

## BYLAW NO. 30-2023

### A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN FOR THE CONDUCT OF ELECTIONS

WHEREAS the Council of the City of Lloydminster deems it necessary to establish a Bylaw to deal with the peace, order and good government of the City.

AND WHEREAS *The Lloydminster Charter* provides authority to City Council to pass bylaws for municipal purposes;

AND WHEREAS *The Lloydminster Charter* provides authority to the City to pass bylaws respecting the enforcement of bylaws.

NOW THEREFORE the Council of the City of Lloydminster deems it necessary to establish a bylaw to establish rules and procedures for the conduct of Elections; and

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in Section 15 of *The Lloydminster Charter*, enacts as follows:

#### 1. SHORT TITLE

1.1. This Bylaw shall be cited as the Election Bylaw.

#### 2. DEFINITIONS

2.1. The definitions listed in Schedule "A" attached to this Bylaw shall apply, unless context otherwise requires.

#### 3. APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER

3.1. Except where specific authority is reserved to Council, in the Bylaw the administration and enforcement of this Bylaw is hereby delegated to the City Manager.

3.2. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may carry out anything required for the administration of this Bylaw, including but not limited to the following:

3.2.1. delegate any powers, duties or functions under this Bylaw to an employee of the City, including a Designated Officer;

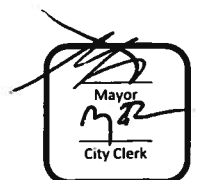
3.2.2. carry out any inspections that are reasonably required to determine compliance with this Bylaw;

3.2.3. establish any forms required for the administration of this Bylaw.

#### 4. GENERAL ELECTION RULES

4.1. Except as modified by this Bylaw, all Elections in the City of Lloydminster shall be conducted in accordance with the provisions of *The Local Government Election Act, 2015* (the Act) and any revisions thereto.

4.2. A general Election must be held on November 13, 2024. In the event that it is necessary to conduct a by-election or to hold a vote in accordance with the Act, then this Bylaw applies to the conduct of such a vote.



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- 4.3. Pursuant to Section 47 of *The Local Government Election Act 2015*, Council hereby appoints the City Clerk as the Returning Officer for an Election in Lloydminster.
- 4.4. The Returning Officer is hereby authorized to further delegate their powers, functions and responsibilities in an Election to other Election officials as may be required.
- 4.5. The Returning Officer shall arrange for one or more suitable times and locations within the permissible limits under the Act that would allow for voters to cast their votes in advance of Election day.
- 4.6. The City may take a vote on bylaws or questions on the same day as the general Election or by-election.
- 4.7. The Returning Officer is hereby authorized to use one of the following methods to be used to count the votes during an Election, by-election, or for votes on bylaws, resolutions or questions:
  - 4.7.1. the use of voting machines, voting recorders, optical scanning vote tabulators or other devices of a similar nature;
  - 4.7.2. the use of paper ballots and the manual counting of the ballots.
- 4.8. The nomination deposit of one hundred dollars (\$100.00) shall be returned to all candidates following the Election provided that they were not found to be in violation of *The Local Government Election Act, 2015*.
- 4.9. The *Local Government Election Act, 2015* shall apply where there is any conflict or inconsistency between this Bylaw and the Act.

### 5. DISCLOSURE

- 5.1. Disclosure requirements respecting campaign contributions are as follows:
  - 5.1.1. every candidate shall disclose, on a form or in a manner prescribed by the Returning Officer, all campaign contributions received from any person, entity or corporation with a cumulative value of one two hundred fifty dollars (\$250) or more.
  - 5.1.2. all campaign disclosures shall be posted publicly commencing on the Monday following the Election, at the entrance to City Hall, for three (3) business days by the Returning Officer.

### 6. FORM OF BALLOT

- 6.1. Subject to such modifications and deviations as are permitted in the Act:
  - 6.1.1. the ballot for the municipal and school Election of a member shall be a reasonable facsimile of the sample ballot shown in Schedule "B";
  - 6.1.2. the ballot for a vote on a bylaw or resolution shall be in the form set forth in Schedule "C"; and



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- 6.1.3. the ballot for a vote on a question shall be in the form set forth in Schedule "D";
- 6.1.4. all ballots shall contain the names & occupations of all duly nominated candidates, arranged in alphabetical order firstly by their surnames and secondly by their given names.

### 7. POLLING AREAS

- 7.1. The Returning Officer shall establish polling areas and Polling Stations for each Election and by-election.
- 7.2. Each elector residing in the City of Lloydminster or School Division, or non-resident elector, shall vote at any Polling Station within the City.
- 7.3. A mobile poll for purposes of accommodating the voting of any electors due to physical disability or limited mobility who are unable to attend a regular poll or to the advance poll is authorized, providing the elector submits a written application in the prescribed form to the Returning Officer within five (5) days prior to the date of the Election. Any two of the Returning Officer, Supervising Deputy Returning Officer, or poll clerk may attend at the residence of the elector in order to take the vote in the Election. The elector's completed ballot shall be deposited in the ballot box provided and counted in accordance with this bylaw.

### 8. ADVANCE POLLS

- 8.1. The conduct and procedures of vote at all advance polls shall be the same as those set forth in Sections 9 and 10, depending on which voting method is used for the Election.

### 9. AUTOMATED VOTING MACHINES

#### Pre-Vote Procedure

- 9.1. The Returning Officer shall ensure programming and testing on all voting machines is completed prior to a scheduled Election.
- 9.2. Prior to every Election or vote on a bylaw or question, the Supervising Deputy Returning Officer shall cause the vote tabulating unit to print a Register Tape of all totals in its memory pack and ensure that those totals indicate zero.
- 9.3. The Supervising Deputy Returning Officer shall then certify, by signature, on the printout that the totals indicate zero. The zero total printout and the Register Tape shall be retained for the purposes of documenting the Election results at the polling place.
- 9.4. The Returning Officer shall ensure the automated vote counting system is adequately secured to prevent unauthorized access.
- 9.5. All polling places where a vote tabulator unit is being used shall be supplied with at least two ballot boxes: one to be used as the main ballot box and one to be used as the emergency ballot box.



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- 9.6. Pursuant to subsection 9.2, if the totals are not zero for all candidates, bylaws or questions, the Supervising Deputy Returning Officer shall immediately notify the Returning Officer and shall conduct the poll using the emergency ballot box until the vote tabulator unit is repaired or replaced.

### Voting Procedure

- 9.7. If the elector is qualified to vote in the Election, the Issuing Deputy Returning Officer shall provide the elector with a ballot bearing the Issuing Deputy Returning Officer's initials on the reverse side along with a secrecy sleeve.
- 9.8. After marking the ballot, the elector shall place the ballot in the secrecy sleeve and deliver it to the Receiving Deputy Returning Officer, who shall in the presence of the elector, without removing the ballot from the secrecy sleeve, confirm that the ballot bears the initials of the Issuing Deputy Returning Officer. The elector shall then insert the ballot directly into the vote tabulating unit.
- 9.9. If, before delivery of the ballot to the Receiving Deputy Returning Officer, the elector determines that an error may have been made in marking the ballot, or if the ballot is returned by the vote tabulating unit, the elector may request a replacement ballot from the Issuing Deputy Returning Officer.
- 9.10. Upon a request under subsection 9.9, the Issuing Deputy Returning Officer shall issue a replacement ballot, mark the returned ballot "spoiled" and retain the spoiled ballot separately from all other ballots. Spoiled ballots shall not be counted in the Election.
- 9.11. The voting machines must be programmed to accept ballots for which no vote is recorded without requiring an override function.
- 9.12. During any period that the vote tabulating unit is not functioning, the Receiving Deputy Returning Officer shall insert all ballots presented by electors into the emergency ballot box. The ballots in that box shall, after the poll closes, be removed by the Receiving Deputy Returning Officer and inserted into the vote tabulating unit to be counted.
- 9.13. Any ballot which does not bear the initials of the Issuing Deputy Returning Officer or which is damaged to the extent that it cannot be inserted into the vote tabulating unit and for which no replacement ballot was provided shall be marked "spoiled" and not counted in the Election.
- 9.14. Notwithstanding anything in this bylaw, in the event of a malfunction of the automated voting system, the unavailability of the automated voting system, or anything related to the operation of the automated voting system, the Returning Officer may make any directions that he or she thinks necessary with respect to the voting procedures, taking or votes, and counting of votes.
- 9.15. If a vote tabulating unit is not used at an established poll, the ballots shall be kept in the ballot box provided and shall be counted in accordance with Section 10 of this Bylaw.



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### Procedures for Counting Votes

- 9.16. After the close of polls on Election day, the Supervising Deputy Returning Officer shall:
- 9.16.1. ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote tabulating unit;
  - 9.16.2. secure the vote tabulating unit so that no more ballots can be inserted;
  - 9.16.3. generate two copies, or such other number as is directed by the Returning Officer, of the Register Tape from the vote tabulating unit. These tapes must be attached to the Deputy Returning Officer's statement of results for voting machines form;
  - 9.16.4. ensure the totals on the Register Tape match the number of ballots;
  - 9.16.5. forward Election data to the Returning Officer;
  - 9.16.6. complete a ballot statement accounting for the unused, spoiled and voted ballots; and
  - 9.16.7. ensure secure delivery of the ballot statement, Register Tape, Poll Book and all other Election materials to the Returning Officer.
- 9.17. After the close of the polls on Election day, the Returning Officer shall:
- 9.17.1. generate copies of the Register Tape from the vote tabulating unit for the advance polls and the mobile polls; and
  - 9.17.2. cause all Election results to be tabulated and displayed at the Office of the City Clerk, City Hall, 4420 50 Avenue Lloydminster, AB/SK.
- 9.18. The recount of ballots pursuant to Part X of the Act shall be conducted in the same manner as the votes were counted. Any recount of votes with respect to the voting on a bylaw, resolution or question, is to be conducted in the same manner as at an Election for a mayor or councillors.

## 10. PAPER BALLOTS

### Pre-Vote Procedure

- 10.1. Prior to the poll opening, the Supervising Deputy Returning Officer shall count the number of ballots provided and record the number of ballots.

### Voting Procedures

- 10.2. If the elector is qualified to vote in the Election, the Issuing Deputy Returning Officer shall provide the elector with a ballot bearing the Issuing Deputy Returning Officer's initials on the reverse side along with a secrecy sleeve.
- 10.3. After marking the ballot, the elector shall deposit the ballot in the ballot box provided.



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### Procedures for Counting Votes

- 10.4. After the close of polls on Election day, the Supervising Deputy Returning Officer prepares a statement indicating the number of people that voted at that poll and attaches to the Poll Book after the last voter declaration.
- 10.5. The Supervising Deputy Returning Officer counts the ballots and the poll clerk records on the tally sheet.
- 10.6. Unused ballots should be counted and the number of ballots recorded.
- 10.7. The Supervising Deputy Returning Officer shall:
  - 10.7.1. forward Election data to the Returning Officer;
  - 10.7.2. complete a ballot statement accounting for the unused, spoiled and voted ballots; and
  - 10.7.3. ensure secure delivery of all Election materials to the Returning Officer.
- 10.8. After the close of the polls on Election day, the Returning Officer shall cause all Election results to be tabulated and displayed at the Office of the City Clerk, City Hall, 4420 50 Avenue, Lloydminster, Alberta/Saskatchewan.
- 10.9. The recount of ballots pursuant to Part X of the Act shall be conducted in the same manner as the votes were counted. Any recount of votes with respect to the voting on a bylaw, resolution or question, is to be conducted in the same manner as at an Election for a mayor or councillors.

### 11. MAIL-IN BALLOTS

- 11.1. A mail-in ballot voting system for the purpose of receiving ballots in an Election is hereby established.
- 11.2. A person who anticipates being unable to vote at an advance poll or on the day of the Election may apply to vote using a mail-in ballot.
- 11.3. An application to vote using a mail-in ballot may not be submitted to the Returning Officer or other designated Election official:
  - 11.3.1. in the case of a general Election, prior to August 1<sup>st</sup> of the Election year;
  - 11.3.2. in the case of a by-election, prior to the Wednesday five (5) weeks before the nomination day.
- 11.4. An application to vote using a mail-in ballot shall be:
  - 11.4.1. in the prescribed form;
  - 11.4.2. made in person;
  - 11.4.3. received by the Returning Officer or other designated Election official on or before the day immediately preceding Election day.
- 11.5. Before being issued a mail-in ballot, a person shall:



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- 11.5.1. complete a voter's registration form and a declaration of person requesting mail-in ballot; and
- 11.5.2. establish his or her identity and residence to the satisfaction of the Returning Officer or other designated Election official.
- 11.6. If the application is approved, the Returning Officer or other designated Election official shall enter the person into the mail-in ballot register.
- 11.7. The mail-in ballot register shall include the following information:
  - 11.7.1. the name and ordinary residential address of the person;
  - 11.7.2. the temporary address of the person (i.e., where the mail-in ballot is to be sent);
  - 11.7.3. the telephone number and email address of the temporary address;
  - 11.7.4. the date the mail-in ballot is sent to the person;
  - 11.7.5. the date the completed mail-in ballot is received by the Returning Officer or other designated Election official;
  - 11.7.6. a notation whether the mail-in ballot was accepted, not accepted or spoiled, and;
  - 11.7.7. any other information considered appropriate by the Returning Officer.
- 11.8. As soon as reasonably possible after nomination day, the Returning Officer or other designated Election official shall mail or otherwise deliver to each person whose name appears in the mail-in ballot register:
  - 11.8.1. a ballot for the upcoming Election;
  - 11.8.2. a ballot security envelope;
  - 11.8.3. a voter confirmation envelope;
  - 11.8.4. a self-addressed mailing envelope for the return of the ballot to the Returning Officer; and
  - 11.8.5. instructions for voting by mail-in ballot.
- 11.9. Self-addressed mailing envelopes for the return of the ballot to the Returning Officer shall be postage paid for destinations within Canada.
- 11.10. A person who votes shall vote in accordance with the instructions enclosed with the ballot.
- 11.11. A person who has voted shall:
  - 11.11.1. place the completed ballot in the ballot security envelope and seal the envelope;
  - 11.11.2. place the sealed ballot security envelope in the voter confirmation envelope and seal the envelope;
  - 11.11.3. date and sign the certificate on the voter confirmation envelope;



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- 11.11.4. place the signed voter confirmation envelope in the mailing envelope and seal the envelope; and
- 11.11.5. return the mailing envelope to the Returning Officer by mail, courier or in person.
- 11.12. Upon receipt of the mail-in ballot, the Returning Officer or other designated Election official shall:
  - 11.12.1. determine and note in the mail-in ballot register the date and time the ballot is received;
  - 11.12.2. open the mailing envelope; and
  - 11.12.3. remove the voter confirmation envelope from the mailing envelope and place the envelope in a portable ballot box designated for mail-in ballots.
- 11.13. After the closing of polls on Election day, the Returning Officer or other designated Election official shall:
  - 11.13.1. remove the sealed voter confirmation envelopes from the portable ballot box designated for mail-in ballots, and determine if the certificate on the front of each voter confirmation envelope has been properly completed;
  - 11.13.2. if the certificate has not been properly completed, place the unopened voter confirmation envelope in a separate envelope for ballots that are not accepted;
  - 11.13.3. if the certificate has been properly completed, remove the sealed ballot security envelope from the voter confirmation envelope;
  - 11.13.4. remove the mail-in ballot from the ballot security envelope;
  - 11.13.5. insert the mail-in ballot into the vote tabulating machine;
  - 11.13.6. complete the vote counting procedures specified in Section 9; and
  - 11.13.7. record in the mail-in ballot register whether the mail-in ballot was accepted, not accepted or spoiled.
- 11.14. In order to be counted, a mail-in ballot must be received by the Returning Officer or other designated Election official by the closing of the polls on Election day.
- 11.15. Mail-in ballots received after the closing of the polls on Election day are deemed to be spoiled ballots.
- 11.16. The voter's registration forms, declarations of persons requesting mail-in ballots, and voter confirmation envelopes and certificates may be inspected by candidates or candidates' agents at the Office of the City Clerk at City Hall during normal business hours commencing on the day following nomination day and ending at the close of polls on Election day.





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11.17. The candidates or their agents shall have the right to object to a person's entitlement to vote pursuant to Section 112 of *The Local Government Election Act, 2015*.

11.18. The mail-in ballots and forms and other Election materials shall be retained and destroyed in accordance with Section 142 of *The Local Government Election Act, 2015*.

**12. NUMBER AND GENDER REFERENCES**

12.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

**13. SEVERABILITY**

13.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

This Bylaw shall come into force and effect upon the final passing thereof.

The following bylaws and all amendments thereto are hereby repealed:

- Bylaw No. 20-2020 Election Bylaw.

INTRODUCED AND READ a first time this 6<sup>th</sup> day of November, 2023, A.D.

READ a second time this 20<sup>th</sup> day of November, 2023, A.D.

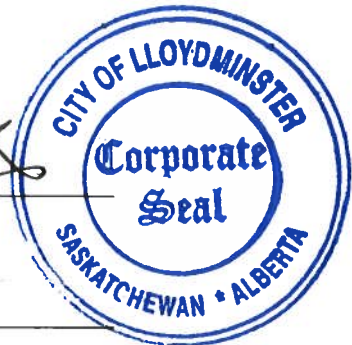
READ a third time this 20<sup>th</sup> day of November, 2023, A.D.

November 21, 2023  
Date Signed

November 21, 2023  
Date Signed

  
MAYOR

  
CITY CLERK

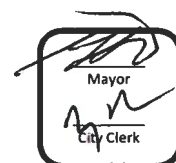


## BYLAW NO. 30-2023

### SCHEDULE "A"

#### Definitions

<b>Acceptable Mark</b>	Any mark made by an elector on a ballot in an Election which the vote tabulating unit is able to record
<b>Automated Vote Counting System</b>	An automated or electronic system designed to count and record votes automatically and process and store the Election results
<b>Ballot</b>	A card stating the office(s) and Candidates, question or bylaw to be voted for, indicating all choices available to the Electors and containing spaces in which the Electors mark their votes
<b>Ballot Override Procedure</b>	The use by the receiving deputy Returning Officer of a device on a vote tabulating unit which causes the unit to accept a returned ballot and count any acceptable marks
<b>Campaign Contributions</b>	A donation of an item which has a monetary value, which may be but is not limited to: cash, food, meeting space, signs, printing, etc.
<b>Deputy Returning Officer</b>	A deputy Returning Officer appointed pursuant to Section 48 of <i>The Local Government Election Act</i>
<b>Election</b>	An Election as defined in <i>The Local Government Election Act, 2015</i>
<b>Emergency Ballot Box</b>	A ballot box into which voted ballots are temporarily deposited if the vote tabulating unit ceases to function
<b>Issuing Deputy Returning Officer</b>	An Election official responsible for initialling each ballot and issuing it to the voter, as well as tracks all spoiled ballots.
<b>Memory Pack</b>	A computer software cartridge which plugs into the vote tabulating unit and into which is preprogramed the information necessary to conduct the Election and record the votes
<b>Poll Book</b>	The register of electors who have cast their vote, which book contains the list of electors, information relating to the ballot, and which has the capacity to record information relating to objections and affidavits
<b>Polling Station</b>	Any place where ballots are collected, as established by the Returning Officer
<b>Receiving Deputy Returning Officer</b>	Election official responsible for receiving completed ballots from the voters and ensuring it is placed into the vote tabulating unit or ballot box to be counted, as well as tracks all spoiled ballots.
<b>Register Tape</b>	The printed record generated from a vote tabulating unit at the close of voting on Election day, which shows the number of votes
<b>Returned Ballot</b>	A ballot which was inserted into the vote tabulating unit, but which was not accepted, and which was returned to the elector
<b>Returning Officer</b>	A person specified or appointed as a Returning Officer pursuant to Section 47 of <i>The Local Government Election Act</i>
<b>Secrecy Sleeve</b>	An open-ended folder or envelope used to cover ballots to conceal any marks made by the elector on the ballot
<b>Supervising Deputy Returning Officer</b>	Election official responsible for the operations of a Polling Station. This individual ensures that the poll is ran in accordance with legislation, provides poll staff with relieve when required, and is responsible for vote counting.
<b>Vote Tabulating Unit</b>	The device into which ballots are inserted, which device scans each ballot and records the number of votes: (i) For each candidate (ii) For and against any bylaw or resolution; and (iii) In the affirmative or negative respecting any question;



**BYLAW NO. 30-2023**

**SCHEDULE "B"**

**Form of Ballot - Front**

**CITY OF LLOYDMINSTER**  
**[year] Municipal Election – Official Ballot**  
**[Date of Election]**

**TO VOTE:**

Completely fill in the oval  beside the name(s) of the candidate(s) of your choice.

<b>Mayor</b>	
You are entitled to vote for <b>ONE (1)</b> candidate of your choice:	
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation



**BYLAW NO. 30-2023**

SCHEDULE "B"

**Form of Ballot - Front**  
**CITY OF LLOYDMINSTER**  
**[year] Municipal Election – Official Ballot**  
**[Date of Election]**

**TO VOTE:**

Completely fill in the oval  beside the name(s) of the candidate(s) of your choice.

<b>Councillor</b>	
You are entitled to vote for <b>SIX (6)</b> candidates of your choice:	
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation



**BYLAW NO. 30-2023**

**SCHEDULE "B"**

**Form of Ballot - Front**

**CITY OF LLOYDMINSTER**

**[year] Public School Election – Official Ballot**

**[Date of Election]**

**TO VOTE:**

Completely fill in the oval  beside the name(s) of the candidate(s) of your choice.

<b>Public School Division</b>	
You are entitled to vote for <b>XXXXX</b> <b>(X)</b> candidates of your choice:	
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation

**Form of Ballot - Front**

**CITY OF LLOYDMINSTER**

**[year] Separate School Election – Official Ballot**

**[Date of Election]**

**TO VOTE:**

Completely fill in the oval  beside the name(s) of the candidate(s) of your choice.

<b>Separate School Division</b>	
You are entitled to vote for <b>XXXXX</b> <b>(X)</b> candidates of your choice:	
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation
<input type="radio"/>	<b>LAST NAME, first name</b> Occupation



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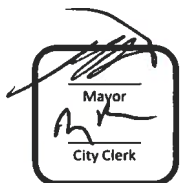
SCHEDULE "B"

**Form of Ballot - Back**

DRO Initials

Name of Printer  
Address of Printer

Back of Ballot



**BYLAW NO. 30-2023**

SCHEDULE "C"

**Form of Ballot**

**Vote on a Bylaw or Resolution**

**Instructions to Voters:** Vote for or against the Bylaw (or Resolution) by completely filling in the OVAL to the LEFT of the words which express your intention. If you tear or wrongly mark your ballot, return it and another will be provided.

**Vote on Bylaw (or Resolution) to** *(here state object of the bylaw or resolution)*

- For** the Bylaw (or Resolution)
- Against** the Bylaw (or Resolution)

Submitted by The City of Lloydminster (or school division) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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SCHEDULE "D"

**Form of Ballot**

**Vote on a Question**

**Instructions to Voters:** Vote by completely filling in the OVAL to the LEFT of the word which expresses your opinion on the question. If you tear or wrongly mark your ballot, return it and another will be provided.

**Vote on Question**  
*(here state question)*

- Yes**
- No**

Submitted by The City of Lloydminster (or school division) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.



