BYLAW NUMBER 50M2024

BEING A BYLAW OF THE CITY OF CALGARY TO CONDUCT ELECTIONS

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WHEREAS the Council of The City of Calgary is an elected authority under the *Local Authorities Election Act*, RSA 2000, c. L-21 and has responsibilities to pass bylaws under that Act,

AND WHEREAS subsection 180(3) of the *Municipal Government Act*, RSA 2000, c. M-26, states that where council is authorized under an enactment to do something by resolution, it may also be done by bylaw;

AND WHEREAS under sections 2 and 3 of the *Local Authorities Election Act,* , The Calgary Board of Education and the Board of Trustees of Calgary Roman Catholic Separate School Division have entered into an agreement for The City of Calgary to conduct joint elections;

AND WHEREAS under sections 2 and 3 of the *Local Authorities Election Act***,** the elected authority conducting the election has the power to pass bylaws where a joint election agreement has been made;

AND WHEREAS sections 13(1), 13(2.1), 21.1, 27(2), 29, 73, 77.1(2), 77.21(2), 78(4.2), and 80(1) of the *Local Authorities Election Act,* authorizes a Council, as an elected authority, to establish certain requirements for an election including:

(a) the number of minimum signatures required on a candidate's nomination paper (provided that number is no less than 5 and not more than 100);

(b) the amount payable by a candidate as a nomination deposit;

(c) appointing a Returning Officer and a Substitute Returning Officer;

(d) requiring a person seeking to be nominated as a candidate to provide a criminal record check;

(e) the locations of one or more institutional voting stations;

(f) the holding of an advance vote;

(g) setting out the blind elector template; and

(h) the provision of a special ballot, including the method of application and the date by which a special ballot must be received;

AND WHEREAS the City Clerk has been appointed as Returning Officer by Bylaw 73M94, the City Clerk Bylaw;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART 1 – INTERPRETATION AND DEFINITIONS

1. This Bylaw may be cited as the "Elections Bylaw".

2. (1) In this Bylaw:

(a) "*Act*" means the *Local Authorities Election Act*, RSA 2000, c. L-21;

(b) "*ballot*" means a paper listing the names of *candidates* standing for *election*, and questions or bylaws posed to electors, with places for electors to mark their choices;

(c) "*candidate*" means an individual who has been nominated to run for election in a local jurisdiction as a member of *Council* or as a school board trustee;

(d) "*City*" means the municipal corporation of The City of Calgary or the area within the boundary of the city, as the context requires;

(e) "*Council*" means the municipal council of the *City*;

(f) "*counting centre*" means a secured area within the offices of Elections Calgary or such other location designated by the *Returning Officer*;

(g) "*election*" means

(i) an election as defined in the *Act*;

(ii) a Senate election directed to be held in accordance with the *Alberta Senate Election Act*, SA 2019, c. A-33.5; or

(iii) a referendum directed to be held in accordance with the *Referendum Act* RSA 2000, c. R-8.4;

(h) "*election day*" means election day as defined in the *Act*;

(i) "*Mayor*" means the chief elected official as defined in the *Municipal Government Act*;

(j) "*Returning Officer*" means the City Clerk, as appointed by *Council* under the *Act* and pursuant to section 13.1 of Bylaw 73M94, the City Clerk Bylaw; and

(k) "*voting station*" means a voting station as defined in the *Act*.

(2) Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefore.

(3) 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.

(4) All schedules attached to this Bylaw shall form part of this Bylaw.

Applicability

3. (1) This Bylaw applies to all *elections* in the *City* that are governed by the *Act*.

(2) In the event of a conflict between a provision of this Bylaw and a provision of

(a) the *Act*;

(b) the *Alberta Senate Election Act*, S.A. 2019, c. A-33.5; or

(c) the *Referendum Act*, R.S.A. 2000, c. R-8.4,

then the latter prevail.

PART 2 – SUBSTITUTE RETURNING OFFICER

4. The *City* employee holding the position of Assistant Director, City Clerk's Office is appointed as Substitute *Returning Officer*.

PART 3 – POLICE INFORMATION CHECK

5. (1) In this section, "*Police Information Check*" means a collection of offence information, including convictions, non-convictions and other police information available from police record management systems and provincial court records, in the form established by the Alberta Association of Chiefs of Police from time to time.

(2) Every nomination paper required for a *candidate* for office as a member of *Council*, including the *Mayor*, must be accompanied by a *Police Information Check* obtained from the Calgary Police Service.

(3) *Police Information Checks* submitted pursuant to subsection (2) above must be dated no earlier than 6 months before the date on which a *candidate* submits their nomination paper.

(4) Every *candidate* for office as a member of *Council*, including the *Mayor*, shall be responsible for the cost of a *Police Information Check* submitted pursuant to subsection (2) above.

PART 4 – NOMINATIONS

Nomination Signatures

6. The minimum number of electors required to sign the nomination papers of a *candidate* for office as a member of *Council*, including the *Mayor*, is 100.

Nomination Deposit

7. (1) Every nomination paper required by the *Act* as a *candidate* for election must be accompanied by a deposit in the amount of $100 paid by cash, certified cheque, money order, debit card, or credit card.

(2) Subsection (1) above applies to all *candidates* seeking election:

(a) as a member of *Council* other than the *Mayor*; or

(b) as a school board trustee.

(3) Every nomination paper required by the *Act* that nominates a *candidate* for election to the office of *Mayor* must be accompanied by a deposit in the amount of $500 paid by cash, certified cheque, money order, debit card, or credit card.

(4) Deposits made by certified cheque or money order must be payable to The City of Calgary.

(5) A deposit collected pursuant to subsection (1) and (3) must be deposited into general revenue by the *City*, unless the circumstances provided for in section 30(4) of the *Act* apply, in which case it must be returned to the *candidate* after a *candidate* has been declared elected.

Locations Where Nominations may be Received

8. (1) The *Returning Officer* may establish one or more locations where nominations are to be received.

(2) The *Returning Officer* must publish on the *City's* website a list of all locations where nominations will be received.

PART 5 – VOTING STATIONS

9. (1) The *Returning Officer* may designate more than one *voting station* for each voting subdivision and the location of such *voting stations*.

(2) In addition to the *voting stations* designated under subsection (1), the *Returning Officer* may designate the location of one or more institutional *voting stations* for an *election*.

PART 6 – ADVANCE VOTE

10. The *Returning Officer* may hold an advance vote on any vote to be held in an *election*, and in such case, must determine the days and hours when the advance vote will be held.

PART 7 – SPECIAL BALLOTS

11. (1) The use of special *ballots* for an *election* is authorized, and the *Returning Officer* may:

(a) accept applications for special *ballots*;

(b) set the time period during which applications for a special *ballot* will be accepted; and

(c) set the date and time by which special *ballots* must be received.

(2) Applications for special *ballots* may be made:

(a) in writing;

(b) by telephone;

(c) in person;

(d) by e-mail; and

(e) through a publicly accessible website maintained by the *City*.

PART 8 – BLIND AND VISUALLY IMPAIRED ELECTORS

12. (1) In this section, "*tactile elector template*" means the physical template used to assist blind and visually impaired electors in completing their *ballot*, made available for use at a *voting station* during an *election* under section 78 of the *Act*.

(2) The use of a *tactile elector template* for an election is authorized.

(3) A *tactile elector template* must be made available:

(a) on *election day*; and

(b) for the duration of an advance vote, if any.

(4) The *Returning Officer* must provide public notice of the availability of the *tactile elector template* in any one or more of the following manners:

(a) on the *City* website; or

(b) in the voter guide.

PART 9 – COUNTING CENTRES

13. The *Returning Officer* may count the special *ballot* box, the advance vote *ballot* box, and the institutional vote *ballot* box no earlier than 7:30 p.m. on *election day*.

PART 10 – REPEAL AND TRANSITIONAL PROVISIONS

14. Upon the coming into force of this Bylaw, Bylaw 35M2018 is repealed.

15. Section 12 above does not apply to any by-election held before March 1, 2025.

PART 11 – COMING INTO FORCE

16. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON DECEMBER 17, 2024

READ A SECOND TIME ON DECEMBER 17, 2024

READ A THIRD TIME ON DECEMBER 17, 2024

MAYOR
SIGNED ON DECEMBER 17, 2024

CITY CLERK
SIGNED ON DECEMBER 17, 2024