

## **BYLAW 2024-15**

Rural Municipality of Lajord No. 128

### **A BYLAW TO PROVIDE FOR CONSOLIDATING THE RULES AND REGULATIONS TO RUN A MUNICIPAL ELECTION IN THE RURAL MUNICIPALITY OF LAJORD NO. 128**

The Council for the Rural Municipality of Lajord No. 128 in the Province of Saskatchewan enacts as follows:

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#### **SECTION 1 - Interpretation**

This Bylaw shall be known as the Elections Bylaw.

- The Authority for this Bylaw lies with *The Local Government Election Act, 2015*, and amendments.
- This Bylaw is designed to list the common timelines, regulations and Forms in *The Local Government Election Act, 2015*, and to address matters which Council may decide by bylaw or resolution. This is not designed as a substitute for *The Local Government Election Act, 2015*.
- This Bylaw will not address votes on bylaws, referendums, resolutions or questions.

#### **DEFINITIONS**

- In this Bylaw:
  - “Council” shall mean The Council of The Rural Municipality of Lajord No. 128;
  - “Minister” shall mean the Minister of Government Relations in the Province of Saskatchewan;

- “Municipality” shall mean The Rural Municipality of Lajord No. 128;
- “*The Local Government Election Act, 2015*” shall mean *The Local Government Election Act 2015* plus amendments;
- Definitions within *The Local Government Election Act, 2015* shall apply here.

## **SCHEDULES**

- The Schedules attached to this bylaw shall form part of this bylaw.

## **SEVERABILITY**

- In the event of a decision of court that any part of this bylaw is illegal, void, or unenforceable, that decision will affect that portion of the bylaw and not the remainder of the bylaw.

## **SECTION 2 - Election Procedures**

### **DIVISION BOUNDARIES**

- There are 7 divisions in the Rural Municipality of Lajord as follows:
  1. Division 1 shall be all of Township 13, Range 16 plus Township 14, Range 16;
  2. Division 2 shall be all of Township 13, Range 17 plus Section 01 to Section 18 of Township 14, Range 17, as well as the Organized Hamlet of Riceton;
  3. Division 3 shall be all of Township 13, Range 18 plus Section 01 to Section 18 of Township 14, Range 18, as well as the Organized Hamlet of Gray;
  4. Division 4 shall be all of Township 15, Range 16 plus Township 16, Range 16, as well as the Organized Hamlet of Davin and Unorganized Hamlet of Lajord;
  5. Division 5 shall be Section 19 to 36 of Township 14, Range 16 and all of Township 15, Range 17;
  6. Division 6 shall be Section 19 to 36 of Township 14, Range 18 and all of Township 15, Range 18.
  7. Division 7 shall be all of the Organized Hamlet of Kronau.

### **ELECTION DATES**

- General Election dates are set in Section 10 of *The Local Government Election Act, 2015*.
- In the event a by-election is required, Council shall pass a resolution as per Section 11 to Section 15 of *The Local Government Election Act, 2015*.

### **NOMINATION DAY**

- Nomination dates are set in Section 73 of *The Local Government Election Act, 2015*.
- Nominations shall be accepted until 4:00pm as per section 74 of *The Local Government Election Act, 2015*.
- Candidates have 24 hours after the close of Nomination Day to withdraw their nomination forms as per section 76 of *The Local Government Election Act, 2015*.

## **ADVANCED POLL**

- There shall be an Advanced Poll prior to the Election Date. According to Section 83(5), advanced polls must take place between 3 days and 15 days prior to Election Day.
- The Advanced Poll shall be open from 9:00am until 4:00 pm

## **ELECTION DAY**

- The Poll on Election Day shall be open from 9:00 am until 8:00 pm

## **POLLING PLACES**

- The Polling Places for all elections within the Municipality shall be set by the Returning Officer.
- All Advanced Polls, unless otherwise specified by the Returning Officer, shall be at the Municipal Office located at 4 Railway Avenue, Lajord Saskatchewan.
- In each Polling Place, the Deputy Returning Officer is responsible to make sure:
  - i. The following forms shall be posted in each polling station:
    - (1) A minimum of 2 locations - Form O; and
    - (2) A minimum of 2 locations - Form P.
  - ii. A place where the voter can vote behind a screen or other barrier that cannot be seen through.
  - iii. All additional election materials as required by *The Local Government Election Act, 2015*.

## **BALLOTS AND BALLOT BOXES**

- The Ballots:
  - i. Shall be in the prescribed Form N.
  - ii. In the event of multiple positions being elected on the same day, each position's ballot shall be in a different color.
  - iii. Names on the Ballots shall be "LAST NAME, FIRST NAME" in alphabetical order of the last name.
  - iv. Section 90 of *The Local Government Election Act, 2015* allows for voting machines by bylaw. The Municipality shall not use voting machines for election purposes.
- Ballot Boxes:
  - i. The same ballot box may be used for both Advanced Polls and Regular Poll.
  - ii. The same ballot box may be used for multiple polls in the event of multiple positions being elected on the same day.

## **ELECTION OFFICIALS**

- Prior to starting their position, every Election Official shall sign Form E.
- Returning Officer
  - i. The Returning Officer shall be the Chief Administrative Officer of the Municipality unless a resolution is passed by Council at least 90 days prior to the call of the election.

- ii. In the event that the Chief Administrative Officer, or appointed Returning Officer, cannot fulfill their duties, Council shall appoint a replacement.
  - iii. The Returning Officer shall appoint all other Election Officials by using Form D.
  - iv. The Returning Officer shall accept all completed Form I, Nomination Form and Acceptance, and shall give a receipt as Form K.
- Deputy Returning Officer
    - i. As per *The Local Government Election Act, 2015*, there shall be one Deputy Returning Officer appointed at each of the Polling Places at each of the Advanced Poll(s) and Regular Poll(s).
    - ii. Duties are listed in 101 (2) of *The Local Government Election Act, 2015*.
- Poll Clerk
    - i. As per *The Local Government Election Act, 2015*, there shall be one Poll Clerk appointed at each of the Polling Places at each of the Advanced Poll(s) and Regular Poll(s).
- Indemnities
    - i. All election officials shall be paid at the same rate as the daily indemnity of Council.
    - ii. There shall be no mileage paid except in the event that the Returning Officer has to set Polling Places outside the Hamlet of Lajord. The rate shall be at the same rate as Council.

## VOTERS

- Section 36(1) of *The Local Government Election Act, 2015* provides the eligibility for voting in the Municipality. As such a person must be:
  - i. A Canadian Citizen;
  - ii. At least 18 years of age; and
  - iii. At least one of the following:
    - (1) Has resided in the Municipality, or on land now within the Municipality, for at least three consecutive months immediately preceding the day of the election;
    - (2) Is the registered owner of property within the Municipality for at least three consecutive months immediately preceding the day of the election;
    - (3) Is the assessed person as per section 207 of *The Municipalities Act*;
    - (4) Is a Spouse of Subsection (1) or (2) of this Section;
    - (5) Is a chief executive officer of a duly incorporated co-operative, corporation or a religious association that has assessed property within the Municipality that is not exempt from taxation.
  - iv. Each voter can only vote once for their appointed division councilor and once for reeve.
    - (1) As per Section 39 of *The Local Government Election Act, 2015*, the division which a voter votes are determined by the following order:
      - (a) If a person lives in the Municipality, they shall vote in that division;
      - (b) If a person has property in only one division, they shall vote in that division;
      - (c) If a person has property in more than one division, it shall be the division with the highest combined assessed value. If the person in this clause wishes to vote for another division,

they shall write a letter to the Chief Administrative Officer prior to September 1 and may only do so once every 4 years.

- v. To obtain a ballot, each voter shall:
  - (1) present one piece of identification which contains a photograph of the voter or two pieces of approved identification without photographs so long as one has their address; or
  - (2) If a voter does not have the prescribed identification, another eligible voter who knows them can vouch for their identify by using Form B; and
  - (3) fill out Form R.

#### **VOTER'S LIST**

- The Municipality shall not have a voter's list, nor is there any list available for distribution other than a Municipal Map.

#### **CANDIDATES**

- As per section 42 of *The Local Government Election Act, 2015*, to become a Candidate in the municipal election, a person:
  - i. Must be a voter of the Municipality;
  - ii. Must not be disqualified pursuant to section 43 of *The Local Government Election Act, 2015*, or any other Act;
  - iii. Must Reside in Saskatchewan;
  - iv. Shall submit the Nomination Form. This Form shall be given to the Returning Officer prior to closure of the nomination period.
- Disclosure of Election Expenses
  - i. Section 34 of *The Local Government Election Act, 2015* allows Council to establish disclosure requirements respecting contributions and expenses and to establish election campaign limits.
    - (1) There will be no requirements for candidates to disclose contributions or expenses for a Municipal Election at this time.
- As per section 103 and section 104, during the Advanced Poll and the Election Day Poll, each candidate may have up to two people, including themselves, attending each polling place.
  - i. Prior to any agent being able to attend the poll, the Candidate shall sign Form T.
  - ii. Any candidate, or candidate's agent, who attends the polling place with the intent of staying must sign the prescribed Form U.
  - iii. The candidates or the agents may not talk directly to voters at the polling place during the election.

#### **ADVERTISING**

- Call for Nomination
  - i. Shall be Form H.
  - ii. Shall be posted in the Municipal Office; and
  - iii. Shall be posted in Quad Town Forum; and
  - iv. Shall be posted on the Municipal Website.

- Nomination Papers shall be posted:
  - i. At the Municipal Office; and
  - ii. Website
  
- Abandonment of Poll
  - i. Shall be the Abandonment of Poll Form.
  - ii. Shall be posted in the Municipal Office; and
  - iii. Shall be posted in the Quad Town Forum; and
  - iv. Shall be posted on the Municipal Website.
  
- Notice of Vote
  - i. Shall be the Notice of Vote Form.
  - ii. Shall be posted in the Municipal Office; and
  - iii. Shall be posted in the Quad Town Forum; and
  - iv. Shall be posted on the Municipal Website.
  
- Notice of Advanced Poll
  - i. Shall be the Advanced Poll Form.
  - ii. Shall be posted in the Municipal Office; and
  - iii. Shall be posted in the Quad Town Forum; and
  - iv. Shall be posted on the Municipal Website.

**PROCEDURE AFTER CLOSE OF POLL**

- At the closure of the poll, the Deputy Returning Officer shall certify the last person entered and the total of people voting in their poll by signing the last page.
  
- The ballot box shall be opened in front of the following:
  - i. The Poll Clerk;
  - ii. The Candidate or one agent, if in attendance; and
  - iii. The Returning Officer, if in attendance.
  
- The Deputy Returning Officer shall:
  - i. verify and count the ballots;
  - ii. Prepare, in duplicate, Form Z.
    - (1) One copy shall be placed in the Ballot Box prior to sealing.
    - (2) One copy shall be given to the Returning Officer
    - (3) Any Candidates, or Agents wishing a copy can obtain one.
  - iii. Shall place all ballots, Form Z and all the Form R, along with other necessary Forms into the ballot box and seal it.
  
- The Returning Officer shall:
  - i. Combine Form Z from all the Polling Places and add them on Form CC and declare the elected person for each position.

- (1) In the event of a tie, Section 141 of *The Local Government Election Act, 2015* states that on the same types of paper, the Returning Officer write the name of each tied candidate on separate pieces and directs one person who is not the candidate nor the candidate's agent to draw one of the sheets. That person is declared elected.
- ii. Shall notify the Province of Saskatchewan and any other places as deemed necessary.
  - iii. Shall Post the Results at the Municipal Office and on the Municipal Website until at least the First Meeting of the new Council.
  - iv. Shall ensure that the election materials are kept safe until destroyed following the Elections Act and retention records bylaw.

**Repeals of Bylaw**

Bylaw 2020-05, shall hereby be repealed.

**Bylaw in Effect**

This Bylaw shall come into force immediately.



Certified a true copy of Bylaw 2024-15 adopted by resolution on the 9<sup>th</sup> day of July, 2024.

**Originally Signed By** \_\_\_\_\_

Armond Gervais, Reeve

**Originally Signed By** \_\_\_\_\_

Lynette Herauf, Chief Administrative Officer