

THE CITY OF EDMONTON

BYLAW 15307

ELECTION BYLAW

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Whereas pursuant to sections 2 and 3 of the *Local Authorities Election Act*, R.S.A. 2000 c. L-21, an elected authority may enter into an agreement with one or more elected authorities for the conduct of an election;

And Whereas pursuant to section 27 of the *Local Authorities Election Act*, a City by bylaw may specify the minimum number of electors required to sign the nomination of a candidate for an office;

And Whereas pursuant to section 28 of the *Local Authorities Election Act*, an elected authority may provide by bylaw the times and locations to receive nominations in the local jurisdiction;

And Whereas pursuant to section 29 of the *Local Authorities Election Act*, an elected authority may require that every nomination be accompanied by a deposit in the amounts specified by bylaw;

And Whereas pursuant to section 33 of the *Local Authorities Election Act*, an elected authority may provide for events in circumstances of a death of a candidate;

And Whereas pursuant to section 36 of the *Local Authorities Election Act*, a returning officer may be authorized to divide the local jurisdiction into voting subdivisions;

And Whereas pursuant to section 46 of the *Local Authorities Election Act*, an elected authority may provide for a voting station to be opened before 10:00 a.m.;

And Whereas pursuant to section 53 of the *Local Authorities Election Act*, an elected authority may require an elector to produce identification, and may provide for the number and types of identification that are required;

And Whereas pursuant to section 73 of the *Local Authorities Election Act*, an elected authority may provide for the holding of an advanced vote on any vote to be held in an election;

And Whereas pursuant to section 77.1 of the *Local Authorities Election Act*, an elected authority may provide for special ballots;

And Whereas pursuant to section 80 of the *Local Authorities Election Act*, an elected authority may establish where institutional voting stations are to be established for an election;

And Whereas pursuant to section 84 of the *Local Authorities Election Act*, an elected authority may provide for the taking of the votes of the electors by means of voting machines, vote recorders or automated voting system, and such bylaw will prescribe the form of the ballot, the directions for the marking of the ballot by the elector, and the directions for voting procedures to be used and followed;

And Whereas pursuant to section 147 of the *Municipal Government Act*, councillors are to be elected in accordance with the *Local Authorities Election Act*;

And Whereas pursuant to section 150 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, the chief elected official of the municipality is to be elected by a vote of the electors in accordance with the provisions of the *Local Authorities Election Act*;

And Whereas pursuant to section 157 of the *Municipal Government Act*, the term of office of councillors is governed by the *Local Authorities Election Act*;

And Whereas pursuant to section 162 of the *Municipal Government Act*, council must hold by-elections to fill vacancies in specified circumstances;

And Whereas pursuant to section 163 of the *Municipal Government Act*, a vacancy in the office of the chief elected official must be filled in specified circumstances;

And Whereas the School Act, R.S.A. 2000, c. S-3, the *Local Authorities Election Act*, and the *Municipal Government Act* establish the general rules for the conduct of members of School Boards and municipal councils;

Edmonton City Council enacts:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

- PURPOSE** 1 The purpose of this bylaw is to establish rules to follow in conducting City Elections.
- DEFINITIONS** 2 In this bylaw, unless the context otherwise requires:
- (a) **“Advance Vote”** means the vote held under Part VIII;
 - (b) **“Automated Voting System”** includes:
 - (i) Vote Tabulators;
 - (ii) Memory Storage Device;
 - (iii) Register Tape;
 - (iv) the Electronic Ballot Marking Device;
 - (v) the ballot-on-demand Printer; and
 - (vi) the remote accumulation system;
 - (c) **“Auxiliary Ballot Box”** means a separate compartment in the Ballot Box for Ballot Cards that have been marked by Voters but not counted by the Vote Tabulator;

- (d) **“Ballot”:**
 - (i) includes a Paper Ballot and Ballot Card;
 - (ii) contains separate areas stating the office(s) and candidates, and question or bylaw to be voted for; and
 - (iii) indicates all choices available to the Voters;
- (e) **“Ballot Account”** means an account of ballots prepared in the form required by the *Local Authorities Election Act*;
- (f) **“Ballot Box”** means the container for Paper Ballots or Ballot Cards that have been marked by the Voters;
- (g) **“Ballot Card”** means a paper card to be used with the Vote Tabulator;
- (h) **“Ballot Transfer Box”** means a box used to transport election materials from a voting station to the returning officer;
- (i) **“City”** means the municipal corporation of the City of Edmonton;
- (j) **“City Election”** includes a Single-Purpose Election and a General Election;
- (k) **“Council”** means the municipal council of the City of Edmonton;
- (l) **“Counting Centre”** means a controlled access area(s) where election results are determined;
- (m) **“Deputy”** means Presiding and Deputy Returning Officer(s) appointed by the Returning Officer to assist with an election;
- (n) **“Election Day”** means the day for an election as determined by section 16;
- (o) **“Election Office”** means the City of Edmonton Election and Census Office, 16304 – 114 Avenue, Edmonton, AB T5M 3R8, and/or any other location(s) specified by the Returning Officer or Secretary;
- (p) **“Electronic Ballot Marking Device”** means an electronic

device that assists persons to mark a Ballot;

- (q) **“Executive Committee”** means the Standing Committee of Council established by Bylaw 12300, Procedures and Committees Bylaw;
- (r) **“General Election”** means an election held in the City to fill vacancies caused by the passage of time, as described in the *Local Authorities Election Act*;
- (s) **“Legible Mark”** means a mark (including an X) in the space provided on a Paper Ballot or Ballot Card denoting the choice of the voter;
- (t) **“Local Authorities Election Act”** means the *Local Authorities Election Act*, R.S.A. 2000, c. L-21;
- (u) **“Memory Storage Device”** means a computer memory unit that plugs into the Vote Tabulator that contains:
 - (i) the names of the candidates for each contest;
 - (ii) where there is a vote on a bylaw or question, the alternatives "yes" and "no" for each bylaw or question (where there is a bylaw or question); and
 - (iii) a secure mechanism to record and count votes;
- (v) **“Single-Purpose Election”** means any by-election or vote on a bylaw or question held in the municipality to elect a member or members of Council or the members of a Board of Trustees, or to determine a vote on a bylaw or question, or any combination of these alternatives;
- (w) **“Paper Ballot”** means a ballot used when an Automated Voting System is not used, indicating an Office, bylaw or question to be voted on, all choices available to the Voters, and containing spaces in which the Voters mark their votes;
- (x) **“Portable Ballot Box”** means a cardboard ballot box, in the form required by the *Local Authorities Election Act*, that is not used with a Vote Tabulator;
- (y) **“Register Tape”** means the printed record generated from a Vote Tabulator which shows:
 - (i) the number of Ballots received;

- (ii) the number of votes for each candidate; and
- (iii) where there is a vote on a bylaw or question, the number of votes for and against each bylaw or question;
- (z) **“Rejected Ballot Card”** means a Ballot Card that has been submitted by the Voter under section 29(3) of this bylaw;
- (aa) **“Secrecy Sleeve”** means an open-ended envelope used to cover Ballot Cards to conceal the Voter's marks but reveal the initials of the Deputy;
- (bb) **“Spoiled Ballot Card”** means a Ballot Card that has been returned by the Voter under sections 28(2) or 29(2) of this bylaw;
- (cc) **“Statement of Elector Eligibility”** means a statement in the form required by the *Local Authorities Election Act*;
- (dd) **“Statement of Friend of Incapacitated Elector”** means a statement in the form required by the *Local Authorities Election Act* to be made by a friend who assists an incapacitated Voter to vote;
- (ee) **“Statement of Incapacitated Elector”** means a statement in the form required by the *Local Authorities Election Act* to be made by an incapacitated Voter;
- (ff) **“Vote Tabulator”** means a machine into which Ballot Cards are inserted and:
 - (i) records the number of votes for each candidate; and
 - (ii) where there is a vote on a bylaw or question, records the number of votes for and against each bylaw or questions; and
- (gg) **“Voter”** has the same meaning as "elector" under the *Local Authorities Election Act*.

RULES FOR INTEPRETATION	3	The table of contents, marginal notes and headings in this bylaw are for reference purposes only.
APPLICATION	4	This bylaw applies to all City Elections.
ADDITIONAL DEFINITIONS	5	When a term used in this bylaw is not defined in section 2 and the term's meaning is not clear from its context, that term will be given

the same meaning as it has in any provincial legislation governing City Elections.

PART II - JOINT ELECTION

JOINT ELECTION WITH ANOTHER ELECTED AUTHORITY	6	Executive Committee is authorized to enter into agreements, on behalf of the City, to conduct elections on behalf of other elected authorities in Edmonton whose boundaries may or may not be contiguous with the city of Edmonton but do have areas in common.
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PART III ELECTION WORKERS

RETURNING OFFICER	7	The City Manager must appoint a Returning Officer for the purpose of conducting City Elections under the <i>Local Authorities Election Act</i> .
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DEPUTIES AND CONSTABLES	8	The Returning Officer may appoint as many Deputies, constables and other persons as the Returning Officer decides are necessary to assist with any requirement of this bylaw or the <i>Local Authorities Election Act</i> .
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PART IV - VOTING SUBDIVISIONS

WARD BOUNDARIES	9	Wards, ward boundaries and the composition of Council are determined by Bylaw 15142, Ward Boundaries and Council Composition Bylaw.
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VOTING SUBDIVISIONS	10	The Returning Officer may divide the wards into voting subdivisions.
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ALTERING VOTING SUBDIVISIONS	11	<p>(1) The Returning Officer may alter the boundaries of voting subdivisions and create additional voting subdivisions as long as the changes are made before notice is given for a City Election.</p> <p>(2) The Returning Officer may designate the locations of more than one voting station for a voting subdivision.</p>
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PART V - PREPARATION FOR ELECTIONS

NOMINATION DAY AND TIME	12	Nomination Day must be held four weeks before the Election Day and the Returning Officer may only receive nominations between the hours of 9:00 a.m. and 12:00 noon on Nomination Day at City Hall, #1 Sir Winston Churchill Square, Edmonton.
NOMINATION FORM	13	<p>Subject to section 14(3):</p> <p>(a) for the office of councillor, the nomination form must be signed by at least twenty-five (25) Voters, and</p> <p>(b) for the office of mayor, the nomination form must be signed by at least one hundred (100) Voters.</p>
DEPOSIT AMOUNT	14	<p>(1) Candidates for the office of councillor must file a \$100.00 deposit with their nomination form and candidates for the office of mayor must file a \$500.00 deposit with their nomination form.</p> <p>(2) The deposit must be in cash or by certified cheque, or money order payable to the City of Edmonton.</p> <p>(3) If the City is conducting an election for another elected authority, the nomination signatures and deposit requirements, if any, duly passed by that elected authority shall apply to the nomination of candidate(s) for the office(s) of that elected authority.</p>
DEATH OF A CANDIDATE	15	<p>(1) If a candidate for any position dies after nomination but before 9:00 a.m. on Election Day, the election for that position will be discontinued.</p> <p>(2) The appropriate elected authority will arrange a new election for the position as soon as practicable.</p>
ELECTION DAY	16	<p>(1) In accordance with the <i>Local Authorities Election Act</i>, General Elections under this bylaw will be held on the third Monday in October every three years.</p> <p>(2) All other Single-Purpose Elections will be held on the date determined by resolution of the elected authority.</p>
ELECTION TIMES	17	Voting stations will be open from 9:00 a.m. to 8:00 p.m. on Election Day.
FORM OF BALLOTS	18	Ballots will be in the general form prescribed in Schedule A, unless otherwise prescribed by the Returning Officer.

SEPARATE BALLOT CARDS 19

Ballot Cards used within the same voting subdivision, but containing different Ballots, may be distinguished by colour or by any other means as directed by the Returning Officer.

PART VI - USE OF AUTOMATED VOTING SYSTEM

USE OF AUTOMATED VOTING SYSTEM

- 20 (1) The Returning Officer may decide to conduct any City Election using an Automated Voting System.
- (2) If an Automated Voting System is not used:
- (a) the term “Ballot Card” in this bylaw will be replaced by “Paper Ballot” where the context requires, and
 - (b) sections 21, 23(f), 26, 27(b), 29, 30(2), 31, 33, 50 (3) and Parts XI and XII do not apply and the provisions of the *Local Authorities Election Act* will be followed instead.
- (3) Notwithstanding anything in this bylaw, in the event of:
- (a) a malfunction of an Automated Voting System;
 - (b) the unavailability of an Automated Voting System or any of its components;
 - (c) a defect in the ballots or ballot marking pens; or
 - (d) anything related to the operation of an Automated Voting System or any of its components,
- the Returning Officer may make any directions that he or she thinks necessary or desirable with respect:
- (e) to the voting procedures to be used;
 - (f) to the taking of votes;
 - (g) to the counting of the votes; and,
 - (h) where required, to a recount under s. 98 of the *Local Authorities Election Act*.
- (4) Without restricting the generality of (3), if it becomes impossible or impractical to count the ballots with the Vote Tabulator, the

Returning Officer may direct that the ballots:

- (a) be counted manually; or
- (b) be duplicated and counted following the procedure in section 56(2) of this bylaw;

following as far as practicable the provisions of the *Local Authorities Election Act* governing the counting of ballots.

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| SYSTEM TEST AND SECURITY | 21 | <ul style="list-style-type: none"> (1) The Returning Officer must conduct a test of an Automated Voting System before each City Election and must be satisfied that it is in good working order. (2) As soon as the test of the Automated Voting System is completed, the Returning Officer must secure the Memory Storage Devices and ensure that they will remain secured until the City Election. |
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PART VII - VOTING PROCEDURES

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| DEMONSTRATIONS | 22 | If requested by a Voter before voting, a Deputy must explain voting procedures. |
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| REGISTRATION | 23 | <p>A Deputy responsible for issuing Ballot Cards will:</p> <ul style="list-style-type: none"> (a) ensure that the Voter is voting in the correct voting subdivision; (b) ensure that the Voter produces identification as follows: <ul style="list-style-type: none"> (i) one document or a combination of two or more documents which confirm the Voter's name and proof that the Voter is 18 years of age or older; or (ii) any document that provides proof satisfactory to the Returning Officer that the person is eligible to vote; (c) ensure that the Voter gives the Statement of Elector Eligibility; (d) ensure that the Voting Register is completed; (e) if an agreement has been entered into with both the School Districts, ask the Voter if the Voter is a resident of the Edmonton Public School District or a resident of the |
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Edmonton Catholic School District;

- (f) initial the appropriate Ballot Card and give it to the Voter, along with the Secrecy Sleeve, and, where necessary, the Ballot marking pen and any further instructions the Voter requests.

VOTING COMPARTMENT	24	Unless section 34 applies, immediately after receiving the Ballot Card, the Voter must go to the voting compartment alone to vote.
MARKING BALLOT	25	<p>(1) The Voter may only vote by making a Legible Mark on each Ballot beside the chosen candidate (or candidates, where there is more than one vacancy), and, where there is a vote on a bylaw or question, beside "yes" or "no".</p> <p>(2) A Voter may mark only up to the same number of spaces on a Ballot as the number of vacancies in office, and may not mark more than one space on a Ballot for each bylaw or question.</p>
AFTER VOTING	26	Once the Voter has finished marking the Ballot Card, the Voter must insert the Ballot Card into the Secrecy Sleeve and return the Ballot Card to the Deputy at the Ballot Box.
CHECKING AND INSERTING BALLOTS	27	<p>The Deputy at the Ballot Box must:</p> <p>(a) ensure that the Ballot Card was initialled by a Deputy; and</p> <p>(b) insert the Ballot Card directly from the Secrecy Sleeve into the Vote Tabulator, ensuring that the Ballots are not exposed.</p>
VOTER ERROR- SPOILED BALLOT CARDS	28	<p>(1) If a Voter has made a mistake when marking a Ballot, the Voter may return the Ballot Card to the Deputy.</p> <p>(2) The Deputy must issue a new Ballot Card to a Voter and mark the returned Ballot Card "SPOILED" if the Deputy is satisfied that the Voter made a mistake.</p>
VOTE TABULATOR	29	(1) If a Ballot Card is rejected by the Vote Tabulator, the Deputy must advise the Voter to request another Ballot Card.
SPOILED BALLOT CARDS		(2) If the Voter requests another Ballot Card, the Deputy must issue a new Ballot Card to the voter and mark the returned Ballot Card "SPOILED".
REJECTED BALLOT CARDS		(3) If the Voter refuses to request another Ballot Card, the Deputy at the Ballot Box must mark the Ballot Card with the word

“REJECTED.”

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| SPOILED BALLOTS AND REJECTED BALLOTS KEPT SEPARATELY | 30 | <ul style="list-style-type: none"> (1) Spoiled Ballot Cards must be retained and kept separately from all other Ballot Cards and must not be counted in the election results. (2) Rejected Ballot Cards must be retained and kept separately from all other Ballot Cards. |
| VALID BALLOTS | 31 | Subject to a determination made by the Returning Officer on a recount, a ballot counted by the Vote Tabulator is valid and will be counted in the election results. |
| EXITING VOTING STATION | 32 | Once the Ballot Card has been inserted into the Ballot Box, the Voter must immediately leave the voting station. |
| VOTE TABULATOR FAILURE | 33 | If the Vote Tabulator fails to work or stops working, the Deputy at the Ballot Box must insert into the Auxiliary Ballot Box all Ballot Cards delivered by Voters while the Vote Tabulator is not working. |
| BLIND OR INCAPACITATED VOTERS AT THE VOTING STATION | 34 | <ul style="list-style-type: none"> (1) A Voter who is unable to read, or who is incapacitated by blindness or another physical condition from marking the Ballot, can request assistance in marking the Ballot from the Presiding Deputy. (2) Upon the incapacitated Voter making the Statement of Incapacitated Elector, the Presiding Deputy shall assist that Voter in marking the Ballot. (3) A Voter who is unable to read, or who is incapacitated by blindness or another physical condition from marking the Ballot, can choose to be assisted by a friend who has accompanied the Voter to the voting station. (4) The incapacitated Voter must give the Statement of Incapacitated Elector and the friend must give the Statement of Friend of Incapacitated Elector before being allowed to vote under this section. |

PART VIII - ADVANCE VOTE

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| ADVANCE VOTE | 35 | There will be an Advance Vote for each City Election. |
| DATES AND TIMES FOR ADVANCE | 36 | The Advance Vote will be held on the dates and times set by the |

VOTE

Returning Officer.

RETURNING OFFICER ASSIGNS DUTIES

- 37 The Returning Officer will:
- (a) select a Presiding Deputy for each location of the Advance Vote; and
 - (b) assign duties to Deputies.

VISUALLY IMPAIRED VOTERS

- 38 (1) In the event that a visually impaired Voter requests a blind voter template in accordance with the provisions of section 78 of the *Local Authorities Election Act*, the Returning Officer will advise the Voter to attend at an Advance Vote location.
- (2) A blind voter template will not be used if the Returning Officer uses the Audio Ballot Feature option of the Electronic Ballot Marking Device.
- (3) A visually impaired Voter can request the use of the Audio Ballot Feature option of the Electronic Ballot Marking Device.

PART IX - SPECIAL BALLOTS

CRITERIA FOR SPECIAL BALLOT

- 39 A Voter who is unable to vote at an advance vote or at a voting station on Election Day because of:
- (a) physical incapacity;
 - (b) absence from the local jurisdiction, or
 - (c) being a Returning Officer, Deputy, candidate, official agent or scrutineer who may be located on Election Day at a voting station other than that for the Voter's place of residence;
- may apply to vote by special ballot in accordance with this Part.

APPLICATION FOR SPECIAL BALLOT

- 40 An application for a special ballot may be made by any one of the following methods:
- (a) in writing or in person to the Returning Officer at the Election Office;
 - (b) by telephone at the phone number specified by the Returning Officer;
 - (c) by telecopier at the fax number specified by the Returning

Officer;

- (d) by e-mail at the e-mail address specified by the Returning Officer;

at any time between July 1 and 4:30 p.m. on Election Day, in the case of a General Elections, and between Nomination Day and 4:30 p.m. Election Day, in the case of any other Single-Purpose Election.

**REQUIREMENTS
FOR VALID
APPLICATION**

41 An application for a special ballot must include:

- (a) the first and last name of the Voter;
- (b) the municipal address of the residence of the Voter;
- (c) the school district of which the Voter is a resident of;
- (d) mailing address to which the special ballot is to be sent;
- (e) contact telephone number for the Voter, or in the absence of a telephone number, a contact e-mail address; and
- (f) the reason why the special ballot is requested.

**PROCESSING
APPLICATION FOR
SPECIAL BALLOT**

42 (1) On receipt of an application under this Part, the Returning Officer or Deputy must:

- (a) determine if the application meets the requirement of section 41,
- (b) enter the Voter's information into the special ballot register for the appropriate voting station; and
- (c) after Nomination Day, provide the Voter with the special ballot package that includes:
 - (i) the Ballot,
 - (ii) the special ballot certificate envelope,
 - (iii) the ballot envelope;
 - (iv) voter instructions,
 - (v) the return envelope, and
 - (vi) such further enclosures as the Returning Officer

may deem necessary or appropriate.

- (2) The special ballot register must include:
- (a) the Voter's name, address of residence, contact telephone number or contact e-mail address;
 - (b) the name and number of the voting subdivision for the Voter's residence;
 - (c) date the ballot package was issued;
 - (d) date the ballot package was returned;
 - (e) a place for marking "voted" when the ballot is accepted; and
 - (f) such other information as the Returning Officer may deem necessary or appropriate.

**RECEIPT OF
SPECIAL BALLOT**

43 A special ballot must be received prior to 7:00 p.m. on Election Day at the location(s) specified by the Returning Officer.

**REQUIREMENTS
FOR VALID
SPECIAL BALLOT**

- 44 (1) Upon receipt of the returned special ballot, the Deputy must determine:
- (a) whether the outer envelope was received by 7:00 p.m. on Election Day;
 - (b) whether the name on the certificate envelope is the same as that of an individual already recorded in the special ballot register;
 - (c) whether Part 1 of the special ballot certificate has been properly completed;
 - (d) that the Voter has provided copies of identification as follows:
 - (i) one document or a combination of two or more documents which confirm the Voter's name and proof that the Voter is 18 years of age or older; or
 - (ii) any document that provides proof satisfactory to the Returning Officer that the person is eligible to vote.

(2) If the outer envelope is received after 7:00 p.m. on Election Day, the Ballot it contains must be considered to be a rejected ballot and the outer envelope must be retained unopened by the Deputy, who

must record on it the reasons for its rejection.

- (3) If the returned special ballot meets the requirements of (1), the Deputy must:
 - (a) sign Part 2 of the certificate;
 - (b) record in the special ballot register the date and time of the receipt of the Ballot;
 - (c) open the certificate envelope, remove the sealed ballot envelope and place the sealed ballot envelope in a Portable Ballot Box; and
 - (d) enter in the special ballot register the word “voted” with the reason as found in section 39.
- (4) If the Returning Officer believes, on reasonable and probable grounds that:
 - (a) Part 1 of the certificate is not properly completed;
 - (b) the Voter’s identification does not meet the requirements of subsection (1)(d); or
 - (c) the Voter has already been entered into the special ballot register as having returned a Ballot;

the Returning Officer will retain the certificate envelope unopened, attach a copy of the identification, treat the ballot in the envelope as rejected, and mark Part II of the certificate envelope accordingly.

- (5) If the Returning Officer cannot determine whether a certificate envelope is valid, the Returning Officer must notify a person appointed by the Minister in accordance with section 77.2(5.2) of the *Local Authorities Election Act*

**COUNTING
SPECIAL BALLOTS**

- 45 Special ballots will be counted in accordance with the provisions of section 56 of this bylaw.

PART X - INSTITUTIONAL VOTE

**INSTITUTIONAL
VOTE**

- 46 (1) Institutional voting stations shall be established at the hospitals, auxiliary hospitals, nursing homes and seniors’ accommodation

facilities as prescribed by the Returning Officer.

- (2) The Returning Officer will ensure that the times are posted at the institution at least two days before the vote is to be taken.

**SENIORS'
ACCOMODATION
FACILITY**

47 The Returning Officer is not required to conduct an institutional vote at a seniors' accommodation facility when:

- (a) the facility provides accommodation for less than 25 persons of 65 years of age or older; or
- (b) the facility does not have a suitable place to conduct the Vote.

APPOINT DEPUTIES

- 48 (1) The Returning Officer will appoint Deputies to take the votes of Voters who are confined to a hospital, auxiliary hospital, nursing home or seniors' accommodation facility.
- (2) The Returning Officer may conduct the vote at an institution during the Advance Vote.
- (3) If the Returning Officer chooses to conduct the vote at an institution during the Advance Vote, the Deputies must ensure that the Voters provide identification as specified in section 23(b) and give the Statement of Elector Eligibility.
- (4) Subject to sections 48(5) and 49 and any necessary modifications, the Deputies appointed to attend at an institution must use the voting procedures described in Part VII, and the completed ballots must be inserted in the Portable Ballot Box or the Vote Tabulator.
- (5) The Deputies, accompanied by an official of the institution, may attend with a ballot box on those patients or residents confined in their rooms, and take the votes of any of those patients or residents who express a desire to vote.

**VOTING
PROCEDURES AT
INSTITUTIONS**

49 The Deputies appointed by the Returning Officer to take the institutional vote must take the vote of each patient indicating a desire to vote by:

- (a) explaining and demonstrating the voting procedures;
- (b) ensuring that the Voter produces identification as follows:
 - (i) one document or a combination of two or more documents which confirm the Voter's name and proof that the Voter is 18 years of age or older; or

- (ii) any document that provides proof satisfactory to the Returning Officer that the person is eligible to vote;
- (c) ensuring that each Voter gives the Statement of Elector Eligibility;
- (d) ensure that the Voter Register is completed ;
- (e) ask if the Voter is a resident of the Edmonton Public School District or a resident of the Edmonton Catholic School District.;
- (f) initialling the appropriate Ballot Card and giving it to the Voter along with a Secrecy Sleeve, the Ballot marking pen and any further instructions the Voter requests;
- (g) allowing the Voter to mark his or her Ballot; and
- (h) inserting the Ballot Card directly from the Secrecy Sleeve into the Portable Ballot Box or the Vote Tabulator.

SECURING BALLOT BOXES

- 50 (1) If a Portable Ballot Box is used, the Deputies must ensure that the Portable Ballot Box used for the Institutional Vote is secured.
- (2) As soon as the Deputies have attended at all institutions as directed by the Returning Officer, the Deputies must seal the Portable Ballot Box and return it to the Election Office.
- (3) If a Vote Tabulator is used for the Institutional Vote, the Deputies must ensure:
 - (a) upon the completion of the vote at each institution, that the Ballot Boxes used are sealed to prevent the insertion of additional Ballot Cards and are delivered to the Election Office.
 - (b) upon the completion of the vote at the last Institutional Vote:
 - (i) that no additional Ballot Cards are inserted in the Vote Tabulator;
 - (ii) that no Register Tapes for the Institutional Vote are generated; and;
 - (iii) that the Vote Tabulators, complete with Memory Storage Devices, are delivered to the Election

Office.

PART XI - POST VOTE PROCEDURES

PRESIDING DEPUTY TO CLOSE

- 51 (1) Immediately after the voting station is closed, the Presiding Deputy, must, in the presence of at least one and any additional officers that he or she considers necessary, and the candidate(s) or agent(s), if any,
- (a) insert the Ballot Cards from the Auxiliary Ballot Box into the Vote Tabulator;
 - (b) secure the Vote Tabulator so that no more Ballot Cards can be inserted;
 - (c) produce two copies of the Register Tape, or other number of copies as may be directed by the Returning Officer, from the Vote Tabulator;
 - (d) together with another Deputy, certify the Register Tapes;
 - (e) post a copy of the Register Tape on the outside door of the room or place used as the voting station (if there is more than one door, the Register Tape should be posted on one door; if there is no door, then it should be posted in a conspicuous location at the entry to the voting station);
 - (f) report the results to the Returning Officer in one or all of the following ways:
 - (i) by transmitting the results electronically from the Vote Tabulator;
 - (ii) by delivering the Vote Tabulators, complete with Memory Storage Devices, to the Election Office;
 - (iii) by telephone;
 - (g) package and seal all voted Ballot Cards and replace them into the Ballot Transfer Box(es);
 - (h) count the unused Ballot Cards, the Rejected Ballot Cards and the Spoiled Ballot Cards and place them, packaged separately and sealed, in the Ballot Transfer Box(es) along with the Voting Register and all statements;

- (i) seal and initial the Ballot Transfer Box(es) and ensure that it is ready to be delivered to the Returning Officer; and
- (j) complete the Ballot Account, attaching one copy of the certified Register Tape and delivering a copy of the Register Tape and the Ballot Account to the Returning Officer as soon as possible.

- (2) The Returning Officer may direct that additional reporting procedures be used.
- (3) A Presiding Deputy shall not permit more than one candidate or his or her agent, or more than one agent of either side of a vote on any bylaw or question to be present at the same time after the voting station is closed.

BALLOTS NOT COUNTED

- 52 A Ballot Card will not be counted in the election results if:
- (a) the Ballot Card has not been initialled by a Deputy; or
 - (b) it cannot be read by the Vote Tabulator.

PORTABLE BALLOT BOXES

- 53 (1) Deputies must deliver the Portable Ballot Boxes to the Counting Centre.
- (2) The Portable Ballot Boxes will remain sealed until they are opened for counting by the Automated Voting System.

ADVANCE VOTE

- 54 The Register Tapes from the Vote Tabulators used at the Advance Vote will be generated at the Counting Centre after 8:00 p.m. on Election Day.

INSTITUTIONAL VOTE COUNTING

- 55 The Register Tapes from the Vote Tabulators used at the Institutional Vote will be generated at the Counting Centre after 8:00 p.m. on Election Day.

COUNTING FROM PORTABLE BALLOT BOXES

- 56 (1) The Portable Ballot Boxes will be opened, at the direction of the Returning Officer, by the Deputies at the Counting Centre on Election Day, and all Ballot Cards will be removed and inserted into the appropriate Vote Tabulators for counting.
- (2) If the Vote Tabulator rejects the ballot, and a vote, though incorrectly marked on a ballot, clearly indicates for whom or what the Voter intended to vote:
- (a) a duplicated ballot may be prepared in the presence of two deputies to reflect the intent of the elector, and the word "DUPLICATE" shall be marked on the ballot, and the word

“SPOILED” shall be marked on the incorrectly marked ballot, and

- (b) the duplicated ballot shall be marked with a serial number which shall also be recorded on the incorrectly marked ballot, and such duplicated ballot may be inserted into a Vote Tabulator to be counted.

PART XII - RECOUNTS

**RECOUNT
PROCEDURE**

57 If a recount is authorized by the *Local Authorities Election Act* and the Returning Officer chooses to make a recount:

- (a) the Memory Storage Devices of the Recount Vote Tabulator will be cleared;
- (b) Recount Vote Tabulators may be designated for each ward;
- (c) all Ballot Cards will be removed from the sealed ballot transfer container(s); and
- (d) all Ballot Cards will be reinserted in the appropriate Vote Tabulator under the supervision of the Returning Officer except:
 - (i) Spoiled Ballot Cards, and
 - (ii) Rejected Ballot Cards that have been duplicated.

**DUPLICATE
BALLOTS**

58 If the Vote Tabulator rejects the ballot, and a vote, though incorrectly marked on a ballot clearly indicates for whom or what the Voter intended to vote:

- (a) a duplicated ballot may be prepared in the presence of two deputies to reflect the intent of the elector, and the word “DUPLICATE” shall be marked on the ballot, and the word “SPOILED” shall be marked on the incorrectly marked ballot, and
- (b) the duplicated ballot shall be marked with a serial number which shall also be recorded on the incorrectly marked ballot, and such duplicated ballot may be inserted into a Vote Tabulator to be counted.

PART XIII - GENERAL

REPEALS 59 Bylaw 13674 is repealed.

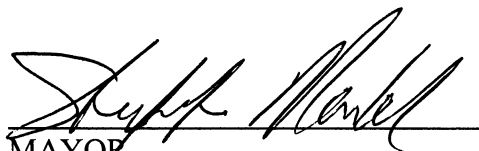
READ a first time this 16th day of December , A. D. 2009;

READ a second time this 10th day of March , A. D. 2010;

READ a third time this 10th day of March , A. D. 2010;


SIGNED and PASSED this 10th day of March , A. D. 2010.

THE CITY OF EDMONTON


MAYOR


CITY CLERK

SCHEDULE A – FORM FOR A BALLOT CARD

CITY, TOWN, MUNICIPALITY CANADA 2010 DEMONSTRATION BALLOT		
WARD 1 BALLOT		
MAYOR VOTE FOR ONE (1) ONLY	COUNCILLOR WARD 1 VOTE FOR ONE (1) ONLY	SCHOOL TRUSTEE DISTRICT 1 VOTE FOR ONE (1) ONLY
CANDIDATE A <input type="radio"/>	CANDIDATE A <input type="radio"/>	CANDIDATE A <input type="radio"/>
CANDIDATE B <input type="radio"/>	CANDIDATE B <input type="radio"/>	CANDIDATE B <input type="radio"/>
CANDIDATE C <input type="radio"/>	CANDIDATE C <input type="radio"/>	CANDIDATE C <input type="radio"/>
CANDIDATE D <input type="radio"/>	CANDIDATE D <input type="radio"/>	CANDIDATE D <input type="radio"/>
	CANDIDATE E <input type="radio"/>	
		
<small>Typ 01 200907 0201 ©2009 Election Systems & Software, Inc. 0001, 0002</small>		