
BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO PROVIDE FOR ELECTIONS IN THE TOWN OF BLACKFALDS

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M 26.1 of the Revised Statutes of Alberta, 2000 and amendments thereto, for the purpose of providing for municipal elections and school trustee elections within the Town of Blackfalds boundaries.

WHEREAS the *Local Authorities Election Act*, RSA 2000, Chapter L-21, as amended, provides for the holding of local elections by municipalities.

WHEREAS, pursuant to the authority of the *Local Authorities Election Act*, RSA. 20, c. L-21, and amendments thereto, Council may establish election procedures by bylaw;

WHEREAS, it is the desire of the Council of the Town of Blackfalds to establish election procedures to address matters within the discretion of elected authorities under the *Local Authorities Election Act*.

WHEREAS, 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.

NOW THEREFORE, the Municipal Council of the Town of Blackfalds, duly assembled hereby enacts:

PART 1 – TITLE

- 1.1 That this Bylaw shall be cited as the “**Elections Bylaw**”.

PART 2 – DEFINITIONS

- 2.1 In this Bylaw:

- (a) “**Act**” means the *Local Authorities Election Act*, RSA. 2000, c. L-21 and any amendments thereto, together with any regulations made thereunder.
- (b) “**Advance Vote**” means a vote taken in advance of an Election Day.
- (c) “**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 their vote.
- (d) “**Ballot Box**” means a container for Ballots that have been marked by the Elector.
- (e) “**Candidate**” means an individual who has been nominated to run for Election in a local jurisdiction as a councillor or trustee as prescribed by the Act.
- (f) “**Council**” means the Council of the Town of Blackfalds.
- (g) “**Election**” means a general election, first election, by-election and a vote on a bylaw or question.
- (h) “**Election Day**” means as prescribed in the *Local Authorities Election Act*, which means the day fixed for voting in an Election.
- (i) “**Elector**” means a person eligible to vote in an Election in accordance with the Act.
- (j) “**Institutional Vote**” means a vote that is provided for a person who is confined to a treatment centre in the Town or is a resident in a supportive living facility in the Town.
- (k) “**Judicial Recount**” means a recount of votes that is ordered by the Court in accordance with Part 4 of the Act.
- (l) “**Nomination Day**” means, in accordance with the Act, the day four (4) weeks prior to Election Day of an Election year.

- (m) **“Official Agent”** means a person who has been appointed as an Official Agent on the Candidate’s nomination form in accordance with the Act.
- (n) **“Permanent Electors Register”** means a Permanent Electors Register prepared in accordance with Section 49 of the Act.
- (o) **“Presiding Deputy”** means a deputy who has been appointed as a Presiding Deputy pursuant to Section 14(1) of the Act by the Returning Officer.
- (p) **“Returning Officer”** means a person appointed by Council resolution and pursuant to Section 13(1) of the Act as a Returning Officer and includes a person acting in the Returning Officer’s place, also known as the Substitute Returning Officer.
- (q) **“Scrutineer”** means a person recognized or appointed to represent a Candidate in accordance with the Act.
- (r) **“Special Ballot”** means a Ballot that an Elector can request when they are unable to attend an Advance Vote or on voting day.
- (s) **“Substitute Returning Officer”** means a person who is appointed to act in the Returning Officer’s place pursuant to Section 13(2.1) of the Act.
- (t) **“Town”** means the municipal corporation of the Town of Blackfalds in the Province of Alberta.
- (u) **“Voting Station”** means the location where Electors cast their Ballot vote.

PART 3 - APPLICATION

- 3.1 This Bylaw shall apply to all Elections conducted in the Town in accordance with the Act, which includes general elections, by-elections and votes on a bylaw or question in accordance with the Act.

PART 4 - APPOINTMENT, POWERS AND DUTIES OF THE RETURNING OFFICER

- 4.1 In accordance with Section 13(1) of the Act, Council shall appoint, by resolution, an individual to act as Returning Officer for the purposes of conducting an Election on behalf of the Town.
- 4.2 In accordance with Section 13(2.1) of the Act, Council must appoint, by resolution, an individual to act as a Substitute Returning Officer for the purposes of conducting an Election on behalf of the Town.
- 4.3 The Returning Officer shall perform and exercise all the duties under this Bylaw and as set out in Section 14(1) of the Act.
- 4.4 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 Act.
- 4.5 The Substitute Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under this Bylaw and the Act when the Returning Officer is incapable of performing those duties, functions, and powers.
- 4.6 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 Act.
- 4.7 Pursuant to the Act, the Returning Officer must be independent and impartial when performing their duties pursuant to Section 13.1(1).
- 4.8 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 Act.
- 4.9 In accordance with Section 13(3) of the Act, the following individuals are ineligible to be appointed as the Returning Officer or the Substitute Returning Officer:
 - 4.9.1 a Candidate; or
 - 4.9.2 a Candidate’s spouse, adult interdependent partner, child, parent, or sibling.

PART 5 - DUTIES OF THE PRESIDING DEPUTIES

- 5.1 Presiding Deputies, who the Returning Officer appoints, are responsible for performing the duties as prescribed under Section 14(1) of the Act and any other duties that are assigned to them by the Returning Officer.
- 5.2 Pursuant to Section 15(1) of the Act, the Presiding Deputies are charged with maintaining the peace at Voting Stations and, with the approval of the Returning Officer, may appoint a constable to maintain order and peace at a Voting Station.
- 5.3 Presiding Deputies may request a police officer to attend the Voting Station and assist the Presiding Deputies 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 Act or this Bylaw.

PART 6 - NOMINATIONS**6.1 General Election**

Nominations must be submitted in person to the Returning Officer or designate during the Town's regular business hours within the nomination period as set out in Section 28(1) of the Act until 12:00 PM noon on Nomination Day.

6.2 By-Election

Nominations must be submitted in person to the Returning Officer or designate during the Town's regular business hours within the period beginning on the day after a Council resolution to set an Election Day for the by-election until 12:00 PM noon on Nomination Day.

Nomination Day

- 6.3 Nomination Day is four (4) weeks prior to Election Day.

6.4 Notice of Nomination Day

The Returning Officer or designate shall give notice of Nomination Day in the prescribed form by publishing a notice at least once a week in each of the 2 weeks before Nomination Day in accordance with Section 26(1) of the Act.

6.5 Notice of Intent

Any individual who intends to be nominated or has been nominated to run for an Election as a Candidate must submit a written notice in the prescribed form to the municipal office addressed to the Returning Officer that the individual intends to be or has been nominated for an Election.

6.6 Form of Nomination

Every nomination of a Candidate must:

- 6.6.1 include written notice of intent in accordance with Section 147.22(2) of the Act and 6.5 of this Bylaw, if not already submitted prior to submitting nomination papers.
- 6.6.2 be in the prescribed form and signed by at least five (5) Electors who are eligible to vote in that Election and are residents of the Town on the date of signing the nomination.
- 6.6.3 be accompanied with a sworn or affirmed written acceptance by the person nominated in the prescribed form.

6.7 Receipt of Nominations

Nominations shall be received by the Returning Officer or designate at the Town of Blackfalds municipal office:

- 6.7.1 located at the Civic Cultural Centre, 5018 Waghorn Street, Blackfalds, Alberta.
- 6.7.2 during regular business hours of 8:30 a.m. to 4:30 p.m. (excluding all statutory holidays or events where the Civic Cultural Centre may be closed).

- 6.7.3 The Returning Officer may redact any personal information in nomination papers when requested by the public.
- 6.7.4 Filed nomination papers will be retained until the term of office to which the nomination papers relate has expired pursuant to Section 34(4) of the Act.
- 6.7.5 Twenty-four (24) hours after the close of nominations on Nomination Day, the Returning Officer shall, as soon as possible, sign a statement showing the name of each nominated Candidate and any information about the Candidate which has been consented to be disclosed to the Minister's Deputy Minister, in accordance with Section 28(8) of the Act.
- 6.7.6 Within forty-eight (48) hours of the close of nominations on Nomination Day, the Returning Officer shall post the names of the Candidates who have been nominated and the offices for which they were nominated on the Town's website, in accordance with Section 28(10) of the Act.

6.8 **Withdrawal of Nomination**

Nominations may be withdrawn at any time during the nomination period for an Election or within twenty-four (24) hours after the close of the nomination period, subject to Section 32 of the Act and are effective on the date that the Returning Officer receives the withdrawal.

- 6.8.1 Nomination withdrawals are to be submitted to the Returning Officer:
- (i) in writing, delivered to the municipal office during regular business hours; or
 - (ii) by email, addressed to the Returning Officer; or
 - (iii) by another method to the satisfaction of the Returning Officer.

PART 7 - DEATH OF CANDIDATE

- 7.1 If a Candidate dies after being nominated but before the opening of the Voting Station during the Advance Vote or on Election Day, the Returning Officer will provide notice of the Candidate's death in a conspicuous location at the Voting Stations pursuant to Section 33(2) of the Act.

PART 8 – ELECTION BY ACCLAMATION

- 8.1 In accordance with Section 34(1) of the Act, if 24 hours after the close of nominations, the number of candidates for an office is equal to the number of offices for which the election is held, the Returning Officer shall declare the Candidates nominated to be elected to the office for which they were nominated.

PART 9 – BALLOTS

- 9.1 Following Nomination Day, the Returning Officer will arrange for printing of Ballots and ensure a sufficient number of Ballots are printed.
- 9.2 Names on Ballots shall be listed in accordance with Section 43(2) of the Act.
- 9.3 If there is a vote on a bylaw or resolution, Council must, by resolution, determine the wording to be used on the Ballot. If Council does not determine the wording to be used on the Ballot, the Returning Officer will determine the wording to be used.

PART 10 – PERMANENT ELECTORS REGISTER

- 10.1 The Town must prepare a Permanent Electors Register of the residents of the Town who are eligible to vote that is compiled with and revised primarily using the information received from the Chief Electoral Officer.
- 10.2 The Town may use any information contained or available to the Town in completing and revising the Permanent Elector Register to revise the Permanent Electors Register pursuant to Section 91.1(2) of the Act prior to destruction.
- 10.3 The Town must enter any information that is collected or obtained during an Election into the Permanent Electors Register.

- 10.4 The Permanent Electors Register may contain only the following information for each person included in the Permanent Electors Register pursuant to Section 49(5) of the Act:
- 10.4.1 the person's residential address and the mailing address, including postal codes, if the mailing address is different from the residential address;
 - 10.4.2 the surname, given name, and middle initial of the person;
 - 10.4.3 the day, month, and year of birth of the person;
 - 10.4.4 the residential phone number of the person;
 - 10.4.5 the gender of the person; and
 - 10.4.6 whether the person is a public school or a separate school resident.
- 10.5 Any persons who are not included in the Permanent Electors Register may submit an application to the Town in the prescribed form to be added to the Permanent Electors Register.
- 10.6 Any person who is included in the Permanent Electors Register that wishes to correct the information contained within the Permanent Electors Register may submit an application to the Town in the prescribed form to have their information corrected.
- 10.7 Only a Returning Officer may use the Permanent Electors Register and only as it relates to the exercise of a power or performance of a duty of a Returning Officer under the Act.
- 10.8 Pursuant to Section 49(8), no Candidate, Official Agent or Scrutineer shall access or use the Permanent Elector Register, including, without limitation, taking a photograph or making a copy of the Permanent Electors Register.
- 10.9 In accordance with Section 49.1 of the Act the Town must upon request, provide a copy of the Permanent Elector Register prepared in accordance with Section 49 of the Act to another elected authority in the same area.

PART 11 - VOTING STATIONS AND HOURS

- 11.1 The Returning Officer shall designate the location of the Voting Station pursuant to Section 37(1) of the Act.
- 11.2 The Voting Station on Election Day and during the Advance Vote will be kept open continuously from 10 a.m. to 8 p.m.
- 11.3 If there is an Elector in the Voting Station who wishes to vote when a Voting Station is declared closed, the Elector shall 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 Act.

PART 12 – ADVANCE VOTING

- 12.1 The Town must provide for and conduct an Advance Vote as set out in Section 73(3) of the Act.
- 12.2 The Returning Officer must determine the days and hours when the Advance Vote will be held.
- 12.3 The Returning Officer shall give notice of the Advance Vote in accordance with Section 74(1) of the Act.

PART 13 – SPECIAL BALLOTS

- 13.1 Pursuant to Section 77.1(1) of the Act, an Elector whose name is contained within the Permanent Electors Registry who is unable to vote in an Advance Vote or at the Voting Station on Election Day may apply to the Town to vote by Special Ballot.
- 13.2 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.

- 13.3 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:
- 13.3.1 in person at the municipal office during regular business hours;
 - 13.3.2 in writing delivered to the municipal office c/o the Returning Officer;
 - 13.3.3 by telephone; or
 - 13.3.4 another method to the satisfaction of the Returning Officer.
- 13.4 Electors who are not included in the Permanent Electors Register must first apply in person 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 Act.
- 13.5 The following information is required from Electors when applying for a Special Ballot under this Bylaw and the Act:
- 13.5.1 first and last name of the Elector;
 - 13.5.2 municipal address of the residence of the Elector;
 - 13.5.3 school Elector status, if the Elector is voting for a trustee of a board of a school division.
 - 13.5.4 mailing address to which the Special Ballot is to be sent; and
 - 13.5.5 contact telephone number,
 - 13.5.6 contact email address if the Elector is unavailable by telephone;
- 13.6 Upon receipt of an application for a Special Ballot that complies with the requirements of this Bylaw and the Act, the Returning Officer will issue the Elector with a Special Ballot package after the close of nominations on Nomination Day.
- 13.7 Special Ballot packages must be returned to the Returning Officer no later than 4:30 PM on the Friday preceding the Election Day pursuant to Section 77.21(2) of the Act.

PART 14 - ELECTOR ASSISTANCE AT HOME

- 14.1 The Town 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 Act.
- 14.2 An Elector who meets the criteria set out in Section 79(1) of the Act must submit a request for Elector assistance at home at least forty-eight (48) hours before the end of the Advance Vote period, to have two (2) deputies attend at the Elector's residence in order to take the vote of the Elector.
- 14.3 If the Returning Officer is satisfied that the Elector is unable to attend a Voting Station due to a physical incapacity or mobility limitations, the Returning Officer will:
- 14.3.1 advise the Elector that the request has been accepted;
 - 14.3.2 appoint two deputies to attend at the Elector's residence; and
 - 14.3.3 inform the Elector of the date and approximate time that the deputies will attend the residence.
- 14.4 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 Act.

PART 15 - CONDUCT AND DUTIES OF SCRUTINEERS

- 15.1 Before a person is recognized or appointed as a Scrutineer and before they may perform the duties of a Scrutineer, the person must:
- 15.1.1 provide the Returning Officer or a Presiding Deputy with the written notice required by Section 69(1) of the Act for a general Election or by-Election; or
 - 15.1.2 provide the Returning Officer or a Presiding Deputy with the written request required by Section 70(1) of the Act for a vote on a bylaw or question; and

- 15.1.3 subscribe to a statement in the prescribed form as required by Section 16(2) of the Act.
- 15.2 After a person is recognized or appointed as a Scrutineer, the Scrutineers must:
- 15.2.1 comply with the requirements of the Act;
 - 15.2.2 comply with the requirements of this Bylaw;
 - 15.2.3 comply with the direction of the Returning Officer or a Presiding Deputy; and
 - 15.2.4 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.
- 15.3 No person may impede a Scrutineer from performing the duties of a Scrutineer pursuant to Section 69(7) of the Act; Scrutineers may:
- 15.3.1 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 Act;
 - 15.3.2 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;
 - 15.3.3 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 Act from the location designated by the Returning Officer or a Presiding Deputy;
 - 15.3.4 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 Act from the location designated by the Returning Officer or a Presiding Deputy;
 - 15.3.5 observe recounts conducted by the Returning Officer pursuant to Section 98(2) of the Act or observe a Judicial Recount pursuant to Section 106(1) of the Act;
 - 15.3.6 request to view individual Elector registers when Election workers are not assisting Electors;
 - 15.3.7 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 Act when Election workers are not assisting Electors; and
 - 15.3.8 request a copy of the Ballot account as provided for in Section 89(2) of the Act and, if the Scrutineer desires, sign the Ballot account as provided for in Section 89(1) of the Act.
- 15.4 Scrutineers must not interfere with the orderly conduct of an Election, including interfering with the voting process or the counting process and therefore further must not:
- 15.4.1 engage in harassing or discriminatory behaviour or make abusive, derisive, threatening, or insulting statements or gestures to or about another person;
 - 15.4.2 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;
 - 15.4.3 view an Elector completing their Ballot, assist an Elector with completing their Ballot, vouch for an Elector pursuant to section 53(5) of the Act, or prevent an Elector from completing their Ballot;
 - 15.4.4 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;

- 15.4.5 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; and
- 15.4.6 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.
- 15.5 If a Scrutineer does not comply with the requirements of this Bylaw, the 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.
- 15.6 If a Scrutineer continues not to comply with the requirements of this Bylaw, the Act, or the direction of the Returning Officer or a Presiding Deputy, after receiving a written warning, the Returning Officer or a Presiding Deputy, constable or police officer may remove the Scrutineer from the Voting Station or counting centre.
- 15.7 Subject to section 15.3 of this Bylaw and pursuant to the Act, the Returning Officer or a Presiding Deputy must not:
- 15.7.1 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 Act;
- 15.7.2 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 Act;
- 15.7.3 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 Act; or
- 15.7.4 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 Act.

PART 16 - COUNTING OF VOTES

- 16.1 The Returning Officer shall be allowed to count the Special Ballot Box, Advance Vote Ballot Box, Elector assistance at home vote Ballot Box and the Institutional Vote Ballot Box no earlier than 7:30 p.m. pursuant to Section 85.1(4) of the Act.
- 16.2 Immediately after the close of the Voting Station, the Presiding Deputy shall, in the presence of at least one and any additional officers that the deputy considers necessary, and the Candidates, Official Agents or Scrutineers shall ensure that each Ballot Box is opened and that the votes are counted, pursuant to Section 85(1) of the Act.

PART 17 - RECOUNT

- 17.1 The Returning Officer may make a recount of the votes cast in accordance with Sections 98(1), 98.1(1) and 98.2 of the Act.

PART 18 - DATE OF FORCE AND REPEAL

- 18.1 That this Bylaw shall come into effect, upon the date on which it is finally read and passed.
- 18.2 That the Town of Blackfalds Bylaws 1251.20, 1260.21 and 1263.21 be repealed upon this Bylaw coming into effect.

READ for the first time this 10th day of June, A.D. 2025.

(RES. 139/25)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

CAO KIM ISAAK

READ for the second time this 24th day of June, A.D. 2025.

(RES. 157/25)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

CAO KIM ISAAK

READ for the third time this 24th day of June, A.D. 2025.

(RES. 158/25)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

CAO KIM ISAAK

UNCERTIFIED COPY