

BYLAW 1663/24
ELECTION BYLAW
STURGEON COUNTY, ALBERTA

A BYLAW OF STURGEON COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURES
FOR THE CONDUCT OF STURGEON COUNTY ELECTIONS

WHEREAS, section 29 of the *Local Authorities Election Act*, RSA 2000, c L-21 (the Act) and amendments thereto authorizes an elected authority to pass a bylaw to require that every nomination be accompanied with a deposit in the amount fixed in the bylaw;

AND WHEREAS, section 36(1) of the Act states that the returning officer, if authorized by resolution of the elected authority, may divide the local jurisdiction into voting subdivisions and may from time to time alter their boundaries but may not alter them between the time of the giving notice of an election and the election day;

AND WHEREAS, section 37(3) of the Act states that an elected authority may pass a bylaw allowing the returning officer to designate more than one voting station for each subdivision and the location of those voting stations for that election;

AND WHEREAS, section 43(3) of the Act authorizes an elected authority to pass a bylaw providing for the printing of ballots in lots;

AND WHEREAS, section 46(1) of the Act states that every voting station shall be kept open continuously on election day from 10 a.m. until 8 p.m. unless, in accordance with section 46(2), an elected authority passes a bylaw provide that the voting station is to be open before 10 a.m.;

AND WHEREAS, section 77.1(2) of the Act states that an elected authority may provide for special ballots, prescribe the methods for a special ballot application, and the application period;

AND WHEREAS, section 77.21(2) of the Act states that an elected authority may set a time and date earlier than the closing of the voting station on election day for when a completed special ballot package must be received by the returning officer;

AND WHEREAS, section 79(1) of the Act states that an elected authority may provide for the attendance of two deputies at the residence of an elector, during the hours an advance voting station is open, in order to take the votes of an elector who, because of physical disability, is unable to attend a voting station or an advance voting station to vote;

AND WHEREAS, section 80(1) of the Act states that the returning officer, if authorized by an elected authority, may designate the location of one or more institutional voting stations for an election in addition to voting stations designated under section 37 of the Act;

AND WHEREAS, section 85.1(4) of the Act states that an elected authority may pass a bylaw allowing the returning officer of the elected authority to count the special ballot box, advance vote ballot box, and institutional vote ballot box earlier than 8 p.m. but no earlier than 7:30 p.m. on election day;

AND WHEREAS, section 7.6.10 of Sturgeon County's Land Use Bylaw 1385/17 regulates election signs, including when election signs must be removed after an election, but does not prescribe how far in advance of election day election signs may be erected;

AND WHEREAS, Council deems it appropriate to prescribe when election signs may be erected, in order to balance freedom of speech with the visual aesthetic of the community;

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

1. Title

1.1. This Bylaw may be referred to as the "Election Bylaw".

2. Purpose

2.1. The purpose of this Bylaw is to establish procedures for Sturgeon County (County) elections and to prescribe when municipal, provincial, and federal election signage may be erected in advance of an election.

3. Definitions

3.1. Unless otherwise specified, words used in this bylaw have the same meaning as defined in the *Local Authorities Election Act*, RSA 2000, c L-21, the *Election Act*, RSA 2000, c E-1, the *Canada Elections Act* S.C. 2000, c. 9, or Sturgeon County's Land Use Bylaw 1385/17.

4. Pre-election Procedures

4.1. Nomination Deposits

(a) Candidate nominations for every elected office must be accompanied by a deposit in the amount of \$25.

4.2. Voting Stations

(a) The Returning Officer is authorized to divide the local jurisdiction into voting subdivisions and may from time to time alter their boundaries but may not alter them between the time of giving notice of an election and the election day.

(b) The Returning Officer is authorized to designate more than one voting station for each subdivision and the location of those voting stations.

5. Election Procedures

5.1. Form of Ballot

(a) Ballots shall be printed in lots in accordance with section 43(3) of the Act.

5.2. Voting Hours

(a) Voting stations are to be open continuously on election day from 9 a.m. to 8 p.m.

5.3. Special Ballots

(a) Electors may vote by special ballot in any County election.

(b) An application for a special ballot may be made:
i. in writing;

- ii. by telephone;
 - iii. in person;
 - iv. by e-mail; or
 - v. by secure website as designated by the Returning Officer.
- (c) For a general election:
- i. Applications for special ballots must be submitted between August 1 of the year in which the general election is held and 4:30 p.m. on the last Friday prior to election day; and
 - ii. Completed special ballots must be received by the Returning Officer no later than 4:30 p.m. on election day.
- (d) For any other election or a vote on a bylaw or question, the application period and receipt deadline for special ballots must be stated in the resolution fixing the date of the election or vote.

5.4. Elector Assistance at Home

- (a) The Returning Officer shall provide for the attendance of two deputies at the residence of an elector, during the hours an advance voting station is open, in order to take the votes of an elector who, because of physical disability, is unable to attend a voting station or an advance voting station to vote.

5.5. Institutional Vote

- (a) The Returning Officer may designate the location of one or more institutional voting stations for an election in addition to voting stations designated under section 37 of the Act.
- (b) An elector who on election day is confined to a treatment centre in the local jurisdiction or is a resident in a supportive living facility in the local jurisdiction that is established as an institutional voting station for the election is eligible to vote at that institutional voting station.

5.6. Counting Centre

- (a) If, in accordance with section 85.1(1) of the Act, if the Returning Officer designates a single location as a counting centre, the Returning Officer may have the special ballot box, advance vote ballot box, and institutional ballot box counted beginning at 7:30 p.m. on election day.

6. Election Signage

6.1. Municipal Elections

- (a) Election signs may not be erected before the close of nominations on nomination day.

6.2. Provincial Elections

(a) Election signs may not be erected more than thirty (30) days before election day.

6.3. Federal Elections

(a) Election signs may not be erected more than thirty-six (36) days before election day.

6.4. Removal and Disposal of Election Signs

(a) Election signs erected in contravention of this Bylaw may be removed and disposed of by a Peace Officer without prior notice or compensation to the owner.

(b) Election signs impounded and which have not been claimed by the owner within 3 days of the close of polls on election day may be destroyed without compensation to the owner.

(c) A person shall not interfere with or attempt to obstruct a Peace Officer in the removal of an election sign pursuant to this Bylaw.

6.5. Fines

(a) A Peace Officer may fine the owner of an election sign erected in contravention of this Bylaw \$100 for the first offence and \$200 for each subsequent offence.

7. Repeal and Replacement

7.1. Bylaw 1522/20, Bylaw 1527/21, and Bylaw 1534/21 are repealed and replaced with this bylaw.

8. Severability

8.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

9. Effective Date

9.1. This bylaw shall come into force and take effect upon being passed.

Read a first time this 26th day of November, 2024.

Read a second time this ____ day of ____, 20__.

Read a third time this ____ day of ____, 20__.

MAYOR

COUNTY COMMISSIONER (CAO)

DATE SIGNED