



REQUEST FOR DECISION

SUBJECT: **Bylaw 24-981 Elections Bylaw**

SUBMISSION TO: REGULAR COUNCIL MEETING

MEETING DATE: November 26, 2024

DEPARTMENT: CORPORATE SERVICES

STRATEGIC PLAN: Governance

REVIEWED AND APPROVED FOR SUBMISSION

CAO: MANAGER:

DIR: EK PRESENTER: SS

LEG: SS

RELEVANT LEGISLATION:

Provincial (cite) – *Local Authorities Election Act* R.S.A c L-21

Council Bylaw/Policy (cite) – N/A

RECOMMENDED ACTION:

MOTION: That Council give first reading to Bylaw 24-981 “Municipal Elections”, as presented.

MOTION: That Council give second reading to Bylaw 24-981 “Municipal Elections”, as presented.

BACKGROUND/PROPOSAL:

Election bylaws are not mandated by the *Local Authorities Election Act* or the *Municipal Government Act* but are encouraged as they allow specific election matters—such as voting hours and locations—to be authorized by Council.

Since its adoption in 2020, the Election Bylaw has not undergone a comprehensive review. In preparing for the 2025 municipal election, Administration identified the need for amendments to reflect updates to the *Local Authorities Election Act* through Bill 20, which received proclamation at the end of October.

Municipalities are now required to implement a permanent electors register of residents who are eligible, or may become eligible, to vote in municipal elections. Municipalities are also required to enter into an information sharing agreement with the Chief Electoral Officer of Alberta, which will allow municipalities and Elections Alberta to keep municipal permanent electors registers and the provincial register of electors up to date. Prior to the changes to the *Local Authorities Election Act* introduced by Bill 20, implementing a permanent electors register and entering into an information sharing agreement with the Chief Electoral Officer of Alberta were optional for municipalities.

Under the *Local Authorities Election Act*, a permanent electors register may only be used by election workers for the purpose of conducting a municipal election and cannot be shared with candidates, scrutineers, or the public.

Bill 20 has removed limitations on who may apply for a special ballot. Previously, only those with a physical disability, absence from the municipality or an individual working the election were eligible for special ballots. If a municipality chooses to offer special ballots, they must be available to all electors who are unable to vote during an advance vote or on election day for any reason. Greenview has not offered special ballots in previous years.

Bill 20 optional amendment to consider:

Criminal Record Checks

Although they are not required like permanent electors registers and special ballots, the *Local Authorities Election Act* has been amended by Bill 20 to allow municipalities to require candidates to provide a criminal record check with their nomination papers. The cost of the criminal record check would be bore by the candidate. Administration has not included language in the proposed bylaw to allow for the requirement of Criminal Record Checks.

If Council desires the requirement of a criminal record check, Administration would propose the following language be added to the Bylaw:

Criminal record check means a criminal record check that is:

1. *conducted by the Royal Canadian Mounted Police and not conducted by a third-party criminal record check provider; and*
2. *that, at a minimum, shows the candidate's past criminal convictions, if any.*

Nominations must comply with the requirements of this bylaw and the Local Authorities Election Act and be accompanied by a criminal record check, at the sole expense of the candidate, completed within six months of the date the nomination is submitted as provided for in section 21.1 of the Local Authorities Election Act.

Other proposed amendments are of a clarifying nature, with additional definitions, reorganization, and increased language from the *Local Authorities Act* for convenience.

BENEFITS OF THE RECOMMENDED ACTION:

1. The benefit of Council accepting the recommended motion is Greenview will have an updated election bylaw.

DISADVANTAGES OF THE RECOMMENDED ACTION:

There are no perceived disadvantages to the recommended motion.

ALTERNATIVES CONSIDERED:

Alternative #1: Council has the alternative to amend Bylaw 24-981 "Municipal Elections" to include the requirement of criminal record checks.

ALTERNATIVE MOTION: That Council give first reading to Bylaw 24-981 "Municipal Elections" as amended, to include criminal record checks.

Alternative #2: Council has the alternative to make additional amendments to Bylaw 24-981 "Election Bylaw" however, Administration does not recommend this as the proposed amendments are required by the Province of Alberta.

FINANCIAL IMPLICATION:

There are no financial implications to the recommended motion.

STAFFING IMPLICATION:

As a result of Bill 20 requiring Greenview to provide special ballots and enact a permanent elector registry, there will be significant additional staffing time dedicated to conducting the 2025 municipal election.

PUBLIC ENGAGEMENT LEVEL:

Greenview has adopted the IAP2 Framework for public consultation.

INCREASING LEVEL OF PUBLIC IMPACT

Inform

PUBLIC PARTICIPATION GOAL

Inform - To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.

PROMISE TO THE PUBLIC

Inform - We will keep you informed.

FOLLOW UP ACTIONS:

Administration will bring the bylaw, with any amendments, to Council for third reading.

ATTACHMENT(S):

- Bylaw 20-862 "Municipal Elections" - Current
- Bylaw 24-981 "Elections Bylaw" - Draft