



Legislation Details (With Text)

**File #:** BL-17-015      **Version:** 1      **Name:**  
**Type:** Bylaw      **Status:** Passed  
**File created:** 1/25/2017      **In control:** City Council  
**On agenda:** 3/6/2017      **Final action:** 3/6/2017  
**Title:** Bylaw 20-2017 - Municipal Election Bylaw Amendments & Policy C-CC-14 - Votes of Electors  
Presented by: Ryan Osterberg, Legislative Initiatives Coordinator

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Municipal Elections Bylaw 20-2017 - Amendments Incorporated, 2. Municipal Elections Bylaw 27-98 with amendments to Bylaw 20-2017 highlighted, 3. Proposed Policy C-CC-14 - Votes of Electors

Date	Ver.	Action By	Action	Result
3/6/2017	1	City Council	approved	Pass
3/6/2017	1	City Council	approved	Pass
3/6/2017	1	City Council	approved	Pass
3/6/2017	1	City Council	approved	Pass
3/6/2017	1	City Council	approved	Pass
3/6/2017	1	City Council	approved	Pass

TAMRMS#: B06

**Bylaw 20-2017 - Municipal Election Bylaw Amendments & Policy C-CC-14 - Votes of Electors**  
Presented by: Ryan Osterberg, Legislative Initiatives Coordinator

**RECOMMENDATION(S)**

- 1) That Bylaw 20/2017, being a bylaw to provide for Municipal Elections in the City of St. Albert, be read a first time.
- 2) That Bylaw 20/2017 be read a second time.
- 3) That unanimous consent be given for consideration of third reading of Bylaw 20/2017.
- 4) That Bylaw 20/2017 be read a third and final time.
- 5) That City Council Policy C-CC-14, Votes of Electors, provided as an attachment to the March 6, 2017 agenda report entitled "*Bylaw 20-2017 - Municipal Election Bylaw Amendments & Policy C-CC-14 - Votes of Electors*" be approved.

**PURPOSE OF REPORT**

- 1) To present proposed Bylaw 20/2017 Municipal Elections for Council consideration.
- 2) To present proposed City Council Policy C-CC-14 Votes of Electors for Council consideration.

## COUNCIL DIRECTION

N/A

## BACKGROUND AND DISCUSSION

Prior to each General Election, Administration recommends, for Council consideration, resolutions related to the upcoming election. Those resolutions include such things as the appointment of a Returning Officer, authorizing the Returning Officer to establish voting subdivisions and to conduct advance and institutional voting. By addressing these matters in a policy, the process will be streamlined and allow Administration to move forward on many election related matters without waiting for a decision from Council prior to each election, by-election or vote. Council would still have the option to change these “default” decisions by resolution. This is similar to the approach we have taken for Municipal Censuses.

Administration has drafted proposed City Council Policy C-CC-14 Votes of Electors. The proposed policy:

- 1) As per section 13(1) of the Local Authorities Election Act (LAEA), which requires a Returning Officer to be appointed by Council, appoints the Chief Legislative Officer as the Returning Officer for the purposes of the City’s elections, by-elections and votes;
- 2) As per section 36 of the LAEA, authorizes the Returning Officer to create voting subdivisions; and
- 3) As per sections 73(1), 77.1(2) and 80(1) of the LAEA, instructs Administration to offer advance voting, special ballots and institutional voting during elections, and when feasible, during by-elections and votes.

Administration also recommends that Municipal Elections Bylaw 20/2017 be approved. This Bylaw would replace the existing Municipal Elections Bylaw 27/98 thereby implementing the following changes:

- 1) In Section 3(b), adding the option to receive nominations at other locations in addition to City Hall. Legislative Services does not anticipate using this option in 2017, but believes it provides flexibility that could be advantageous in the future.
- 2) Delete section 6(a)(i) which refers to how memory cards are handled after an advanced vote. Since the time when this section was written, tabulator equipment and technology has changed and as such this is no longer the way we handle memory cards; they remain sealed inside the machine until removal when voting stations have closed.
- 3) Section 7(a) is amended by changing the time that voting stations will open, from 8:00 a.m. to 9:00 a.m. Section 46 of the LAEA stipulates that voting stations be open at 10:00 a.m. on Election day unless a Council has approved a bylaw that permits an earlier opening time. We plan to expand opportunities for advance votes in 2017 by providing more advance voting stations and expanded hours for advance voting, so even if we open at 9:00 a.m., the City would still be offering more opportunities for electors to cast a ballot in 2017. Under current labour standards our election workers can only work 12 hours per day; as such we have a few options:

We will apply to the Director of Employment Standards for an exception to allow us to have the hours of work for election staff exceed a period of 12 hours. However, while exceptions have been granted in the past, there is no guarantee the City would receive the requested exception.

Most voting station personnel will begin work one hour before the station opens and will not finish until approximately one hour after the close of the voting station. If voting stations are open from 9:00 a.m. to 8:00 p.m., and each staff member gets two half hour breaks during the day, we can ensure working hours do not exceed 12 hours. If voting stations are open from 8:00 a.m. to 8:00 p.m., and we do not obtain a waiver from the Director of Employment Standards, we would need to consider hiring additional staff and would likely exceed the budget for election staffing. It could also make election staff recruitment more challenging as fewer people may be interested in working for a shorter period of time, thereby earning less for the day.

The proposed Bylaw would better reflect current practices and address some concerns around voting station hours.

## STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

N/A

## IMPLICATIONS OF RECOMMENDATION(S)

Financial:

N/A

Legal / Risk:

This bylaw amendment and policy will meet the requirements outlined in the *Local Authorities Election Act RSA 2000*.

Program or Service:

N/A

Organizational:

Will provide clear direction to Administration for the conduct of the 2017 and future elections in the City of St. Albert.

## ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to approve the Recommendations, the following alternatives could be considered:

- 1) Council could choose not to approve proposed City Council Policy C-CC-14, Votes of Electors. If this occurs Administration would return to Council at a later date with recommended motions required to conduct the 2017 election.
- 2) Council could choose not to approve Municipal Elections Bylaw 20/2017. If this occurs, Administration would conduct the election in accordance with Municipal Elections Bylaw 27/98.
- 3) Council could propose amendments to proposed City Council Policy C-CC-14, Votes of Electors.
- 4) Council could propose amendments to Municipal Elections Bylaw 20/2017. This would delay third reading to a later date so the amended wording could be presented to Council.

## STRATEGIC CONNECTIONS

### Governance Strategy

Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.

### Service Delivery Strategy

Council is committed to ensuring that the City of St. Albert is engaging residents to identify opportunities to improve delivery of services to the community.

Deliver programs and services that meet or exceed our standards  
Ensure our customers are very satisfied

### Council Policies, Bylaws or Federal/Provincial statutes

*Municipal Government Act* RSA 2000

*Local Authorities Election Act* RSA 2000

Municipal Elections Bylaw 27/98

Report Date: March 6, 2017

Author(s): Ryan Osterberg

Committee/Department: Legislative Services

General Manager: Maya Pungur-Buick

City Manager: Kevin Scoble