



2017

**GENERAL ELECTION
INFORMATION PACKAGE**

INFORMATION FOR POTENTIAL CANDIDATES FOR THE OFFICES OF:

MAYOR AND COUNCILLOR

INTRODUCTION

This information package is for your assistance and has no legislative sanction. It contains:
a) answers to the most frequently asked questions regarding election procedures, and;
b) important facts candidates should be aware of.

This package provides information for **The Town of Two Hills** for the elected offices of
Mayor and Councillors

RETURNING OFFICER JURISDICTION

The Returning Officer and Deputy Returning Officer for The Town of TWO HILLS are:

Elsie Howanyk
Returning Officer
780-657-3395
Email: cao@townoftwohills.com

Sheila Lupul
Deputy Returning Officer
780-657-3395
slupul@townoftwohills.com

The Returning Officer is responsible for the conducting of elections for the following offices:

<i>Office</i>	<i>Jurisdiction</i>	<i>Authority</i>
Mayor	Town of TWO HILLS	Town
Councillor	Town of TWO HILLS	Town

The Town of Two Hills also enters into an agreement with St. Paul Education Regional Division #1 to hold a joint election for **School Trustee** during our local municipal election.

INFORMATION SOURCES

For detailed information or documentation, the following sources are available to you:

- Copies of Provincial Legislation (Local Authorities Election Act, Municipal Government Act)

Alberta Queen's Printer
Main Floor, Park Plaza, 10611-98 Avenue
Edmonton, Alberta T5K 2P7
Telephone: (780) 427-4952 Fax: (780) 452-0668
Email: gp@gov.ab.ca
MGA <http://qpsource.gov.ab.ca/Data/ACTS/M26.DOC>
LAEA <http://qpsource.gov.ab.ca/Data/ACTS/L21.DOC>

- Questions or Information relative to the Election Process
Contact the Returning Officer (see above)
- Questions or Information relative to the Offices of Mayor or Councillor
Contact the Returning Officer (see above)

PURPOSE, POWER AND CAPACITY OF LOCAL JURISDICTIONS

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 and Councillors

Individuals elected 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".

In the book "Government and Politics in Alberta", A. Tupper/R. Gibbons it is stated that local government is a creation of the provincial government:

"Alberta's municipalities are legally subordinate to the provincial government as is the case of municipalities in all of the provinces. Under the Constitution Act, national and provincial governments have separate spheres of power with local government falling under the purview of the provinces. Thus, constitutionally a province can create, change, and abolish municipalities at will."

The Province provides the structure for local governments through the following legislation:

Town Council – Municipal Government Act

Section 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.”

BASIC PRINCIPLES OF GOVERNANCE

- ◆ Articulate and communicate the Town vision is in line with community needs. The Council focuses on the strategic planning and direction. Through policy, the Council defines the parameters with in which the Town organization operates.
- ◆ Focuses on the whole Town organization, rather than on particular issues of interest to the Council or individuals of the Council.
- ◆ Is a corporate body and must work as whole. No individual Council member, on their own, including the Mayor or group of individuals, such as committees, has the authority to direct the Chief Administrative Officer or its staff.
- ◆ Speaks with one voice. Once Council has approved an action through a motion, it becomes the Town’s Official policy and Council members are bound by that policy. Council members must not undermine the CAO or other Council members.
- ◆ Directs the Town organization’s work, by approving policy and monitoring the impact of policy. The Council makes Policy in three areas: framework, Council self-governance and operations.
- ◆ Is responsible for its own management. This includes orientation, agenda development, evaluation and meeting management.
- ◆ Hires, supervises and releases only one employee, the CAO.
- ◆ Avoids making management and operational decisions even though individual Council members may have expertise in a specific area.
- ◆ Offers all ratepayers the same information, consideration, and opportunity without prejudice or favoritism.
- ◆ Makes the decision process transparent and shares any information that is not expressly designated as confidential.
- ◆ Any information that directly affects any ratepayer is confidential. Ensures that this information is not shared beyond the meeting in which it arises.



- ◆ Is aware of, and follows the law (including fiduciary responsibilities). Is ethical and expects ethical behaviour from each of its members.
- ◆ Encourages cooperation and mutual support among members.
- ◆ Ensures that there are clear guidelines for professional behaviour and expects all members to act in a professional manner.
- ◆ Acts in a manner that is consistent with decisions, guidelines and principles of the organization. Helps its colleagues to do the same.
- ◆ Values honesty and integrity. Does not tolerate the lack of these characteristics on any Board or Committee.
- ◆ Is accountable to the public. Councillors must make an effort to understand and represent the needs of members and be prepared to explain the positions taken.
- ◆ Councillors must declare any potential conflict of interest prior to participation in decisions that may result in direct personal gain. Each must act in a manner that assures others that they are not influencing decisions for their own benefit.
- ◆ Celebrate the contributions of its members. Enthusiasm is contagious.

GUIDING PRINCIPLES

1. To develop effective policies and procedures that provides the necessary framework to govern the Town of Two Hills.
2. To ensure responsible short and long term planning with sound financial accountability.
3. Maintain and enhance existing infrastructure and plan for future demands.
4. Be open, accessible and accountable to the ratepayers and other community stakeholders of Two Hills.
5. Provide the Chief Administrative Officer with clear direction; ensure her/his compliance with the municipal government act and accountability to council.
6. Enhance the quality of life by providing a desirable community with quality services and facilities.
7. Promote a good working relationship with other municipalities and levels of government.
8. Promote the Town of Two Hills internally and to potential new taxpayers, in order to sustain a stable community.

THE OFFICE OF MAYOR

TERM: 4 years

DUTIES OF MAYOR (Chief Elected Official)

The Mayor is the chief elected official of the municipality and has duties that encompass those of both Councillor and Chief Elected Official.

Excerpts from Sections 153 and 154 of the Municipal Government Act

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 councillors by this or any other enactment or by the council.

154 (1) A chief elected official, in addition to performing the duties of a 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.

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 OFFICE OF COUNCILLOR TERM: 4 years
NUMBER OF COUNCILLORS: 4 Positions

DUTIES 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 councillors 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 to 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 councillors by this or any other enactment or by the council.

20(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.

Current Council Procedural Bylaw states that **Council Meetings** are held every second and fourth Tuesday of the month at 7:00 pm.



Note the **Organizational Meeting** has been scheduled for October 24, 2017 to commence at 6:00 p.m. as per Council Procedural Manual.

Internal Committee Meetings (i.e. Bylaw/Policy, Budget) are scheduled prior to the beginning of each year and adopted by Council.

Alberta Urban Municipalities Association (AUMA)

The mission statement of AUMA states: The Alberta Urban Municipalities Association provides leadership in advocating local government interests to all orders of government and other organizations. In order to achieve this mandate, the Association, using informed individuals supported by good information, is (1) monitoring the internal and external environments to identify trends and developments that affect member interests; and (2) providing the tools and assistance needed to pursue those interests. 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 approximately 800 to 1,000 delegates from urban councils and administration. The convention that is held during election years is strongly geared toward newly elected Council members and for this reason, those successful candidates, if the budget allows, are expected to set aside time to attend this event.

 The 2017 AUMA convention will be **Wednesday, November 22 through Friday, November 24, 2013** in **Calgary**. Please mark these dates on your calendar. Conference fees have been paid and accommodations have been booked.

Federation of Canadian Municipalities (FCM)

The Federation of Canadian Municipalities (FCM) has been the national voice of municipal government since 1901.

With more than 1,400 members, FCM represents the interests of municipalities on policy and program matters that fall within federal jurisdiction. Members include Canada's largest cities, small urban and rural communities, and 18 provincial and territorial municipal associations.

FCM is dedicated to improving the quality of life in all communities by promoting strong, effective and accountable municipal government. Along with its policy interests, FCM remains a professional association serving elected municipal officials.

The Town of Two Hills is a member of FCM and as such, the Mayor and/or members of Council, if the budget allows, are expected to attend the annual conference of FCM which are usually held in June somewhere in Canada. In 2018 the conference will be in Halifax.



Other important training/ scheduled meeting dates:

Munis 101: The Essentials of Municipal Governance is part of the modernized Elected Officials Education Program (EOEP), which is a joint venture of AUMA and AAMDC funded by Municipal Affairs. The course consists of Municipal Governance and Legislation; the Elected Official's Role; Finance; Planning and Development; and Effective Collaboration. CAOs are encouraged to attend the course with their councillors. This course, when supplemented by local training specific to your municipality, will fully satisfy the MGA requirement for municipalities to offer training to all new and returning elected officials within 90 days after taking the oath of office.

- November 27 - 28, 2017 – Vermilion

Alberta Emergency Management Agency (AEMA) - Municipal Elected Officials Training

- November 30, 2017 – Two Hills (County Office) 9:00 a.m.

Regional Emergency Management Agency (REMA) – Scheduled meeting

- November 30, 2017 – Two Hills (County Office) 1:00 p.m.



ADVANCE VOTING

THE TOWN OF TWO HILLS'S ADVANCE VOTING WILL TAKE PLACE ON
SATURDAY, OCTOBER 7, 2017 BETWEEN 1:00 PM and 4:00 PM

THE ADVANCE VOTING STATION WILL BE LOCATED AT THE
TOWN ADMINISTRATION OFFICE
4712 – 50 Street

INSTITUTIONAL VOTING

THE TOWN OF TWO HILLS' INSTITUTIONAL VOTING WILL TAKE PLACE ON
MONDAY, OCTOBER 16, 2017

THE INSTITUTIONAL VOTING STATION WILL BE LOCATED AT:

TWO HILLS HEALTH CENTRE	between the hours of	10:15 a.m. to 12:15 p.m.
HILLSIDE LODGE	between the hours of	1:30 p.m. to 3:30 p.m.
EVENTIDE HOMES	between the hours of	4:30 p.m. to 6:30 p.m.

INCAPACITATED VOTING

THE TOWN OF TWO HILLS' INCAPACITATED VOTING WILL TAKE PLACE ON
SATURDAY, OCTOBER 7, 2017

If you are unable to attend a voting station, advance voting station or any voting stations at institutional facilities because of physical incapacity please contact Sheila Lupul at the Town Administration Office (780-657-3395) to book an appointment between the hours of 1:00 p.m. and 4:00 p.m. Appointments must be booked before Friday, October 6, 2017.

ELECTION DAY—VOTING STATIONS

MONDAY, OCTOBER 16, 2017

THE TWO HILLS CENTENNIAL HALL will serve as the VOTING STATION and will OPEN PROMPTLY AT 10:00 AM AND WILL BE KEPT OPEN CONTINUOUSLY UNTIL 8:00 PM.

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) 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.
- (4) In the 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: The Town of TWO HILLS does not compile a Voter's List.

"Area" in section 47 (1) I 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 purposes of this Act, the place of residence is governed by the following rules:
- (a) a person may have only one place of residence for the purposes of this Act;
 - (a.1) if a 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 the 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 1, 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 institution is 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.

53(1) Every person who attends at a voting station for the purpose of voting must be permitted to vote

- (a) if the person's name appears on the list of electors, if any, or
- (b) if the person makes a statement in the presence of an officer at the voting station, in the prescribed form, that the person is eligible to vote as an elector and produces for inspection the following proof of the person's identity and current residence and, where required by a bylaw passed under subsection (3), age:
 - (i) if a bylaw has not been passed under subsection (3),
 - (A) one piece of identification issued by a Canadian government, whether federal, provincial or local, or an agency of that government, that contains a photograph of the elector and his or her name and current address, or
 - (B) one piece of identification authorized by the Chief Electoral Officer under the *Election Act* for the purposes of section 95(1)(a)(ii) of that Act that establishes the elector's name and current address;
 - (ii) if a bylaw has been passed under subsection (3), the number and types of identification required by the bylaw to verify the person's name and current address and, if applicable, age.

(2) Notwithstanding subsection (1), if there is a list of electors, a person may instead prove that the person is eligible to vote as an elector and his or her identity and current residence and, if applicable, age by making a statement in the presence of an officer at the voting station, in the prescribed form, if he or she is accompanied by another person whose name appears on the list of electors for the same voting station at which that other person is entitled to vote and that other person

- (a) produces for inspection
 - (i) if subsection (1)(b)(i) applies, a piece of identification referred to in subsection (1)(b)(i), or
 - (ii) if subsection (1)(b)(ii) applies, the number and types of identification required by the bylaw,

and

- (b) vouches for him or her by making a statement in the presence of an officer at the voting station in the prescribed form.

(3) An elected authority may, by a bylaw passed no later than 6 months prior to nomination day of a year in which an election is to be held, provide for the number and types of identification that are required to be produced by a person to verify the person's name and current address for the purpose of determining whether the person is eligible to vote.

(4) An elected authority may, by a bylaw passed no later than 6 months prior to nomination day of a year in which an election is to be held, provide for the number and types of identification that are required to be produced by a person who wishes to vote by a special ballot to verify the person's name and current address for the purpose of determining whether the person is eligible to vote.

(5) A bylaw under subsection (3) or (4)

- (a) may specify identification in addition to that referred to in subsection (1)(b)(i), and
- (b) may provide for the number and types of identification that are required to be produced to also verify the person's age.

- (6) Any bylaw passed under subsection (3) or (4) providing for the number and types of identification that are required to be produced to verify the person's name and current address for the purpose of determining whether the person is eligible to vote must provide that a returning officer shall accept one piece of identification referred to in subsection (1)(b)(i)(A) or (B) for that purpose.
- (7) When an elected authority intends to pass a bylaw under subsection (3) or (4) it must
- (a) advertise the proposed bylaw in accordance with section 53.1, and
 - (b) include in the notice of election day under section 35 the proposed number and types of identification to be required.
- (8) A scrutineer may not vouch for a person under subsection (2).
- (9) A person who attends a voting station for the purpose of voting may not vote unless the requirements of subsection (1) or (2) are met.

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 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 employee's employer shall allow the employee any additional time for voting necessary to provide the employee the 3 consecutive hours, but the additional voting shall be granted at the convenience of the employer.
- (3) No employer shall make any deduction from the pay of an employee nor impose employee or exact from the employee any penalty by reason of his absence 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 an employee who is an elector at a voting station while it is open during the the employee's employment with no deduction from the employee's pay and exacting any penalty.

Nomination Day
Excerpts from the Local Authorities Election Act

Nomination Day

25 Nomination day shall be 4 weeks before Election Day.



NOMINATION DAY for Mayor and Councillors is Monday, September 18, 2017.

Form of Nomination

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) the person is eligible to be elected to the office;
- (a.1) the name, address and telephone number of the person's official agent, and;
- (b) that person will accept the office if elected;

and if required by bylaw, it shall be accompanied by a deposit in the required amount.

NOTE - Bylaw 2005-832 The Town of TWO HILLS does require a deposit of \$100.00 (cash or certified cheque, cash order, or money order).

Filing of Nomination Papers

28 The returning officer will receive nominations at the Town Office, between **10:00 am and 12:00 noon** on Nomination Day. **Monday, September 18, 2017**

(3.01) If a nomination is not signed by at least the minimum number of electors required to sign the nomination, the returning officer shall not accept it for filing.

(4) At any time after 12 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 he/she

- (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.

NOTES:

1. “**Area**” means the area within the boundaries of the Town of TWO HILLS.
2. The person who signs the Nomination Papers must be a resident in the local jurisdiction on the date of signing the Nomination Papers.
3. To ensure validity of their Nomination Papers, a Candidate may submit more than the required **FIVE** electors’ signatures.

QUALIFICATIONS 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.
- (2) Notwithstanding subsection (1), in the case of a town, a candidate for councillor is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the town.
- (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.

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 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 \$50.00, 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 \$500.00 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).

- (1.2) A person is not eligible to be nominated as a candidate for election as a councillor if
- (a) the secretary transmitted a report to council under section 147.8(1) in respect of the person,
 - (b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
 - (c) subject to subsection (1)(d.1), nomination day for the election occurs within
 - (i) the 8-year period following the day on which the secretary transmitted the report to council, or
 - (ii) where the disclosure statement required by section 147.4 has been filed with the municipality, the 3-year period following the day of filing,
 whichever period expires first.
- (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
 - (ii) 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 reviewed or assessed 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 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 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 notify his or her employer 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 that the employee is taking a leave of absence without pay under the section.

(6) Notwithstanding any bylaw, 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.

23(1) A person is not eligible to be nominated for more than 1 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

- (a) unless the member's term of office is expiring, or
- (b) if the member's term of office is not expiring, unless the member has resigned that office effective 18 days or more before nomination day.

WITHDRAWAL OF NOMINATION

Excerpts from the Local Authorities Election Act

- 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.

CANDIDATES' AGENTS / SCRUTINEERS

If a candidate would like to either personally or by way of an agent, observe the election process at one or more of the voting stations, the following process shall be followed:

Excerpts from the Local Authorities Election Act

Appointment of Agent

68.1(1) Each person nominated as a candidate may, on the nomination form, appoint an elector to be the candidate's official agent.

(1.1) If it becomes necessary to appoint a new official agent, the candidate shall immediately notify the returning officer in writing of the contact information of the new 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 Elections 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

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* or the *Canada Elections Act* (Canada) is not eligible to be appointed as a scrutineer.

(2) Before a person is recognized as a scrutineer, that person shall make and subscribe before a 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, and in designating the place or places, the presiding deputy shall ensure that the candidate, official agent or scrutineer can observe any person making a statement under section 53(1)(b) or (2), 77 or 78.

(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.

APPOINTMENT OF CANDIDATE'S AGENT
(Sample)

LOCAL JURISDICTION OF **THE TOWN OF TWO HILLS**, PROVINCE OF ALBERTA

ELECTION DATE: October 16, 2017

TO: **PRESIDING DEPUTY RETURNING OFFICER**

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

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

VOTING STATION:
(Station Name)

Signature of Candidate

Date of Appointment

IDENTIFICATION OF CANDIDATES & CAMPAIGN WORKERS

Section 52 of the Local Authorities Election Act provides that all candidates and campaign workers must have identification, provided by the elected authority, indicating the role of that person.

To comply with this legislation candidates are required to direct their workers to the Town Office to receive the identification required by this legislation.

Sample Identification:



2017 Municipal Election

For the purpose of an election in The Town of TWO HILLS, _____ (NAME) _____ of _____ (ADDRESS) _____

_____ is acting in the capacity of _____ (POSITION NAME) and is obligated to perform those duties assigned to that position in accordance with the provisions of the Local Authorities Election Act, and in such capacity will act diligently, faithfully and to the best of his/her ability.

Affirmed before me at the _____
The Town of TWO HILLS
Campaigner, IN THE PROVINCE OF ALBERTA

(Signature of Candidate,
Official Agent or Scrutineer)

This _____ day of _____, 2013.

(Signature of Returning Officer, Deputy Returning Officer,
Commissioner for Oaths)

Disclaimer: The above named person is not an employee or agent of The Town of Two Hills. The information is provided for the purposes of identification only in accordance with provincial legislation as outlined in the Local Authorities Election Act, section 52.

DISQUALIFICATION OF COUNCILLORS
Excerpts from the Municipal Government Act

- 174** (1) A councillor is disqualified from council if:
- (a) when the councillor was nominated, the councillor was not eligible for nomination as a candidate under the *Local Authorities Election Act*;
 - (b) the councillor ceases to be eligible for nomination as a candidate under the *Local Authorities Election Act*;
 - (c) the councillor becomes a judge of a court or a member of the Senate or House of Commons of Canada or of the Legislative Assembly of Alberta;
 - (d) the councillor 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 councillor is convicted
 - (i) of an offence punishable by imprisonment for 5 or more years, or
 - (ii) of an offence under section 123, 124 or 125 of the *Criminal Code* (Canada);
 - (f) the councillor does not vote on a matter at a council meeting at which the councillor is present, unless the councillor is required or is permitted to abstain from voting under this or any other enactment;
 - (g) the councillor contravenes section 172;
 - (h) the councillor has a pecuniary interest in an agreement that is not binding on the municipality under section 173;
 - (i) the councillor uses information obtained through being on council to gain a pecuniary benefit in respect of any matter;
 - (j) the councillor becomes an employee of the municipality;
 - (k) the councillor is liable to the municipality under section 249 ;
- (2) A councillor 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 councillor is not considered to be absent from a council meeting if the councillor is absent on council business at the direction of council.
- (4) A councillor 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*.

ELECTION ADVERTISING

Word of mouth, door-to-door campaigning, paid advertising, elections signs, media interviews.....how you choose to market your campaign is entirely up to you. Following is information you need to know relative to the most commonly used candidate promotions.

FORUMS

A Forum is the opportunity for the public to hear from individuals running for office. A Forum may involve candidates being asked to present their platforms or may be conducted in a question/answer format whereby members of the public can ask questions to which the candidates respond. Forums are hosted by business/special interest groups and are not a part of the legislated election process. The Town is not involved in coordinating these events.

ROLE OF THE MEDIA

Media is not affiliated with the election process yet is an integral component in getting the news of an election to citizens. Media support the election process by providing news/special features, conducting interviews, highlighting upcoming dates and events, and profiling the candidates running for various offices. It may be useful for potential candidates to have a brief biography prepared as part of his/her election campaign to provide to media.

You may wish to discuss with the media their policy regarding election coverage.

CAMPAIGN ADVERTISING ELECTION SIGNS

**BEFORE LOCATING SIGNS ASK PERMISSION
& Call before you dig! ALBERTA ONE-CALL 1-800-242-3447**

PLACEMENT OF CAMPAIGN ADVERTISING

Advertising may be placed on private property, always with the permission of the owner. Generally, signs are not allowed if they interfere in any way with the safe and orderly movement of pedestrians or vehicles. Signs that do not meet legislative requirements may be confiscated and you may be fined.

POSTING OF ELECTION CAMPAIGN LITERATURE

(1) under the regulations passed pursuant to the *Electrical Protection Act* of the Province of Alberta, it is illegal to post handbills on electrical lights or telephone poles. Action may be taken against candidates or their agents who deface bridges, light or telephone poles with election campaign literature.

REMOVAL OF CAMPAIGN ADVERTISING

All advertising must be promptly removed following the election.

For safety, and as a courtesy to the landowners, candidates should ensure that the site is cleaned up and that any holes in the ground, created by the placement of signs, be filled with a mixture of soil and grass seed.

CAMPAIGN LITERATURE: BALLOTS

Excerpts from the Local Authorities Election Act

- 148** (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 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 electors.
- (7) A person who contravenes subsection (5) is guilty of an offence and liable to a fine not more than \$10,000 or to imprisonment for not more than 6 months or to both a and imprisonment.

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 agent 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.

BALLOTS
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 he 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.
- (7) A person who contravenes subsection (1), (2), (3), (4), 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.
- 150 (1)** Every returning officer, deputy, constable and agent 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 electors 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 agent 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 a 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 \$1,000.

FREEDOM OF INFORMATION & PROTECTION OF PRIVACY (FOIPP)

The Freedom of Information and Protection of Privacy Act was first introduced in Alberta in 1995. The Act applies to all public bodies, which are directed by government legislation. The Act took effect for municipalities on October 1, 1999.

The Act addresses two main areas. First of all, it establishes regulations relating to access of information held by a public body. Secondly, the Act sets out regulations relating to the collection, use, protection and disclosure of personal information. The five principles of the Act are as follows:

1. To allow a right of access to any person to the records in the custody or control of a public body subject only to limited and specific exceptions.
2. To control the manner in which a public body may collect personal information and to control the use the public body may make of the information; and to control the disclosure by a public body of that information.
3. To allow individuals, subject to limited and specific exceptions, the right to have access to information about themselves which is held by the public body.
4. To allow individuals the right to request corrections to information about themselves held by a public body.
5. To provide an independent review of decisions made by a public body under the legislation.

For more information regarding FOIPP and how it relates to you, contact:

Lorrett Tatarin, FOIPP Coordinator
Box 630, TWO HILLS, AB T0B 4K0
780-657-3395

Other notable legislation:

Local Authorities Election Act

12 The provisions of this Act that apply to municipalities apply to summer villages except that in respect of a summer village

- (a) Election day
 - (i) in the case of a general election for council or for school representatives, shall be 4 weeks after nomination day for that election, and
 - (ii) in the case of a by-election or vote on a bylaw or question, shall be as established by resolution of the summer village council
- (b) a person is entitled to vote at an election if
 - (i) the person is eligible to vote under section 47,
 - (ii) the person is 18, a Canadian citizen and is named on the certificate of title as the person who owns property within the summer village, or
 - (iii) the person is 18, a Canadian citizen and is the spouse or adult interdependent partner of a person referred to in subclause(ii)
- (c) the nomination of candidates for election as councilors shall be the form prescribed for use under section 27(1) and shall be signed by at least 5 eligible to vote at that election,
- (d) in the case of a general election, nominations for councilors shall be received by the returning officer in June or July or both June and July in which an election is to be held at a date and place and between the hours established by council, and section 25 and 28 (i) do not apply,
- (e) In the case of a by-election, nominations for councilors and school Representatives, if an, shall be received by the returning officer between the hours of 10a.m. and 12 noon at a date and place established by council,
- (f) Voting hours in an election or in a vote on a bylaw or question shall be between the hours of 10 a.m. and 7 p.m., and section 46 applies except as to hours,
- (g) the time limit for withdrawal of nominations shall be 48 hours and section 32 applies except as to hours, and
- (h) in order to qualify for nomination as a councillor, a person is not required to be a resident of the summer village but must be entitled to vote in the election and have been a resident of Alberta for the 12 consecutive months immediately preceding election day.

Candidate self-funded election campaign

- 147.11** (1) Any money up to and including \$10,000.00 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 the 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.
- (3) This section does not apply if the candidate receives or accepts any Campaign contribution from any other person, corporation, trade union or employee organization.

Limitations on contributions

- 147.2**(1) Campaign contributions by any person, corporation, trade union or Employee organization to a candidate shall not exceed \$5,000 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.
- (4) A corporation, trade union or employee organization that contravenes this Section is guilty of an offence and liable to a fine of not more than \$10,000.
- (5) A person or a candidate who contravenes this section is guilty of an offence and liable to a fine of up to \$5000.

Registration of candidates

- 147.21**(1) No candidate may accept campaign contributions, including the funds of the Candidate, unless the candidate is registered under this Act with the municipality in which the candidate intends to run.

- (2) The municipality shall maintain a register of candidates in relation to each election and shall register in it any candidate who is eligible to be nominated at the time of registration and who files with the municipality an application for registration setting out
 - (a) the full name and address of the candidate,
 - (b) the addresses of the place or places where records of the candidate are maintained and of the place to which communications may be addressed
 - (c) the names and addresses of the financial institutions to be used by or on behalf of the candidate as depositories for the campaign contributions made to that candidate, and
 - (d) the names of the signing authorities for each depository referred to in a clause (c).
- (3) When there is any change in the information required to be provided under subsection (2), the registered candidate shall notify the municipality in writing within 48 hours after the change, and on receipt of the notice the municipality shall update the register of candidates accordingly.
- (4) Notice under subsection (3) may be sent by fax or electronic mail.
- (5) A candidate who contravenes subsection (1) or (3) is guilty of an offence and liable to a fine of not more than \$1000.
- (6) This section does not apply to a candidate if the candidate's entire election campaign is funded exclusively out of the candidate's own funds up to a maximum of \$10,000.
- (7) This section applies to a campaign period beginning on or after January 1, 2014.

School Act

Resident student

- 44(4)** Where a separate school district is established, an individual residing within the boundaries of the separate school district who is of the same faith as those who established that a district, whether Protestant or Roman Catholic,
- (a) is resident of the separate school district, and
 - (b) is not a resident of the public school district.