT TITLE

1.1 This bylaw may be called the "Election Bylaw".

2. PURPOSE

2.1 The purpose of this bylaw is to establish rules for conducting Town of Drumheller elections held in accordance with the requirements of the *Local Authorities Election Act*.

2.1 If there is any conflict between a provision of this Bylaw and a provision of the *Local Authorities Election Act*, the latter prevails.

3. DEFINITIONS

3.1 Unless otherwise specified, words used in this bylaw have the same meaning as defined in the *Municipal Government Act RSA 2000 c M-26* or the *Local Authorities Election Act*.

3.2 In this bylaw, the following terms mean:

- a) "Council" means the Council of the Town of Drumheller, elected pursuant to the Municipal Government Act;
- b) "local jurisdiction" means, and includes, The Town of Drumheller, and any other jurisdiction the Town of Drumheller has in agreement with to conduct elections on their behalf;
- c) "Town" is the corporation of the Town of Drumheller;
- d) "Returning Officer" is the Chief Administrative Officer or otherwise delegated by resolution of Council;

- e) “voting subdivision” means that area of a local jurisdiction or ward designated as a voting subdivision by the elected authority or the returning officer;

4. APPOINTMENT OF RETURNING OFFICER AND SUBSTITUTE RETURNING OFFICER(S)

- 4.1 An elected authority may, by resolution, appoint a returning officer for the purposes of conducting elections under this Act by June 30 of the year in which the election occurs or, for a by-election or vote on a question or bylaw, in the resolution or bylaw that fixes the day for the by-election or vote on a question or bylaw.
- 4.2 If the elected authority does not appoint a returning officer, the Chief Administrative Officer is deemed to have been appointed as the returning officer.
- 4.3 The *Local Authorities Election Act*, requires a substitute returning officer be appointed by the municipal council at the time a returning officer is appointed for the purpose of general elections, by-elections or votes on a question or bylaw
- 4.4 If, through illness, absence or other incapacity, the returning officer is incapable of performing the duties of returning officer, the substitute returning officer has and may exercise all the duties, functions and powers of a returning officer for the purposes of conducting elections under this Act.

5. PLACE OF NOMINATION

- 5.1 The Returning Officer must designate one or more locations within the Town to serve as the local jurisdiction office for the purpose of receiving nominations

6. NOMINATION DAY

- 6.1 Nomination Day is four (4) weeks before Election Day.
- 6.2 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;
 - (b) and 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.
- 6.3 Within forty-eight (48) hours of the close of nominations on Nomination Day, the Returning Officer shall post or cause to be posted at the Local Jurisdiction office the names of all candidates that have been nominated and the offices for which they were nominated.

7. WITHDRAWAL OF NOMINATIONS

- 7.1 A person nominated as a candidate may withdraw their nomination any time during the nomination period in accordance with section 32 of the *Local Authorities Election Act*, subject to the following:

- (a) the person withdrawing their nomination must provide their withdrawal in writing to the Returning Officer;
- (b) the withdrawal must include the person's name and the office for which they were nominated, and the withdrawal must be signed and dated by the person; and;
- (c) the person's withdrawal is effective on the date written notice is received by the Returning Officer in accordance with this bylaw.

8. VOTING SUBDIVISIONS AND STATIONS

8.1 The Returning Officer is hereby authorized to:

- (a) divide the local jurisdiction into voting subdivisions and may from time to time alter the boundaries as required;
- (b) designate more than one voting station for each voting subdivision as required;
- (c) designate the location of each voting station, which may be outside the voting subdivision; and
- (d) determine the locations, dates and times of operation for both the advance and institutional voting stations.

9. ADVANCE VOTING

9.1 The Returning Officer shall conduct an advance vote on an Election in accordance with the *Local Authorities Election Act*.

10. INSTITUTIONAL VOTING STATION

10.1 The elected authority by resolution or the returning officer, if authorized by resolution of the elected authority, may designate the location of one or more institutional voting stations for an election.

11. JOINT ELECTION

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

12. COUNTING CENTRE

12.1 The Returning Officer may designate a single location as a Counting Centre for the purpose of this Section and shall notify all affected candidates, official agents and scrutineers of the location of the Counting Centre.

- 12.2 The Returning Officer shall ensure the Counting Centre is secure from unauthorized access by persons who are not entitled to be present during the processing and tabulation of results.

13. TRANSITIONAL

- 13.1 Bylaw 34.98, and all amendments is hereby repealed, Bylaw 12.21 comes into full force after third reading.

READ A FIRST TIME THIS 21st DAY OF JUNE, 2021

READ A SECOND TIME THIS 28th DAY OF JUNE, 2021

READ A THIRD TIME AND PASSED THIS 28th DAY OF JUNE, 2021


MAYOR


CHIEF ADMINISTRATIVE OFFICER