

BYLAW C-8573-2024

A bylaw of Rocky View County to establish rules for elections conducted by Rocky View County under the *Local Authorities Election Act* and for addressing matters within the discretion of elected authorities under the *Local Authorities Election Act*.

WHEREAS the *Local Authorities Election Act* provides the general rules for elections conducted by local authorities and allows local authorities to pass bylaws for the conduct of elections under the *Local Authorities Election Act*;

WHEREAS section 7(a) of the *Municipal Government Act* allows Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

AND WHEREAS section 7(b) of the *Municipal Government Act* allows Council to pass bylaws respecting people, activities, and things in, on, or near a public place or a place that is open to the public;

AND WHEREAS there are specific matters in the *Local Authorities Election Act* that are within the discretion of elected authorities to do by bylaw or by resolution;

AND WHEREAS section 180(3) of the *Municipal Government Act* allows Council to do something by bylaw if it is required to do something by resolution under any enactment, which includes the *Local Authorities Election Act*;

AND WHEREAS section 203(1) of the *Municipal Government Act* authorizes Council to delegate to the Chief Administrative Officer any of its powers, duties, or functions under any enactment, which includes the *Local Authorities Election Act*;

NOW THEREFORE the Council of Rocky View County enacts as follows:

Title and Definitions

- 1 This bylaw may be cited as the *Election Bylaw*.
- 2 Words in this bylaw have the same meaning as set out in the *Local Authorities Election Act* and the *Municipal Government Act* except for the definitions provided in Schedule 'A' of this bylaw.

Purpose and Application

- 3 The purpose of this bylaw is to establish rules for elections conducted by Rocky View County under the *Local Authorities Election Act* and for addressing matters within the discretion of elected authorities under the *Local Authorities Election Act*.
- 4 This bylaw applies to all elections conducted by Rocky View County under the *Local Authorities Election Act*, which includes general elections, by-elections, and votes on a bylaw or question as provided for in the *Local Authorities Election Act*.

Interpretation

- 5 If a matter related to an election conducted by Rocky View County under the *Local Authorities Election Act*:
- (1) is not contemplated by this bylaw, the matter will be decided by reference to the relevant provisions of the *Local Authorities Election Act*; or
 - (2) is not contemplated by this bylaw nor the *Local Authorities Election Act*, the matter will be decided by the Returning Officer in their sole and unfettered discretion.
- 6 If a provision of this bylaw conflicts with the provisions of the *Local Authorities Election Act*, the provisions of the *Local Authorities Election Act* take precedence.

Joint Elections with Other Elected Authorities

- 7 Council delegates to the Chief Administrative Officer, pursuant to section 203(1) of the *Municipal Government Act*, its power and duty to negotiate and enter into agreements on behalf of Rocky View County for conducting joint elections with other elected authorities under the *Local Authorities Election Act*.
- 8 When Rocky View County conducts a joint election on behalf of another elected authority under the *Local Authorities Election Act*:
- (1) the County is responsible for conducting the election and ensuring compliance with the *Local Authorities Election Act* on behalf the other elected authority to the extent provided for in the agreement with the other elected authority;
 - (2) the County has all the rights, powers, and duties of the other elected authority under the *Local Authorities Election Act* and may exercise those rights, powers, and duties on behalf of the other elected authority to the extent provided for in the agreement with the other elected authority; and
 - (3) the provisions of this bylaw apply to the election conducted by the County on behalf of the other elected authority.

Powers, Duties, and Appointment of the Returning Officer

- 9 Council delegates to the Chief Administrative Officer, pursuant to section 203(1) of the *Municipal Government Act*, its power and duty to appoint the Returning Officer as required by section 13(1) of the *Local Authorities Election Act*.
- 10 The Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under this bylaw and the *Local Authorities Election Act*.
- 11 The Returning Officer may delegate any of their powers or duties to a constable, presiding deputy, or deputy pursuant to section 14(3) of the *Local Authorities Election Act*.

Powers, Duties, and Appointment of the Substitute Returning Officer

- 12 Council delegates to the Chief Administrative Officer, pursuant to section 203(1) of the *Municipal Government Act*, its power and duty to appoint the Substitute Returning Officer as required by section 13(2.1) of the *Local Authorities Election Act*.
- 13 The Substitute Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under this bylaw and the *Local Authorities Election Act* when the Returning Officer is incapable of performing those duties, functions, and powers.
- 14 When acting as the Returning Officer, the Substitute Returning Officer may delegate any of their powers or duties to a constable, presiding deputy, or deputy pursuant to section 14(3) of the *Local Authorities Election Act*.

Independence and Impartiality of the Returning Officer

- 15 The Returning Officer must be independent and impartial when performing their duties pursuant to section 13.1(1) of the *Local Authorities Election Act*.
- 16 No person may obstruct or attempt to influence the Returning Officer in the performance of their duties pursuant to section 13.1(2) of the *Local Authorities Election Act*.
- 17 The following individuals are ineligible for appointment as the Returning Officer or the Substitute Officer pursuant to section 13(3) of the *Local Authorities Election Act*:
 - (1) a candidate; or
 - (2) a candidate's spouse, adult interdependent partner, child, parent, or sibling.

Duties of Presiding Deputies

- 18 Presiding deputies are appointed by the Returning Officer and are responsible for exercising all the duties of a presiding deputy under the *Local Authorities Election Act* and any other duties that are assigned to them by the Returning Officer pursuant to section 14.1 of the *Local Authorities Election Act*.
- 19 Presiding deputies are charged with maintaining the peace at voting stations pursuant to section 15(1) of the *Local Authorities Election Act*. With the approval of the Returning Officer in their sole and unfettered discretion, a presiding deputy may:
 - (1) appoint a constable to maintain order at a voting station; or
 - (2) summon a police officer or any other person for the purpose of maintaining order, preserving or preventing any breach of the public peace, or removing any person who, in the opinion of the presiding deputy, is obstructing voting or contravening the *Local Authorities Election Act*.

Delegation by the Chief Administrative Officer

- 20 Pursuant to section 203(3) of the *Municipal Government Act*, the Chief Administrative Officer may further delegate any the powers, duties, and functions delegated to them by Council under this bylaw.

Permanent Electors Register

- 21 The Chief Administrative Officer must compile and revise a permanent electors register of Rocky View County residents who are eligible, or may become eligible, to vote as required by section 49(1) of the *Local Authorities Election Act*.
- (1) The Chief Administrative Officer may, as provided for in section 49(3) of the *Local Authorities Election Act*, use any information obtained or available to Rocky View County in compiling and revising the permanent electors register.
 - (2) The Chief Administrative Officer may use individual elector registers to revise the permanent electors register prior to their destruction pursuant to section 91.1(2) of the *Local Authorities Election Act*.
 - (3) The Chief Administrative Officer must, as required by section 49(3.1) of the *Local Authorities Election Act*, enter any of the information listed in section 23 of this bylaw obtained during an election into the permanent electors register.
- 22 The Chief Administrative Officer is authorized to negotiate and enter into an information sharing agreement with the Chief Electoral Officer of Alberta for the purpose of compiling and revising the permanent electors register and the provincial register of electors as required by section 49(2) of the *Local Authorities Election Act*.
- 23 Pursuant to section 49(5) of the *Local Authorities Election Act*, the permanent electors register may contain only the following information for each person included in the permanent electors register:
- (1) the person's residential address and the mailing address, including postal codes, if the mailing address is different from the residential address;
 - (2) the surname, given name, and middle initial of the person;
 - (3) the day, month, and year of birth of the person;
 - (4) the residential phone number of the person;
 - (5) the gender of the person; and
 - (6) whether the person is a public school or separate school resident.
- 24 Persons not included in the permanent electors register may submit an application to Rocky View County in the prescribed form to be added to the permanent electors register.

- 25 Persons who are included in the permanent elections register but wish to correct information about themselves contained within the permanent electors register may submit an application to Rocky View County in the prescribed form to have their information corrected.
- 26 The prescribed form referenced in sections 24 and 25 of this bylaw will be made available:
- (1) on Rocky View County's public website;
 - (2) in person at the County during regular business hours; or
 - (3) by email to elections@rockyview.ca or legislativeservices@rockyview.ca
- 27 Rocky View County will only use the permanent electors register and the information contained within it for purposes consistent with the *Local Authorities Election Act* and will not share the permanent electors register or the information contained within it to the public, candidates, official agents, or scrutineers.
- 28 Rocky View County will only make a person's information contained within the permanent electors register available to that person, or their authorized agent, to ensure that the information about that person within the permanent electors register is correct pursuant to section 49(6) of the *Local Authorities Election Act*.
- 29 No candidate, official agent, or scrutineer may photograph or copy the permanent electors register as provided for in section 49(8) of the *Local Authorities Election Act*.

Candidate Nominations and Withdrawal of Nominations

- 30 Nominations must be submitted in-person at the County Hall during regular business hours within the nomination period for an election pursuant to section 28(1) of the *Local Authorities Election Act*.
- (1) The Returning Officer may, as provided for in section 28(1.1) of the *Local Authorities Election Act*, establish additional locations where nominations may be submitted during the nomination period for an election.
 - (2) Nominations may be submitted in-person during the nomination period for an election at any additional locations established by the Returning Officer if any additional locations have been established by the Returning Officer.
- 31 Nominations must comply with the requirements of this bylaw and the *Local Authorities Election Act* and be accompanied by the following:
- (1) a deposit of \$100.00 as provided for in section 29 of the *Local Authorities Election Act* which may be refunded pursuant to section 30 of the *Local Authorities Election Act*; and
 - (2) a criminal record check, at the sole expense of the candidate, completed within six months of the date the nomination is submitted as provided for in section 21.1 of the *Local Authorities Election Act*.

- 32 It is the sole responsibility of candidates to ensure that nominations comply with the requirements of this bylaw and the *Local Authorities Election Act*.
- 33 Nominations may be withdrawn at any time during the nomination period for an election, or within 24 hours after the close of the nomination period subject to section 32(3) of the *Local Authorities Election Act*, by submitting their nomination withdrawal to the Returning Officer:
- (1) in writing delivered to the County Hall during regular business hours;
 - (2) by email to elections@rockyview.ca or legislativeservices@rockyview.ca; or
 - (3) by another method to the satisfaction of the Returning Officer.
- 34 Nomination withdrawals:
- (1) must include the candidate's first and last name, the office for which they were nominated, and be signed and dated by the candidate; and
 - (2) is effective on the date that it is received by the Returning Officer.
- 35 Within 48 hours of a candidate submitting their nomination papers, the Returning Officer will make the candidate's nomination papers available to the public on Rocky View County's public website or at the County Hall during regular business hours.
- 36 Within 48 hours of the close of the nomination period for an election, the Returning Officer will make a list of all nominated candidates available to the public on Rocky View County's public website or at the County Hall during regular business hours.
- 37 When making nomination papers available to the public:
- (1) nomination papers will be partially redacted to ensure that the mailing address of the candidate and the candidate's official agent are not disclosed as required by section 28(6.1) of the *Local Authorities Election Act*;
 - (2) criminal records checks accompanying nomination papers will be partially redacted to ensure that the mailing address of the candidate and the candidate's official agent are not disclosed as required by section 28(6.2) of the *Local Authorities Election Act*; and
 - (3) the Returning Officer may further redact any personal information in nomination papers, but not the criminal records checks accompanying the nomination papers, that, in their opinion, would compromise the personal safety of candidates as provided for in section 28(6.1) of the *Local Authorities Election Act*.
- 38 Nomination papers will be retained until the term of office to which the nomination papers relate has expired pursuant to with section 34(4) of the *Local Authorities Election Act*.

Death of a Candidate

- 39 If a candidate dies after being nominated but before the opening of voting stations during the advance vote or on election day, the Returning Officer will provide notice of the candidate's death in a conspicuous location at all relevant voting stations pursuant to section 33(2) of the *Local Authorities Election Act*.

Voting Subdivisions, Voting Stations, and Voting Hours

- 40 Rocky View County's electoral divisions, as established in the *Electoral Boundaries and Council Composition Bylaw*, are each considered to be their own voting subdivision pursuant to section 36(2) of the *Local Authorities Election Act*.
- 41 The Returning Officer must, in their sole and unfettered discretion, designate the location of all voting stations for each voting subdivision on election day as provided for in section 37(1) of the *Local Authorities Election Act*.
- (1) The Returning Officer may, in their sole and unfettered discretion, designate more than one voting station for each voting subdivision pursuant to section 37(3) of the *Local Authorities Election Act*.
- 42 Every voting station will be kept open continuously from 10:00 a.m. until 8:00 p.m. on election day pursuant to section 46(1) of the *Local Authorities Election Act*.
- 43 If there is an elector in a voting station who wishes to vote when a voting station is declared closed, the elector will be allowed to vote, but no other person will be allowed to enter the voting station for that purpose pursuant to section 46(4) of the *Local Authorities Election Act*.

Early Counting of Advance Votes, Special Ballots, and Institutional Votes

- 44 The County Hall is designated as the counting centre for the purposes of section 85.1 of the *Local Authorities Election Act*, unless the Returning Officer designates an alternate location as the counting centre.
- (1) The Returning Officer must notify all affected candidates, official agents, and scrutineers of the location of the counting centre as required by section 85.1(3) of the *Local Authorities Election Act*.
- 45 The Returning Officer may begin counting advance votes, special ballots, and institutional votes at 7:30 p.m. on election day at the counting centre before the closing of voting stations at 8:00 p.m. on election day pursuant to section 85.1(4) of the *Local Authorities Election Act*.
- (1) The Returning Officer must notify all affected candidates, official agents, and scrutineers of the location of the counting centre as required by section 85.1(3) of the *Local Authorities Election Act*.
- (2) The results of the early counting of advance votes, special ballots, and institutional votes conducted under section 45 of this bylaw must not be publicly disclosed until after the close of voting stations at 8:00 p.m. on election day in accordance with section 85.1(7) of the *Local Authorities Election Act*.

Election Results

- 46 Rocky View County will publish, on Rocky View County's public website, the official election results no later than 12:00 p.m. on the fourth day after an election pursuant to section 97(2) of the *Local Authorities Election Act*.
- 47 Rocky View County may publish, on Rocky View County's public website, the unofficial election results once counts are received from voting stations pursuant to section 97(1) of the *Local Authorities Election Act*.

Advance Votes

- 48 Rocky View County must conduct advance votes as required by section 73(3) of the *Local Authorities Election Act*. The Returning Officer must, in their sole and unfettered discretion, determine the following for advance votes:
- (1) the number and locations of all voting stations that they consider necessary for conducting the advance vote as provided for in section 75(1) of the *Local Authorities Election Act*; and
 - (2) the days and hours of when the advance vote will be conducted as provided for in section 73(6) of the *Local Authorities Election Act*.

Special Ballots

- 49 Rocky View County must provide special ballots for electors who are unable to vote on election day or during an advance vote as required by section 77.1(1) of the *Local Authorities Election Act*.
- 50 Electors may apply for a special ballot beginning on August 1 for a general election, or on the date set by the Returning Officer for a by-election or vote on a bylaw or question, if they are unable to vote on election day or during an advance vote.
- 51 Electors who are included in the permanent electors register may apply to the Returning Officer for a special ballot through one of the following methods:
- (1) in person at the County during regular business hours;
 - (2) in writing delivered to the County Hall;
 - (3) by email to elections@rockyview.ca or legislativeservices@rockyview.ca;
 - (4) by telephone at (403) 230-1401; or
 - (5) another method to the satisfaction of the Returning Officer.
- 52 Electors who are not included in the permanent electors register must first apply to be added to the permanent electors register before applying for a special ballot or being issued a special ballot package as required by section 77.1(1.1) of the *Local Authorities Election Act*.

- 53 The Returning Officer will require the following information from electors when applying for a special ballot under this bylaw and the *Local Authorities Election Act*:
- (1) first and last name of the elector;
 - (2) contact telephone number, or contact email address if the elector is unavailable by telephone;
 - (3) municipal address of the residence of the elector;
 - (4) mailing address to which the special ballot is to be sent; and
 - (5) school elector status, if the elector is voting for a trustee of a board of a school division.
- 54 Upon receiving an application for a special ballot that complies with the requirements of this bylaw and the *Local Authorities Election Act*, the Returning Officer will issue the elector with a special ballot package after the close of nominations on nomination day.
- 55 Special ballot packages must be returned to the Returning Officer no later than 4:30 p.m. on election day pursuant to section 77.21(2) of the *Local Authorities Election Act*.
- (1) If a special ballot package is not received before 4:30 p.m. on election day, the special ballot will be considered a rejected ballot pursuant to section 77.3 of the *Local Authorities Election Act*.

Institutional Votes

- 56 Rocky View County may conduct institutional votes for electors who are confined to a treatment centre or reside in a supportive living facility as provided for in section 80(1) of the *Local Authorities Election Act*.
- 57 The Returning Officer is authorized to and must, in their sole and unfettered discretion, determine the following for institutional votes:
- (1) if, when, and where institutional voting will be conducted during an advance vote as provided for in section 80(4) of the *Local Authorities Election Act*; and
 - (2) if, when, and where institutional voting will be conducted on election day as provided for in section 81(1) of the *Local Authorities Election Act*.

Elector Assistance at Home

- 58 Rocky View County may provide elector assistance at home to electors who are unable to attend a voting station on election day or during an advance vote because of a physical disability as provided for in section 79(1) of the *Local Authorities Election Act*.
- 59 The Returning Officer is authorized to and must, in their sole and unfettered discretion, determine the following for elector assistance at home:

- (1) if and when elector assistance at home will be provided during an advance vote as provided for in section 79(1) of the *Local Authorities Election Act*; and
 - (2) if and when elector assistance at home will be provided on election day as provided for in section 79(1) of the *Local Authorities Election Act*.
- 60 If elector assistance at home is provided during an election, electors may submit a request for elector assistance at home beginning on August 1 for a general election, or on the date set by the Returning Officer for a by-election or vote on a bylaw or question, if they are unable to attend a voting station on election day or during an advance vote because of a physical disability.
- 61 If elector assistance at home is provided during an election, electors may submit a request to the Returning Officer for elector at home assistance through one of the following methods:
- (1) in person at the County during regular business hours;
 - (2) in writing delivered to the County Hall;
 - (3) by email to elections@rockyview.ca or legislativeservices@rockyview.ca;
 - (4) by telephone at (403) 230-1401; or
 - (5) another method to the satisfaction of the Returning Officer.
- 62 The Returning Officer will require the following information from electors when requesting elector at home assistance under this bylaw and the *Local Authorities Election Act*:
- (1) first and last name of the elector;
 - (2) reason why the elector is unable to attend a voting station on election day or during an advance vote;
 - (3) contact telephone number, or contact email address if the elector is unavailable by telephone;
 - (4) municipal address of the residence of the elector;
 - (5) mailing address to which the special ballot is to be sent; and
 - (6) school elector status, if the elector is voting for a trustee of a board of a school division.
- 63 The Returning Officer, in their sole and unfettered discretion, may accept or reject requests for elector assistance at home pursuant to section 79(4) of the *Local Authorities Election Act*.

Blind Elector Templates

- 64 Rocky View County will provide blind elector templates to electors who are blind as provided for in section 78(4.2) of the *Local Authorities Election Act*.

- 65 The Returning Officer must provide electors who are blind with blind elector templates on election day and during advanced votes pursuant to section 78(4.3) of the *Local Authorities Election Act*.
- 66 Electors will be notified of the availability of blind elector templates, as required by section 78(4.3) of the *Local Authorities Election Act*, in conjunction with notices of election and notices of advance votes.

Conduct and Duties of Scrutineers

- 67 Before a person is recognized or appointed as a scrutineer and before they may perform the duties of a scrutineer, the person must:
- (1) provide the Returning Officer or a presiding deputy with the written notice required by section 69(1) of the *Local Authorities Election Act* for a general election or by-election; or
 - (2) provide the Returning Officer or a presiding deputy with the written request required by section 70(1) of the *Local Authorities Election Act* for a vote on a bylaw or question; and
 - (3) make and subscribe to a statement in the prescribed form as required by section 16(2) of the *Local Authorities Election Act*.
- 68 When performing the duties of a scrutineer, scrutineers must:
- (1) comply with the requirements of the *Local Authorities Election Act*;
 - (2) comply with the requirements of this bylaw;
 - (3) comply with the direction of the Returning Officer or a presiding deputy; and
 - (4) perform their duties with integrity and respect and in a manner that is helpful and courteous to electors, election workers, other scrutineers, the public, and anyone else involved in an election.
- 69 Scrutineers may:
- (1) observe the conduct of an election, including the voting process and the counting process, from the location designated within a voting station by the Returning Officer or a presiding deputy pursuant to section 69(5) or 70(4) of the *Local Authorities Election Act*;
 - (2) observe the sealing of ballot boxes at the opening of voting stations to ensure that ballot boxes are empty prior to the start of the voting process and observe the opening of ballot boxes prior to the start of the counting process to ensure that all ballots have been removed from the ballot boxes to be counted;

- (3) observe that each ballot box is opened and that the ballots are counted within a voting station as provided for in section 85(1) of the *Local Authorities Election Act* from the location designated by the Returning Officer or a presiding deputy;
- (4) observe that each special ballot box, advance vote ballot box, and institutional vote ballot box is opened and that all ballots are counted at the counting centre as provided for in section 85.1(5) of the *Local Authorities Election Act* from the location designated by the Returning Officer or a presiding deputy;
- (5) observe recounts conducted by the Returning Officer pursuant to section 98(2) of the *Local Authorities Election Act* or observe a judicial recount pursuant to section 106(1) of the *Local Authorities Election Act*;
- (6) request to view individual elector registers when election workers are not assisting electors subject to sections 70(4) and 70(5) of this bylaw;
- (7) request to view the names and addresses of electors who have applied for and been provided special ballot packages pursuant to section 77.1(4) of the *Local Authorities Election Act* when election workers are not assisting electors subject to sections 70(4) and 70(5) of this bylaw;
- (8) request a copy of the ballot account as provided for in section 89(2) of the *Local Authorities Election Act* and, if the scrutineer desires, sign the ballot account as provided for in section 89(1) of the *Local Authorities Election Act*; and
- (9) use cellphones, laptops, and other electronic devices within a voting station or the counting centre so long as no audio or video recordings are taken, no photographs are taken, and no phone calls are made or taken.

70 Scrutineers must not:

- (1) interfere with the orderly conduct of an election, including interfering with the voting process or the counting process;
- (2) view an elector completing their ballot, assist an elector with completing their ballot, vouch for an elector pursuant to section 53(5) of the *Local Authorities Election Act*, or prevent an elector from completing their ballot;
- (3) take photographs within a voting station or the counting centre, including photographs of the permanent electors register, individual elector registers, or the special ballot elector register;
- (4) make copies of, transcribe, or interfere with election materials in a voting station or the counting centre, including the permanent electors register, individual elector registers, and the special ballot elector register;
- (5) make or take phone calls in a voting station or the counting centre while they are within a voting station or the counting centre, including for the exchange of information between a scrutineer and a candidate or official agent;

- (6) engage in political campaigning or promotion for or against any candidate, or for or against any position on a vote on a bylaw or question, within or outside of a voting station or the counting centre, including wearing any campaign materials such as buttons, hats, and t-shirts; or
 - (7) engage in harassing or discriminatory behaviour or make abusive, derisive, threatening, or insulting statements or gestures to or about another person.
- 71 If a scrutineer does not comply with the requirements of this bylaw, the *Local Authorities Election Act*, or the direction of the Returning Officer or a presiding deputy, the Returning Officer or a presiding deputy may issue the scrutineer with a written warning concerning their conduct.
- 72 After receiving a written warning pursuant to section 71 of this bylaw, if a scrutineer continues not to comply with the requirements of this bylaw, the *Local Authorities Election Act*, or the direction of the Returning Officer or a presiding deputy, the Returning Officer or a presiding deputy may remove the scrutineer from the voting station or counting centre.
- 73 The Returning Officer or a presiding deputy must not:
- (1) for a general election or by-election, allow a candidate to have a scrutineer or official agent present in a voting station or the counting centre while the candidate is present in the voting station or counting centre pursuant to section 69(3) or 85.1(6) of the *Local Authorities Election Act*;
 - (2) for a general election or by-election, allow a candidate to have both an official agent and a scrutineer present in a voting station or the counting centre at the same time pursuant to section 69(3.1) or 85.1(6) of the *Local Authorities Election Act*;
 - (3) for a vote on a bylaw or question, allow more than one scrutineer for each side of the bylaw or question to be present in the voting station or the counting centre at the same time pursuant to section 70(3) and 85.1(6) of the *Local Authorities Election Act*; or
 - (4) permit more than the candidate or the candidate's official agent or scrutineer, or more than one scrutineer for either side of a vote on any bylaw or question, to be present during the counting of ballots pursuant to section 85(2) of the *Local Authorities Election Act*.
- 74 No person may impede a scrutineer from performing the duties of a scrutineer pursuant to section 69(7) of the *Local Authorities Election Act*.

Votes on a Bylaw or Question

- 75 Should Council provide or be required to conduct a vote on a bylaw or question under the *Municipal Government Act*, the vote on the bylaw or question will be conducted in accordance with the *Local Authorities Election Act*.
- 76 Pursuant to section 44 of the *Local Authorities Election Act*, when a vote on a bylaw or question is conducted:



- (1) Council must determine the wording to be used on the ballot or may authorize the Returning Officer, or the Chief Administrative Officer if a Returning Officer is not appointed, to determine the wording to be used on the ballot; or
- (2) if Council does not determine the wording to be used on the ballot, the Returning Officer, or the Chief Administrative Officer if a Returning Officer is not appointed, will determine the form of the ballot to be used.

Severability

- 77 Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw remain valid and enforceable.

Repeal and Effective Date

- 78 Bylaw C-8109-2020, being the *Election Bylaw*, is repealed upon this bylaw passing and coming into full force and effect.
- 79 Bylaw C-8573-2024, being the *Election Bylaw*, is passed when it receives third reading and is signed in accordance with the *Municipal Government Act*.
- 80 Bylaw C-8573-2024, being the *Election Bylaw*, comes into full force and effect on December 31, 2024 or on the proclamation date of the *Municipal Affairs Statutes Amendment Act, 2024*, whichever date is sooner.

READ A FIRST TIME this

8 day of October, 2024

READ A SECOND TIME this

8 day of October, 2024

UNANIMOUS PERMISSION FOR THIRD READING this

8 day of October, 2024

READ A THIRD AND FINAL TIME this

8 day of October, 2024



Reeve



Chief Administrative Officer

October 8, 2024

Date Bylaw Signed

Bylaw C-8573-2024

Schedule 'A' – Definitions

- 1 **“Advance vote”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a vote taken in advance of election day.
- 2 **“Alberta Housing Act”** means the *Alberta Housing Act*, RSA 2000, c A-25, as amended or replaced from time to time.
- 3 **“Blind elector template”** means a blind elector template as contemplated and provided for in the *Local Authorities Election Act*.
- 4 **“By-election”** has the same meaning as provided for in the *Local Authorities Election Act*, which means an election other than a general election or a first election.
- 5 **“Candidate”** has the same meaning as provided for in the *Local Authorities Election Act*, which means an individual who has been nominated to run for election in a local jurisdiction as a councillor or school board trustee.
- 6 **“Chief Administrative Officer”** means the Chief Administrative Officer of Rocky View County pursuant to the *Municipal Government Act* or their authorized delegate.
- 7 **“Council”** means the duly elected Council of Rocky View County as contemplated in the *Municipal Government Act*.
- 8 **“Councillor”** means a duly elected Councillor of Rocky View County as contemplated in the *Municipal Government Act*.
- 9 **“County Hall”** means Rocky View County’s County Hall, which is located at 262075 Rocky View Point, Rocky View County, Alberta.
- 10 **“Criminal record check”** means a criminal record check that is:
- (1) conducted by a police service operating in Alberta, such as the Royal Canadian Mounted Police or Calgary Police Service, and not conducted by a third-party criminal record check provider; and
 - (2) that, at a minimum, shows the candidate’s past criminal convictions, if any.
- 11 **“Education Act”** means the *Education Act*, RSA 2000, c E-0.3, as amended or replaced from time to time.
- 12 **“Election”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a general election, first election, by-election, or a vote on a bylaw or question.
- 13 **“Election day”** has the same meaning as provided for in the *Local Authorities Election Act*, which means the day fixed for voting in an election.

- 14 **“Elector”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a person eligible to vote in an election.
- 15 **“Elector assistance at home”** means elector assistance at home as contemplated and provided for in the *Local Authorities Election Act*.
- 16 **“Elected authority”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a council under the *Municipal Government Act* or a board of trustees under the *Education Act*.
- 17 **“Electoral Boundaries and Council Composition Bylaw”** means Rocky View County Bylaw C-8077-2020, being the *Electoral Boundaries and Council Composition Bylaw*, as amended or replaced from time to time.
- 18 **“Electoral division”** means a ward as contemplated in the *Municipal Government Act* and provided for in the *Electoral Boundaries and Council Composition Bylaw*.
- 19 **“General election”** has the same meaning as provided for in the *Local Authorities Election Act*, which means an election held for all the members of an elected authority to fill vacancies caused by the passage of time.
- 20 **“Institutional vote”** means an institutional vote as contemplated and provided for in the *Local Authorities Election Act*.
- 21 **“Joint election”** means a joint election as contemplated and provided for in the *Local Authorities Election Act*.
- 22 **“Local Authorities Election Act”** means the *Local Authorities Election Act*, RSA 2000, c L-21, as amended or replaced from time to time.
- 23 **“Mental Health Act”** means the *Mental Health Act*, RSA 2000, c M-13, as amended or replaced from time to time.
- 24 **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 25 **“Nomination day”** has the same meaning as provided for in the *Local Authorities Election Act*, which is four weeks before election day.
- 26 **“Nomination period”** has the same meaning as provided for in the *Local Authorities Election Act*, which is:
- (1) 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; or
 - (2) 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.

- 27 **“Official agent”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a person appointed as an official agent pursuant to section 68.1 of the *Local Authorities Election Act*.
- 28 **“Presiding deputy”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a deputy who has been appointed as a presiding deputy by the Returning Officer pursuant to section 14 of the *Local Authorities Election Act*.
- 29 **“Permanent electors register”** means a permanent electors register as contemplated and provided for in the *Local Authorities Election Act*.
- 30 **“Returning Officer”** means the person appointed by the Chief Administrative Officer under this bylaw to be the Returning Officer or their authorized delegate.
- 31 **“Rocky View County” or “County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
- 32 **“Scrutineer”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a person recognized as a scrutineer pursuant to section 69 or appointed pursuant to section 70 of the *Local Authorities Election Act*.
- 33 **“Special ballot”** means a special ballot as contemplated and provided for in the *Local Authorities Election Act*.
- 34 **“Substitute Returning Officer”** means the person appointed by the Chief Administrative Officer under this bylaw to be the Substitute Returning Officer or their authorized delegate.
- 35 **“Supportive living facility”** has the same meaning as provided for in the *Local Authorities Election Act*, which means:
- (1) a lodge accommodation as defined in the *Alberta Housing Act*; or
 - (2) a facility for adults or senior citizens that provides assisted living and accommodation;
- but does not include a treatment centre.
- 36 **“Treatment centre”** has the same meaning as provided for in the *Local Authorities Election Act*, which means:
- (1) a hospital or facility under the *Mental Health Act*; or
 - (2) any facility not referred to in subsection 36(1) of this schedule that provides medical treatment or care on an in-patient basis.
- 37 **“Vote on a bylaw or question”** means a vote on a bylaw or question as contemplated and provided for in the *Local Authorities Election Act* and the *Municipal Government Act*.
- 38 **“Voting station”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a place where an elector votes.



- 39 **“Voting subdivision”** has the same meaning as provided for in the *Local Authorities Election Act*, which means that area of a local jurisdiction or ward designated as a voting subdivision by the elected authority or the Returning Officer.