

THE VILLAGE OF LOUGHEED

2018 BY-ELECTION

INFORMATION FOR POTENTIAL CANDIDATES

FOR THE OFFICE OF:

COUNCILLOR



INTRODUCTION

This information package has been assembled for your assistance. The contents are based on questions most frequently asked by potential candidates, as well as some of the lesser-known facts important to those considering running for public office. **This document has no legislative sanction.**

The Village of Lougheed is conducting elections for the following offices:

Councillor (1)

Selected excerpts from the Local Authorities Election Act have been included in the back of this manual for your reference. As this information is certainly not inclusive of all of the information contained within specific acts and other legislation, any person wishing a complete copy of the **Local Authorities Election Act, The Municipal Government Act, The School Act**, etc. may obtain copies from:

The Queen's Printer,
11510 – Kingsway Avenue
Edmonton, Alberta T5G 2Y5
Telephone: (780) 427-4952
Fax: (780) 452-0668
E-mail [**gp@gov.ab.ca**](mailto:gp@gov.ab.ca)

Should you wish to **view any of the above noted Acts or Village Bylaws or if you have any questions, please do not hesitate to contact the following at Village Office:**

Karen O'Connor
CAO/Returning Officer
(780) 386-3970

As noted this is an information package only and has no legislative sanction. For certainty, the relevant statutes, regulations and bylaws should be consulted.

Please check the Village website for updates.

Karen O'Connor
CAO/Returning Officer

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OFFICES

The following offices are elected for a four-year term ending October, 2021 in this by-election:

Councillor

1 positions

For more information on the office you are seeking, please contact the Returning Officer.

Councillor Offices

Village of Lougheed
Karen O'Connor CAO/Returning Officer
5004 – 50 Street
PO Box 5
Lougheed, AB T0B 2V0
Phone: 780-386-3970
E-mail: cao@lougheed.ca

GOVERNMENT

Within Canada, there are three levels of government:

- Federal – elected representatives referred to as Members of Parliament (MPs)
- Provincial – elected representatives referred to as Members of the Legislative Assembly (MLAs)
- Local – elected representatives referred to as Mayor, Councillor or Trustees

Elected representatives to the Federal and Provincial governments typically represent a particular political party with the party having the most representatives elected forming the government.

Local government is not based on “Party Politics”.

MUNICIPAL GOVERNMENT

The province provides the structure for local governments through the following legislation detailed in the *Municipal Government Act* section 3 as follows:

3. The purposes of a municipality are:
 - (a) to provide good government,
 - (b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality, and
 - (c) to develop and maintain safe and viable communities.

VILLAGE COUNCIL

The position of Councillor is an at-large election, meaning that each person elected represents the Village as a whole and not a particular ward or section of the Village.

The position of Mayor is elected by the Village of Lougheed Council from among those elected to the office of Councillor.

Village Council is comprised of the Mayor and two (2) Councillors. The power of any member of Council depends on the individual's ability to work with other Council members because Council only has the authority to act upon decisions agreed upon by the majority of the group, individual members of Council do not have the authority to commit the Village to any expenditure, to direct municipal activities, or to direct staff members.

Council's principal roles in the municipal organization are detailed in the *Municipal Government Act* section 201 as follows:

- 201** (1) A council is responsible for:
- (a) developing and evaluating the policies and programs of the municipality;
 - (b) making sure that the powers, duties and functions of the municipality are appropriately carried out;
 - (c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.
- (2) A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

The Chief Administrative Officer's principal role in the municipal organization is detailed in the *Municipal Government Act* section 207 as follows:

- 207** The chief administrative officer
- (a) is the administrative head of the municipality;
 - (b) ensures that the policies and programs of the municipality are implemented;
 - (c) advises and informs the council on the operation and affairs of the municipality;
 - (d) performs the duties and functions and exercises the powers assigned to a chief administrative officer by this and other enactments or assigned by council.

TIME COMMITMENT

The demands on your time will be significant, as you will be elected for a four-year term of office. The term begins when elected candidates take the official Oath of Office at the Regular meeting of Council April 19 at 7:00 p.m.

The *Municipal Government Act* provides an outline of the duties for members of Council. The Act does not, however, indicate the number of hours per week members should spend performing their duties. This is left to the discretion of each member of Council.

Council shall hold as many meetings in each year as are considered necessary to adequately deal with the business of the Village. Village Council and Council Planning

and Training Meetings have dates and procedures which are outlined in the Council's Procedural Bylaw:

- Regular Council meetings are held every third Thursday of each month at 7:00 p.m. in the Council Chambers at Village Office.
- To allow Council to prepare for these meetings, an agenda is made available to Council the Monday before the meeting.

As well as attending meetings, you will also need to spend time reading material and talking with residents, the CAO, and others as part of your meeting preparation to help you to make informed decisions. You will need to balance this with your personal life and work.

Council members are given the opportunity to sit on several Boards and Committees as designated at the Annual Organizational Meeting. These boards and committees are identified on the following page. In addition other committees are assigned at the organizational meeting as approved by Council.

VILLAGE OF LOUGHEED

Committee / Commission Board / Society	Frequency	Number of Council Members
Flagstaff Regional Housing Group	Bi-monthly	1
Flagstaff Regional Solid Waste Management Association	Bi-monthly	1
Flagstaff Intermunicipal Partnership Committee	Bi-monthly	1
Lougheed Fire Department	Monthly	1
Battle River Alliance for Economic Development	Monthly	1
Lougheed & District Library Board	Monthly	1
Flagstaff Family and Community Services	Monthly	1
Police/CAC	Monthly	1
Parkland Regional Library	Bi-monthly	1

THE OFFICE OF THE MAYOR

The Mayor is the chief elected official of the municipality and has duties that encompass those of both Councillor and chief elected official. Following are excerpts from the *Municipal Government Act* which pertain to the responsibilities and duties of the Mayor:

153 Councillors have the following duties:

- (a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
- (b) to participate generally in developing and evaluating the policies and programs of the municipality;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- (f) to perform any other duty or function imposed on aldermen by this or any other enactment or by the council.

154 (1) A chief elected official, in addition to performing the duties of an Councillor, must:

- a) preside when in attendance at a council meeting unless a bylaw provides that another Councillor or other person is to preside, and
 - b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.
- (2) The chief elected official is a member of all council committees and all bodies to which council has the right to appoint members under this Act, unless the council provides otherwise.
- (3) Despite subsection (2), the chief elected official may be a member of a board, commission, subdivision authority or development authority established under Part 17 only if the chief elected official is appointed in the chief elected officials personal name.

In addition to performing duties outlined in the MGA, the Mayor:

- (1) Reviews Council agendas in conjunction with Village Administration;
- (2) Represents the Village at all public functions and ceremonies which Council or the Mayor determine appropriate;
- (3) Communicates Council policy to the public;
- (4) Liaises with elected officials and other levels of government in respect of matters concerning the Village; and
- (5) Is the principal link between Council and Village Administration.

TIME COMMITMENT AND WORKLOAD

The position of Mayor is a major commitment of time. The Mayor's time is spent working closely with Council, Village Administration and community representatives to develop plans and strategies important to the Village's business and to help resolve issues, which arise in the community. This requires a regular visit to the office during business hours. In addition to performing these duties, the Mayor is the key public representative of the Village and is called on to represent the Village organization and the community at meetings, public functions, ceremonies and other events, which often occur during evening hours and on weekends. The Mayor is the chief spokesperson for the Village in discussions with elected officials in other municipalities or the provincial and federal governments. Often this involves initiating and building important relationships with decision makers outside the community.

REMUNERATION AND BENEFITS

In accordance with The Village of Loughheed's Council Remuneration and Expense Reimbursement Policy as of January 2018, the Mayor currently receives the following:

- An honorarium of \$100 per council or committee meeting (1/3 of an elected official's remuneration is currently non-taxable)
- \$50/meeting, mileage included if the meeting occurs within Flagstaff County.
- Mileage is reimbursed at a rate of \$0.52 per kilometer for use of a personal vehicle while on Village business outside of the community.

THE OFFICE OF COUNCILLOR

The *Municipal Government Act* provides that every municipality shall have a council, the members of which shall be elected in accordance with the *Local Authorities Election Act*. The *Municipal Government Act* provides for a broad spectrum of powers and duties for a council and aldermen including:

153 Councillors have the following duties:

- (a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
- (b) to participate generally in developing and evaluating the policies and programs of the municipality;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- (f) to perform any other duty or function imposed on aldermen by this or any other enactment or by the council.

DEPUTY MAYOR RESPONSIBILITIES

One Councillor is appointed as the Deputy Mayor for a period of twelve months. The Deputy Mayor, in the absence of the Mayor, performs such functions as; Chairing of Council meetings, Council agenda review, attending ceremonies (ribbon cutting), banquets, speaking engagements, etc. If the Deputy Mayor is not available another Councillor may be called upon to carry out these public relations duties.

TIME COMMITMENT AND WORKLOAD

The position of Councillor is a major commitment. Depending on the committees an individual is involved with, other meetings and events, the Councillor may be called upon to represent the Village at meetings, public functions, ceremonies, etc. These functions often occur during evening hours and on weekends.

REMUNERATION AND BENEFITS

In accordance with The Village of Loughheed's Council Remuneration and Expense Reimbursement Policy as of January 2018, the Aldermen currently receive the following:

- An honorarium of \$100 per council or committee meeting (1/3 of an elected official's remuneration is currently non-taxable).
- \$50/meeting, mileage included if the meeting occurs within Flagstaff County.
- Mileage is reimbursed at a rate of \$0.52 per kilometer for use of a personal vehicle while on Village business outside of the community.

OTHER COUNCIL COMMITMENTS

The amount of time spent is left to the discretion of each member of Council; however, there are certain minimum duties that need to be performed should a candidate be elected to Council. These include:

ALBERTA URBAN MUNICIPALITIES ASSOCIATION (AUMA)

The mission statement of AUMA states that they will represent municipal councils in their advocacy of ways toward excellence in local urban government. In order to achieve this mandate, the Association is dedicated to enhancing leadership in municipal governance by developing and maintaining responsive and professional relations with member municipalities, the provincial government, and the general public; and by providing services to member municipalities that support and strengthen their contributions to the well-being of urban communities. AUMA represents a unified voice to the provincial government on behalf of urban communities.

Each year in the fall, an AUMA convention is held that attracts over 1000 delegates from urban councils and administration.

ANNUAL PLANNING AND BUDGET MEETINGS

Early in the term the new Council will engage in a strategic planning process that will set the projects and priorities for the Village. This plan will be used to develop the next municipal budget for the Village that will set the capital and operating budgets from 2018 – 2021.

Council has the opportunity to review and assess the strategic plan on an annual basis to ensure that the plan remains appropriate to any emerging issues or developments within the Village.

ELECTION PROCESS

NOMINATION DAY

Excerpts from the Local Authorities Election Act

Nomination Day

25 Nomination day shall be 4 weeks before Election Day.

(Nomination Day for Councillors is March 14, 2018 – SUBJECT TO CHANGE)

Nomination Forms

- 27** (1) Every nomination of a candidate shall be in the prescribed form and signed by at least 5 electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination, and shall be accompanied by a written acceptance signed in the prescribed form by the person nominated, stating
- (a) that the person is eligible to be elected to the office, and
 - (a.1) the name, address and telephone number of the person's official agent, and
 - (b) that the person will accept the office if elected,
- and if required by bylaw, it must be accompanied with a deposit in the required amount.

Filing of Nomination Papers

The returning officer shall receive nominations for the office of Councillor in Council Chambers at Village Office between **10:00 a.m. and 12:00 noon Nomination Day, March 14, 2018 (SUBJECT TO CHANGE)**. **NOTE: Time is important. The Returning Officer has no discretion to accept a late nomination. The time is set out in the Act. Please ensure that your nomination is filed in accordance by 12:00 noon Village Council Chambers time.**

- 28** (1.1) The person who is nominated as a candidate is responsible for ensuring that the nomination filed meets the requirements of section 27.
- 28** (4) At any time after 12:00 Noon on Nomination Day, until the term of office to which the filed nomination papers relate has expired, a person may request to examine the filed nominations during regular business hours and in the presence of the returning officer, deputy or secretary.

Qualifications of Electors Who Sign Nomination Papers

IT IS IMPERATIVE THAT A PERSON WHO SIGNS NOMINATION PAPERS IS ELIGIBLE TO VOTE

- 47 (1) A person is eligible to vote in an election held pursuant to the Local Authorities Election Act if the person
- (a) is at least 18 years old,
 - (b) is a Canadian citizen, and
 - (c) has resided in Alberta for the 6 consecutive months immediately preceding election day and the person's place of residence is located in the **area** on election day

NOTE:

1. "Area" means the area within the boundaries of a local jurisdiction.
2. The person who signs the Nomination Papers must be a resident in the local jurisdiction on the date of signing the nomination.
3. To ensure validity of their Nomination Papers, a candidate may submit more than the required **FIVE** elector's signatures.

Insufficient Nominations

- 31 (1) If the number of persons nominated for any office is less than the number required to be elected, the time for receipt of nominations
- (a) shall stand adjourned to the next day at the same place at the hour of 10 a.m. and shall remain open until 12 noon for the purpose of receiving further nominations for the office, and
 - (b) shall continue to remain open and be adjourned in the same manner from day to day until 12 noon of the day that the required number of nominations has been received or a period of 6 days, including nomination day but not including Saturday, Sunday and holidays, as defined in the *Interpretation Act*, has elapsed.
- (4) If sufficient nominations to fill all vacancies are not received, the secretary shall immediately notify the relevant Minister, who may recommend a change in the status of the local jurisdiction or any other action the relevant Minister considers necessary.

Withdrawal of Nomination

- 32 (1) Subject to subsection (2), if more than the required number of candidates for any particular office are nominated, any person so nominated may, at

any time within 24 hours after the close of the nomination period, withdraw as a candidate for the office for which the candidate was nominated by filing with the returning officer a withdrawal in writing.

- (2) If, after one or more candidates have withdrawn, the number of remaining candidates does not exceed the number of vacancies to be filled, the returning officer shall refuse to accept further withdrawals.

Death of Candidate

- 33**
- (1) An elected authority may, by a by-law passed prior to nomination day, provide that if prior to the opening of the voting stations on election day a candidate for an elected authority dies after being nominated,
 - (a) the election for the position for which the deceased candidate was nominated shall be discontinued, and
 - (b) the elected authority shall as soon as practicable provide for the holding of a new election for that office.
 - (2) If a candidate dies after being nominated and a by-law has not been passed under subsection (1), the returning officer shall cause a notice of the death to be posted at a conspicuous location in all the relevant voting stations.

AFTER FILING

Campaigning

You will want to fit your campaign to match your municipality, your own personality and your resources. The purpose of campaigning, of course, is to convince the electors that you are the best candidate for the position. You may want to do that by talking to people, perhaps preparing some campaign brochures or posters.

52 A person to whom an enumerator, a candidate, an official agent or a campaign worker on behalf of a candidate has produced identification that meets the requirements of the regulations, indicating that the person is an enumerator, a candidate, an official agent or a campaign worker shall not

(a) obstruct or interfere with, or

(b) cause or permit the obstruction or interference with,

the free access of the enumerator, candidate, official agent or campaign worker to each residence in a building containing 2 or more residences or to each residence in a mobile home park.

In order to comply with this section of the *Local Authorities Election Act*, candidates are required to provide the Returning Officer with a list of their campaign workers. Once this list is provided, the campaign workers are required to see the Returning Officer to obtain the identification required by legislation. A form is available in this package and on the website.

Bribery – Section 116

It is an offence for a candidate or anyone acting on the candidate's behalf, to give or promise to give money or any other valuable consideration (such as an office or job) to anyone in return for their voting or refraining from voting at an election. It is also an offence for anyone to accept money or any other valuable consideration in return for voting or not voting.

Undue influence – Section 117

It is an offence to use or threaten violence, injury, damage or intimidation to compel a person to vote or refrain from voting at an election or to obstruct a person from voting.

Campaign Contributions

147.1 (1) (a) "campaign contribution" means any money, personal property, real property or service that is provided to or for the benefit of a candidate or the candidate's election campaign without fair market value compensation from that candidate but does not include services provided by a volunteer who voluntarily performs the services and receives no compensation, directly or indirectly, in relation to the services or time spent providing the services;

Candidate self-funded election campaign

- 147.11(1)** Any money up to and including \$10 000 paid by a candidate out of the candidate's own funds for the purposes of the candidate's election campaign is not a campaign contribution for the purposes of this Part.
- (2) If a candidate's entire election campaign is funded exclusively out of the candidate's own funds, the candidate is not required to
- (a) open and deposit the funds in a campaign account at a financial institution in the name of the candidate's election campaign or of the candidate,
 - (b) file a disclosure statement with the municipality setting out the total amount contributed by the candidate to the candidate's own election campaign, or
 - (c) file a disclosure statement with the municipality listing the campaign expenses incurred during the candidate's election campaign.

Limitations on contributions

- 147.2 (1)** Campaign contributions by any person, corporation, trade union or employee organization to a candidate shall not exceed \$5000 in any year.
- (1.1) Money paid by a candidate out of the candidate's own funds to the candidate's election campaign shall not exceed \$10 000 in any campaign period.
- (3) No prohibited organization, person normally resident outside Alberta or trade union or employee organization other than a trade union or employee organization as defined in this Part shall make any campaign contributions to a candidate.

Duties of candidate

- 147.3 (1)** A candidate shall ensure that
- (a) a campaign account in the name of the candidate's election campaign or of the candidate is opened at a financial institution for the purposes of the election campaign as soon as possible after
 - (i) the total amount of campaign contributions from any person, corporation, trade union or employee organization first exceeds \$5000 in the aggregate, or

- (ii) the total amount of campaign contributions from any person, corporation, trade union or employee organization in combination with any money paid by the candidate out of the candidate's own funds first exceeds \$5000 in the aggregate;
- (b) if a campaign account has been opened in accordance with clause (a), all contributions of money are deposited into the campaign account;
- (c) money in the campaign account shall only be used for the payment of campaign expenses;
- (d) contributions of real property, personal property and services are valued;
- (e) receipts are issued for every contribution and obtained for every expense;
- (f) disclosure statements are filed in accordance with section 147.4;
- (g) records are kept of campaign contributions and campaign expenses and are retained by the candidate for a period of 2 years following the date on which disclosure statements were required to be filed under section 147.4;
- (h) proper direction is given to the candidate's official agent and any other person who is authorized to incur campaign expenses and accept or solicit campaign contributions on behalf of the candidate;
- (i) a campaign contribution received in contravention of this Act is returned to the contributor as soon as possible after the candidate becomes aware of the contravention;
- (j) an anonymous campaign contribution or a campaign contribution not returned to the contributor under clause
- (i) is paid to the secretary for the municipality in which the election is held.

Allowable Expenses

The payment of the following expenses is not considered a contravention of the Act

- Your own personal expenses
- Expenses related to setting up a campaign office and organization
- Expenses for printing and advertising
- Expenses for transportation

147.4 (1) If a candidate's election campaign is funded exclusively from campaign contributions from any person, corporation, trade union or employee

organization or is funded from a combination of money paid by the candidate out of the candidate's own funds and campaign contributions from any person, corporation, trade union or employee organization, then, on or before March 1 immediately following a general election or, in the case of a by-election, within 120 days after the by-election, a candidate shall file with the municipality a disclosure statement in the prescribed form, which must include

- (a) the total amount of all campaign contributions received during the campaign period that did not exceed \$100 in the aggregate from any single contributor,
- (b) the total amount contributed, together with the contributor's name and address, for each contributor whose contributions during the campaign period exceeded \$100 in the aggregate,
- (c) the total amount of money paid by the candidate out of the candidate's own funds,
- (d) the total amount of any campaign surplus, including any surplus from previous campaigns, and
- (d) a financial statement setting out the total amount of revenue and expenses.

ADVANCE VOTE

- 73** (1) An elected authority may by resolution provide for holding an advance vote on any vote to be held in an election
- (2) No advance vote shall be held within 24 hours of Election Day
- (3) If a resolution is enacted under subsection (1), the returning officer must determine the days and hours when the advance vote is to be held

- 75** (1) When an advance vote is authorized, the returning officer shall establish the number of advance voting stations the returning officer considers necessary.

The Village of Lougheed NOT holding an advance vote.

Advance Vote Qualifications

Elector's statement

- 77** Every person applying to vote at an advance voting station, before being permitted to vote, shall be required by a deputy to make a statement in the prescribed form, which shall be kept by the deputy with the other records of the voting station.

ELECTION DAY

APRIL 11, 2018
(SUBJECT TO CHANGE)

EVERY VOTING STATION WILL OPEN PROMPTLY AT 10:00 A.M.

AND WILL BE KEPT OPEN CONTINUOUSLY UNTIL 8:00 P.M.

Prior to election day

Your returning officer will be happy to explain the election process to you.

On election day

It is an offence to canvass or solicit votes in or immediately adjacent to a voting station. It is also an offence to display or distribute campaign material inside or on the outside of a voting station.

Election day and later

Counts will be conducted and unofficial results are usually made available during the course of the counting. The official results are announced at noon on the fourth day after the election.

If you are elected at a general election, you will be sworn in and take office as of the Regular Council Meeting April 18, 2018.

OTHER INFORMATION

Qualification of Candidates

Excerpts from the Local Authorities Election Act

- 21** (1) A person may be nominated as a candidate in any election under this Act if on Nomination Day the person
- (a) is eligible to vote in that election,
 - (b) has been a resident of the local jurisdiction and the ward, if any, for the 6 consecutive months immediately preceding nomination day, and
 - (c) is not otherwise ineligible or disqualified.
- (4) If the boundaries of a local jurisdiction are altered by the addition of land, a person who has been a resident of the added land for at least 6 months immediately preceding nomination day is deemed, for the purposes of this Act, to have been a resident, during that time, of the local jurisdiction to which the land was added.

Disqualification of Councillor

Excerpts from Municipal Government Act

- 174** (1) A Council member is disqualified from council if
- (a) when the Council member was nominated, the Council member was not eligible for nomination as a candidate under the *Local Authorities Election Act*;
 - (b) the Council member ceases to be eligible for nomination as a candidate under the *Local Authorities Election Act*;
 - (c) the Council member becomes a judge of court or a member of the Senate or House of Commons of Canada or of the Legislative Assembly of Alberta;
 - (d) the Council member is absent from all regular council meetings held during any period of 8 consecutive weeks, starting with the date that the first meeting is missed, unless subsection (2) applies;
 - (e) the Council member is convicted
 - (i) of an offence punishable by imprisonment for 5 or more years, or

- (ii) of an offence under section 123, 124, 125 of the *Criminal Code* (Canada)
 - (f) the Council member does not vote on a matter at a council meeting at which the Council member is present, unless the Council member is required or is permitted to abstain from voting under this or any other enactment;
 - (g) the Council member contravenes section 172 (Disclosure of Pecuniary Interest);
 - (h) the Council member has a pecuniary interest in an agreement that is not binding on the municipality under section 173;
 - (i) the Council member uses information obtained through being on council to gain a pecuniary benefit in respect of any matter;
 - (j) the Council member becomes an employee of the municipality;
 - (k) the Council member is liable to the municipality under section 249 (Civil Liability of the Council member);
- (2) A Council member is not disqualified by being absent from regular council meetings under subsection (1)(d) if the absence is authorized by a resolution of council passed
- (a) at any time before the end of the last regular meeting of the council in the 8-week period, or
 - (b) if there is no other regular meeting of the council during the 8-week period, at any time before the end of the next regular meeting of the council.
- (3) For the purposes of this section, a Council member is not considered to be absent from a council meeting if the Council member is absent on council business at the direction of council.
- (4) A Council member who is disqualified under this section is eligible to be elected at the next general election in the municipality if the person is eligible for nomination under the *Local Authorities Election Act*.

Ineligibility

Excerpts from the Local Authorities Election Act

- 22** (1) A person is not eligible to be nominated as a candidate in any election under this Act if on nomination day
- (a) the person is the auditor of the local jurisdiction for which the election is to be held;
 - (b) the person is an employee of the local jurisdiction for which the election is to be held unless the person is on a leave of absence granted under this section;
 - (c) the person is indebted to the municipality of which the person is an elector for taxes in default exceeding \$50, excluding from that amount
 - (i) any indebtedness for current taxes, and
 - (ii) any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality, unless the person is in default in the payment of any money due under the agreement;
 - (d) the person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500 and in default for more than 90 days;
 - (d.1) the person has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada).
 - (e),(f) Repealed
- (2) Repealed
- (3) Subsection 1(b) to (d) does not apply to candidate for election as a trustee of a school board.
- (4) Subsection (1) does not apply to a person by reason only
- (a) that the person is a shareholder in a corporation having a contract or dealings with the local jurisdiction or elected authority for which the election is being held,
 - (i) unless the person holds or there is held by the person and the person's spouse or adult interdependent partner,

parents, children, brothers and sisters more than 25% of the issued capital stock of the corporation, or

- (ii) unless the contract or dealings are for the building or construction of a public work of the local jurisdiction,
- (b) that the person has a contract with the local jurisdiction for the supplying to the person, the person's spouse or adult interdependent partner or child of a service, utility or commodity that the local jurisdiction has statutory authority to supply;
- (c) that the person holds an interest in a publication
 - (i) in which official advertisements of the local jurisdiction appear, or
 - (ii) that is supplied to the local jurisdiction at the usual rates;
- (d) that the person sells or leases to the local jurisdiction land or interest in land that the local jurisdiction has authority to expropriate;
- (e) that the person supplies goods, merchandise or services to the local jurisdiction or to persons contracting with the local jurisdiction if they are supplied at competitive prices and in the ordinary course of the person's business or profession;
- (f) that the person renders
 - (i) services to indigents who are residents of the local jurisdiction and for which the local jurisdiction is or may become liable to pay, or
 - (iii) services for which the local jurisdiction has provided a subsidy;
- (g) that the person is appointed to a position under the *Emergency Management Act*;
- (h) that the person has rendered professional services as a lawyer to the local jurisdiction, if the fees for the services have been taxed under the *Alberta Rules of Court*;
- (i) that the person has received a gratuity or allowance for services on a committee or board appointed by or responsible to the local jurisdiction.
- (j) that the person is a member of an association under the *Rural Utilities Act* or is a member of a cooperative under the *Cooperatives Act*;

- (k) that the person is a vendor, purchaser, assignor or assignee of land bought or sold under the *Agricultural Financial Services Act*.
 - (l) that the person is a party to a contract for the purchase or lease of real or personal property from the local jurisdiction entered into before nomination day;
 - (m) that the person is a volunteer chief, officer or member of a fire, ambulance or emergency measures organization established by a local jurisdiction or that the person is a volunteer for another purpose who performs duties under the direction of the local jurisdiction.
- (5) An employee of a municipality who wishes to be nominated as a candidate in an election to be held for that municipality may apply to the council for a leave of absence without pay on or after July 1 in the year of a general election or on or after the day the council passes a resolution to hold a by-election but before the employee's last working day prior to nomination day.
 - (6) Notwithstanding any by-law, resolution or agreement of a municipality, the council shall grant every application it receives under this section.
 - (7) An employee who has been granted a leave of absence is subject to the same conditions that apply to taking a leave of absence without pay for any other purpose.
 - (8) If an employee who has been granted a leave of absence is not elected, the employee may return to work, in the position the employee had before the leave commenced, on the 5th day after election day or, if the 5th day is not a working day, on the first working day after the 5th day.
 - (9) If an employee who has been granted a leave of absence is declared elected, the employee is deemed to have resigned that position as an employee the day the employee takes the official oath of office as an elected official.
 - (10) If an employee who has been granted a leave of absence is declared elected but, after a recount under Part 4, is declared not to be elected, the employee may return to work on the first working day after the declaration is made, and subsections (7) and (8) apply.
 - (11) Subject to subsection (12), an employee who has been granted a leave of absence and is declared elected continues to be deemed to have resigned that position as an employee if the employee subsequently forfeits the elected office or if the employee's election is adjudged invalid.
 - (12) If, through no act or omission of the employee, an employee forfeits the elected office or the employee's election is adjudged invalid, the employee

may return to work on the first working day after the office is forfeited or the election is adjudged invalid, and subsections (7) and (8) apply.

Ineligibility for Nomination

- 23** (1) A person is not eligible to be nominated for more than one office of the same elected authority.
- (2) A member who holds office on an elected authority is not eligible to be nominated for or elected to the same or any other office on the elected authority.

Eligibility to Vote

Excerpts from the Local Authorities Election Act

- 47** (1) A person is eligible to vote in an election held pursuant to this Act if the person
- (a) is at least 18 years old,
 - (b) is a Canadian citizen, and
 - (c) has resided in Alberta for the 6 consecutive months immediately preceding election day and the person's place of residence is located in the area on election day.
- (2) Subject to subsection (3) and sections 75, 77.1, 79, 81, and 83, an elector is eligible to vote only at the voting station for the voting subdivision in which the elector's place of residence is located on election day.
- (3) In case of the performance of any function or the exercise of any right under this Act, a person shall be a resident on the day on which that function is performed or that right is exercised in the area, ward or voting subdivision in respect of which that function is performed or that right is exercised and shall have been a resident of Alberta for the 6 consecutive months immediately preceding the day on which that function is performed or that right is exercised, unless otherwise required by this Act.

NOTE: "Voter's List" – The Village of Lougheed does not compile a Voter's List.

"Area" in section 47(1)(c) above means the area within the boundaries of a local jurisdiction.

Rules of Residence

Excerpts from the Local Authorities Election Act

- 48** (1) For the purpose of this Act, the place of residence is governed by the following rules:
- (a) a person may be a resident of only one place at a time for the purposes of voting under this Act;
 - (a.1) If the person has more than one residence in Alberta, that person shall, in accordance with subsection (1.1), designate one place of residence as the person's place of residence for the purposes of this Act;
 - (b) the residence of a person is the place where the person lives and sleeps and to which, when the person is absent, the person intends to return;
 - (c) a person does not lose the person's residence by leaving the person's home for a temporary purpose;
 - (d) subject to clause (e), a student who
 - (i) attends an educational institution within or outside Alberta,
 - (ii) temporarily rents accommodation for the purpose of attending an educational institution, and
 - (iii) has family members who are resident in Alberta and with whom the student ordinarily resides when not attending an educational institutionis deemed to reside with those family members;
 - (e) If a person leaves the area with the intention of making the person's residence elsewhere, the person loses the person's residence within the area;
- (1.1) For the purposes of subsection (1)(a.1), a person shall designate the person's place of residence in accordance with the following factors in the following order of priority:
- (a) the address shown on the person's driver's license or motor vehicle operator's license issued by or on behalf of the Government of Alberta or an identification card issued by or on behalf of the Government of Alberta;
 - (b) the address to which the person's income tax correspondence is addressed and delivered;
 - (c) the address to which the person's mail is addressed and delivered.

- (2) A person who is a resident of a public school district, school division or regional division or of a separate school district, school division or regional division under the *School Act* is deemed to be a resident of the public school district, school division or regional division or the separate school district, school division or regional division, as the case may be, under this Act.
- (3) Notwithstanding subsection (2), a person who owns and lives in the person's residence and whose residence is assessable for public school purposes or for separate school purposes under the *School Act* is deemed to be a resident of the public school district, school division or regional division or the separate school district, school division or regional division, as the case may be, under this Act.

Official Agent

Excerpts from the Local Authorities Election Act

- 68.1**
- (1) Each person nominated as a candidate may, when filing nomination papers, appoint an elector to be the person's official agent.
 - (2) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Election Act* (Canada) is not eligible to be appointed as an official agent.
 - (3) No candidate shall act as an official agent for any other candidate.
 - (4) The duties of an official agent are those assigned to the official agent by the candidate.

Candidate's Scrutineer

Excerpts from the Local Authorities Election Act

- 69**
- (1) If, at any time during voting hours, a person who is at least 18 years old presents to the presiding deputy a written notice, in a form acceptable to the returning officer,
 - (a) signed by a candidate, and
 - (b) stating that the person presenting the notice is to represent that candidate as the candidate's scrutineer at the voting station,

the person presenting the notice shall be recognized by the presiding deputy as the scrutineer of the candidate.

- (1.1) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* of the *Canada Elections Act* (Canada) is not eligible to be recognized as a scrutineer.
- (2) Before a person is recognized as a scrutineer, the person shall make and subscribe before the presiding deputy at the voting station a statement in the prescribed form.
- (3) The presiding deputy shall not permit a candidate to have an official agent or a scrutineer present while the candidate is present in a voting station during voting hours.
 - (3.1) The presiding deputy shall not permit a candidate to have both an official agent and a scrutineer present at the same time in a voting station during voting hours.
- (4) A candidate or official agent personally may
 - (a) undertake the duties that the candidate's scrutineer may undertake, and
 - (b) attend any place that the candidate's scrutineer is authorized by this Act to attend.
- (5) The presiding deputy may designate the place or places at a voting station where a candidate, an official agent or a scrutineer of a candidate, may observe the election procedure.
- (6) When, in the provisions of this Act that relate to the election of a member of an elected authority, expressions are used requiring or authorizing an act or thing to be done or implying that an act or thing is to be done in the presence of an official agent, a scrutineer, or a candidate, the expression is deemed to refer to the presence of those official agents and scrutineers
 - (a) that are authorized to attend, and
 - (b) that have in fact attended at the time and place where that act or thing is being done,

and if the act or thing is otherwise properly done, the non-attendance of an official agent or a scrutineer at that time and place does not invalidate it.

NOTE: Enclosed is a form, which is acceptable to the Returning Officer and is provided for your convenience in the event you wish to appoint scrutineers. You may make copies of this form as required.

Printing of Campaign Literature

Excerpts from the Local Authorities Election Act

- 148** (1) No person shall
- (a) without authority supply a ballot to any person,
 - (b) fraudulently put into a ballot box any paper other than a ballot that the person is authorized by this Act to deposit,
 - (c) fraudulently take a ballot out of the voting station,
 - (d) without authority, destroy, take, open or otherwise interfere with any ballot box or packet of ballots then in use for the purpose of an election.
- (2) No person shall
- (a) request a ballot in the name of some other person, whether the name is that of a person living or dead or of a fictitious person, or
 - (b) having voted once, request at the same election a ballot in the person's own name.
- (3) No person shall vote knowing that the person has no right to do so.
- (4) No person shall make or sign a false statement for any purpose related to an election or vote held or to be held under this Act.
- (5) No person shall print or distribute or cause to be printed or distributed in any advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper a form of ballot printed by the returning officer, indicating or showing it to be marked for any candidate or candidates.
- (6) Notwithstanding anything in this section, the returning officer may at any time after nomination day cause a facsimile of the ballot for chief elected official, member of an elected authority, bylaw or question to be published as often as the returning officer considers necessary in a newspaper circulating in the area, for the information of the electors.
- (7) A person who contravenes subsection (1), (2), (3), (4), or (5) is guilty of an offence and liable to a fine of not more than \$10,000 or to imprisonment for not more than 6 months or to both a fine and imprisonment.

Posting of Campaign Literature

Under Section 7(3) of the Safety Codes Act Electrical & Communication Utility System Regulations, electrical utility poles and structures shall be kept free of all materials not required for the system. Action may be taken against candidates or their agents who deface utility poles with election campaign literature.

Advertisement Distribution

Excerpts from the Local Authorities Election Act

- 152** (1) Subject to subsection (2), a person who, on election day,
- (a) displays inside or on the outside of a building used for a voting station, or
 - (b) distributes within a building used for a voting station,
- an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper except those posted by the deputy in accordance with this Act is guilty of an offence and liable to a fine of not more than \$500.
- (2) When a voting station is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (1) applies only to the store, office or facility comprising the area used as a voting station.
- (3) The distribution by or on behalf of a candidate or the candidate's official agent or scrutineer of newspapers, pamphlets or other literature containing articles or reports on matters of public interest is not a contravention of this section.
- (4) Where a person displays an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper contrary to subsection (1), the deputy may cause it to be removed, and neither the deputy nor any person acting under the deputy's instructions is liable for trespass or damages resulting from or caused by the removal.

Interference with Posted Documents

Excerpts from the Local Authorities Election Act

- 153** A person who, without authorization, takes down, covers up, mutilates, defaces or alters any notice or other document required to be posted under this Act is guilty of an offence and liable
- (a) if the person is an officer, to a fine of not more than \$1000, and
 - (b) in any other case, to a fine of not more than \$200.

Voting Time for Employees

Excerpts from the Local Authorities Election Act

- 58** (1) An employee who is an elector shall, while the voting stations are open on election day, have 3 consecutive hours for the purpose of casting the employee's vote.
- (2) If the hours of the employee's employment do not allow for 3 consecutive hours, the employee's employer shall allow the employee any additional time for voting that is necessary to provide the employee the 3 consecutive hours, but the additional time for voting is to be granted at the convenience of the employer.
- (3) No employer shall make any deduction from the pay of an employee nor impose on the employee or exact from the employee any penalty by reason of the employee's absence from the employee's work during the 3 consecutive hours or part of it.
- (4) Subsections (1), (2), and (3) do not apply if the employer provides for the attendance of an employee who is an elector at a voting station while it is open during the hours of the employee's employment with no deduction from the employee's pay and without exacting any penalty.

Offences

Excerpts from the Local Authorities Election Act

- 150** (1) Every returning officer, deputy, candidate, constable, official agent, and scrutineer in attendance at a voting station shall maintain and aid in maintaining the secrecy of the voting at the voting station.
- (2) No person shall interfere with or attempt to interfere with an elector when the elector is marking the elector's ballot, or shall otherwise attempt to obtain at the voting station information as to which candidate or candidates any elector at that voting station is about to vote or has voted for.
- (3) No person shall
- (a) during the hours when a voting station is open, canvass or solicit votes in a building where the voting station is located, or
 - (b) make any communication to an elector in a voting station respecting the election otherwise than through the deputy.
- (4) When a voting station is located in a building containing a complex of interlocking offices, stores, or other facilities, the prohibition in subsection (3) applies only to the store, office, or facility comprising the area used as a voting station.
- (5) No person shall display at the voting station or distribute or post in it a specimen ballot paper marked for a candidate or any other material purporting to explain to the electors how to vote or leave or post a ballot or

other material in a voting compartment other than the material that is required to be posted in accordance with this Act.

- (6) No person shall communicate at any time to any person any information obtained at a voting station as to which candidate any elector at that voting station is about to vote or has voted for.
- (7) No returning officer, deputy, or official agent or scrutineer in attendance at the counting of the votes shall communicate or attempt to communicate any information obtained at that counting as to which candidate or candidates any vote is given for.
- (8) No person shall directly or indirectly induce an elector to display the elector's ballot, after the elector has marked it, so as to make known to any person the name of any candidate for whom the elector has or has not marked the elector's ballot.
- (9) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5000 or to imprisonment for a term not exceeding 2 years or to both fine and imprisonment

151

A candidate for elective office who signs a candidate's acceptance form that contains a false statement is guilty of an offence and liable to a fine of not more than \$1000.

Nomination Paper and Candidate's Acceptance

Local Authorities Election Act
 (Sections 12, 21, 22, 23, 27, 47, 68.1,
 147.11, 147.2, 147.21, 151)
School Act (Section 44(4))

Note: The personal information on this form is being collected to support the administrative requirements of the local authorities election process and is authorized under section 27 of the *Local Authorities Election Act*. The personal information will be managed in compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions concerning the collection of this personal information, please contact

Karen O'Connor- Returning Officer 780-386-3970
 (Title of the Responsible Official) (Business Phone Number)

LOCAL JURISDICTION: Village of Lougheed _____, PROVINCE OF ALBERTA

We, the undersigned electors of Village of Lougheed _____, nominate
 (Name of local jurisdiction and ward, if applicable)

_____ of
 (Candidate Surname) (Given Names)

_____ as a candidate at the election
 (Complete Address and postal code)

about to be held for the office of _____
 (Office Nominated for)

of _____
 (Name of Local Jurisdiction)

Signatures of at least **5 ELECTORS ELIGIBLE TO VOTE** in this election in accordance with sections 27 and 47 of the *Local Authorities Election Act* and section 44(4) of the *School Act* (if applicable). If a city or a board of trustees under the *School Act* passes a bylaw under section 27(2) of the *Local Authorities Election Act*, then the signatures of up to 100 electors eligible to vote may be required.

Printed Name of Elector	Complete Address and Postal Code of Elector	Signature of Elector

Candidate's Acceptance

I, the above named candidate, solemnly swear (affirm)

- THAT I am eligible under sections 21 and 47 (and section 12, in the case of summer villages) of the *Local Authorities Election Act* and section 44(4) of the *School Act* (if applicable) to be elected to the office;
- THAT I am not otherwise disqualified under section 22 or 23 of the *Local Authorities Election Act*;
- THAT I will accept the office if elected;
- THAT I have read sections 12, 21, 22, 23, 27, 47, 68.1, 147.11, 147.2, 147.21 and 151 of the *Local Authorities Election Act* and section 44(4) of the *School Act* (if applicable) and understand their contents; and
- THAT I am appointing

 (Name, Contact Information or Complete Address and Postal Code and Telephone Number of Official Agent) (if applicable)
 as my official agent.

Print name as it should appear on the ballot

 (Candidate's Surname) (Given Names (may include nicknames, but not titles, i.e., Mr., Mrs., Dr.))

SWORN (AFFIRMED) before me

at the _____ of _____,

in the Province of Alberta,

this _____ day of _____, 20____.



 (Candidate's Signature)

 (Signature of Returning Officer or Commissioner for Oaths)

**IT IS AN OFFENCE TO SIGN A FALSE AFFIDAVIT OR A FORM THAT
 CONTAINS A FALSE STATEMENT**

APPOINTMENT OF CANDIDATES' SCRUTINEER

LOCAL JURISDICTION: **OF THE VILLAGE OF LOUGHEED**, PROVINCE OF ALBERTA

ELECTION DAY: April 11th, 2018

TO: **PRESIDING DEPUTY RETURNING OFFICER**

I, _____ hereby appoint
(Name of Candidate) PLEASE PRINT

_____ to act as my Scrutineer at
(Name of Agent) PLEASE PRINT

VOTING SUBDIVISION: _____
(Subdivision Number)

VOTING STATION: _____
(Station Name)

Signature of Candidate

Date of Appointment