

Bylaw 60-2020 Strathcona County Election Bylaw**Report Purpose**

To seek three readings of Bylaw 60-2020, Election Bylaw

Recommendation

1. THAT Bylaw 60-2020, a bylaw that establishes rules for the conduct of elections, be given first reading.
2. THAT Bylaw 60-2020 be given second reading.
3. THAT Bylaw 60-2020 be considered for third reading.
4. THAT Bylaw 60-2020 be given third reading.

Our Prioritized Strategic Goals

Governance Requirement

Goal 7 - Provide opportunities for public engagement and communication

Goal 5 - Foster collaboration through regional, community and governmental partnerships

Report

Recent clarifying and technical amendments to the *Local Authorities Election Act* (LAEA) have necessitated changes to the County's Election Bylaw. The three most significant changes are:

1. introduction of a nomination period;
2. mandatory requirement to appoint a substitute returning officer; and
3. mandatory requirement to hold an advance vote for municipalities with a population over 5,000.

Nomination period is a new concept within the LAEA designed to reduce the number of different time periods applicable to candidacy, such as notice of intent to run, a four-year campaign period and a single nomination day. The nomination period now aligns with the beginning of the campaign period. A candidate can file nomination papers anytime from January 1 in a year in which a general election is to be held until the close of the nomination period at 12 noon on Nomination Day. In 2021, Nomination Day is Monday, September 20.

The LAEA was amended to require appointment of a substitute returning officer by the municipal council at the time of appointment of the returning officer for general elections, by-elections, or votes on a question or bylaw.

Previously, holding an advance vote was discretionary. The LAEA now requires any municipality having a population greater than 5000 to provide for an advance vote. As this is now mandatory, it is no longer required in the bylaw.

The proposed bylaw has been drafted in plain language to enhance readability and comprehension. The following changes in the proposed bylaw address LAEA amendments:

1. Part II, section 7 appoints the substitute returning officer.
2. Part III, section 13 sets out where and when nomination forms will be accepted.
3. **NEW** – Part III, section 21 modifies the form of the blind elector template and specifies when and how electors will be notified that the template is available. The blind elector template will be an audio ballot that will be used in conjunction with the current automated voting system during the advance vote. Note: a blind elector template is required under the LAEA if requested no later than June 30 in a general

election year. However, the County's bylaw may provide for a blind elector template without the requirement for a request.

4. Part VII, sections 43 – 47 contain specific provisions for special ballots, including advertising; applying; deadline for receipt; reporting; and processing.

Enclosure 2 is a copy of the current bylaw with yellow highlighting that shows the sections that would be removed in the proposed bylaw, including the following:

1. Part VII, section 7.1 regarding holding an advance vote.
2. Part VII, sections 7.9 – 7.13 dealing with at-home voting. The County has been using special-ballots instead of at-home voting for the last 10 years to provide electors who are unable to attend a voting station or an advance voting station an opportunity to vote.
3. Part VIII: Special Ballots, Sections 8.4 – 8.17 These sections are in the LAEA and are not needed in the bylaw. Part VII, sections 43 – 47 of the proposed bylaw address special ballot provisions that are unique to Strathcona County.

Information regarding other LAEA amendments, including campaign finance and third-party advertising, is posted on the County's election webpage. This information will also be included in the candidate nomination and information packages, expected to be available prior to the end of 2020. This matter is before Council to ensure all of the amendments have been accommodated for the January 1, 2021 nomination period commencement.

Council and Committee History

May 7, 2013 Council gave third reading to Bylaw 28-2013, a bylaw which repealed and replaced Bylaw 15-2007

Other Impacts

Policy: GOV-001-034 Accountability and Transparency Policy

Legislative/Legal: The LAEA provides that Council may, by bylaw, establish rules and procedures for the conduct of elections. This bylaw complies with the provisions and timelines of the LAEA.

Interdepartmental: n/a

Master Plan/Framework: n/a

Communication Plan

The change of the nomination period will be advertised in the Sherwood Park News on December 11 and 18, 2020. Nomination packages will be made available on the County's website prior to January 1, 2021. Once the bylaw is passed, it will be accessible to the public through the County's website.

Enclosure(s)

- 1 Bylaw 60-2020 – proposed election bylaw
- 2 Bylaw 28-2013 – current election bylaw
- 3 PPT Presentation