

**ELECTIONS BYLAW
PROPOSED AMENDMENTS**

Previous Section	New Section	Amendment	Rationale
Current Bylaw C-1145-21	Proposed Bylaw C-1277-23		
Section 1 – Definitions			
n/a	1	Added 'Bylaw Title' <i><u>This bylaw is called the "Elections Bylaw".</u></i>	To clearly identify the subject matter of the bylaw.
1.4	2.4	Amended definition for "Auxiliary Ballot Box" to Auxiliary Compartment <i>"Auxiliary Compartment" means a separate compartment in the Ballot Box for Ballot Cards that have been marked by voters but not counted by the Vote Tabulator.</i>	To make clear that the auxiliary compartment is a separate compartment within the ballot box and not a box on its own.
1.23	2.23	Amended definition for "Vote Tabulator": <i>"Vote Tabulator" means a unit of the Automated Voting System designed for use at the Voting Station to receive Ballots and automatically scan a specified area or areas on the Ballot Card and record the vote.</i>	To make clear the unit of equipment records a vote at the Voting Station.
Section 5 – Ballot Cards			
4.2	n/a	Removed section 4.2:	Removed as this provision is contained within the <i>Local Authorities Election Act</i> under section 41 as a duty of the Returning Officer.

Previous Section Current Bylaw C-1145-21	New Section Proposed Bylaw C-1277-23	Amendment	Rationale
		Sufficient Ballot Cards shall be printed to ensure that there are Ballot Cards available for each elector who wishes to vote.	
4.5	n/a	Removed section 4.5: The area for each office, bylaw and question shall be clearly designated on the Ballot Card.	Redundancy. The indication of the area on the Ballot Card is already indicated in 5.2.
4.9	n/a	Removed section 4.9: The Secrecy Sleeve shall be in the form authorized by the Returning Officer and shall be designated so that it conceals the markings made on the Ballot Card by an elector, without concealing the initials of the Deputy Returning Officer.	The removed section deals with very administrative matters regarding the availability of secrecy sleeves. This type of information is better placed in a standard operating procedure manual. Section 5.8 and 5.11 also identify the use of secrecy sleeves.
Section 6 – Nomination form			
	6.1	Added section: <u>The Returning Officer is hereby delegated the authority to establish one or more locations, in addition to the local jurisdiction office, where nominations may be received.</u>	To make clear the Returning Officer has the ability to designate more than one location to accept nomination forms. City Hall is the local jurisdiction office, and this allowance would provide for nomination forms to be collected at a location other than City Hall. The Returning Officer could designate 410 King Street as a location where nominations could be accepted..

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Current Bylaw C-1145-21	Proposed Bylaw C-1277-23		
5.4		Removed section 5.4: The deposit required in section 5.3 is to be provided by cash, debit card, credit card, certified cheque or money order made payable to the City of Spruce Grove.	Removed as this provision is contained within the <i>Local Authorities Election Act</i> under section 30(1). Although in 2021 because of COVID, the province allowed for deposits to be made by debit or credit card, this allowance was only for the 2021 election through a ministerial order. Therefore, it is not outlined in the current version of <i>Local Authorities Election Act</i> and would not apply to municipal elections going forward.
Section 7 – Voting Station			
6.1	7.1	Amended section: <i>The Returning Officer is hereby delegated the authority to designate more than one Voting Station for each subdivision and the location of those Voting Stations for that Election.</i>	The previous wording implied Spruce Grove was divided into voting subdivisions which would require electors to visit a specific voting station. The amended wording provides the ability to have multiple voting stations as directed by the Returning Officer and electors are able to attend any one of the voting stations.
Section 8 – Advance Voting			
7.1	n/a	Removed section 7.1: The Returning Officer shall conduct an advance vote on an election in accordance with the Act.	Removed as this provision is contained within the <i>Local Authorities Election Act</i> under section 73(3).
7.2	8.1	Amended section:	To make clear tabulators shall be used at an advance vote; however, ensures if tabulators

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Current Bylaw C-1145-21	Proposed Bylaw C-1277-23		
		Vote Tabulators will shall be used to conduct the advance vote unless <u>otherwise directed by the Returning Officer</u> otherwise directs that portable Ballots Boxes will be used.	are not used, the Returning Officer has the authority to direct another means to collect the ballots.
Section 9 – Institutional Voting			
8.2	9.2	Amended section 9.2: <u>The Returning Officer may direct that Portable Ballot Boxes be used to conduct institutional voting</u> <u>Vote Tabulators shall be used to conduct the institutional vote unless otherwise directed by the Returning Officer.</u>	To make clear tabulators shall be used at an institutional vote; however, ensures if tabulators are not used, the Returning Officer has the authority to direct another means to collect the ballots. Electors who may require assistance can be assisted by the Deputy Returning Officer once the prescribed statement as been completed.
Section 10 – Special Ballots			
n/a	10.1	Added section 10.1: <u>The Returning Officer is hereby delegated the authority to provide for Special Ballots.</u>	To make clear, the Returning Officer is granted the authority to provide for special ballots. Previously the Elections Bylaw only spoke to electors applying for the special ballot package; however, the LAEA does require that the elected authority to provide for the use of special ballots.
9.4	10.5	Amended section 10.5:	Amended the submission deadline to 7:00 p.m. to have completed Special Ballots received by the Returning Officer. The

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Current Bylaw C-1145-21	Proposed Bylaw C-1277-23		
		<i>Completed Special Ballots shall be received by the Returning Officer no later than 4:00<u>7:00</u> p.m. on Election Day.</i>	revised time gives electors a little more time to return their completed Special Ballot packages. This is to coincide with the opening of Special Ballots taking place at 7:30 p.m. under Section 14.
n/a	9.5	Removed section: The procedures to be followed for voting by Special Ballot are those procedures set out in the Act.	Removed as the <i>Local Authorities Election Act</i> is the guiding legislation for the election process and removing redundancies ensures there is no concern for ambiguity on authority. Special Ballot process is provided for under section 77.1 of the <i>Local Authorities Election Act</i> .
Section 11 – Voting Hours on Election Day			
10.1	11.1	Amended section 11.1: <i>For elections Elections in the City, Voting Stations shall open promptly at 6:30<u>7:00</u> a.m. on Election Day and remain continuously open until 8:00 p.m.</i> Notwithstanding the foregoing, for a by-election or a vote on a question or bylaw in the City, Voting Stations shall open promptly at 10:00 a.m. on Election Day and remain continuously open until 8:00 p.m.	Rationale outlined in Request for Decision.
10.3 and 10.4	n/a	Removed section:	Removed as the <i>Local Authorities Election Act</i> is the guiding legislation for the election process and removing redundancies ensures there is no concern for ambiguity on

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		<p>Promptly at 8:00 p.m. on Election Day, the Presiding Deputy Returning Officer shall declare the Voting Station closed.</p> <p>If, when the Voting Station is declared closed, there is an elector in the Voting Station who wishes to vote, they shall be permitted to do so. No other person shall be allowed to enter the Voting Station for that purpose.</p>	<p>authority. Voting hours are provided for under section 46 of the <i>Local Authorities Election Act</i>.</p>
Section 13 – Post Voting Procedure on Election Day			
12.1	n/a	<p>Removed section:</p> <p>The Returning Officer may designate a single location as a Counting Centre for the purpose of this section and shall notify all affected candidates, official agents and scrutineers of the location of the Counting Centre.</p>	<p>MOVED TO SECTION 14.1</p>
12.2 and 12.3	13.1 and 13.2	<p>Amended section:</p> <p><i>Immediately after the close of a Voting Station, the Deputy Returning Officer presiding at that station shall:</i></p> <p><i>insert Ballot Cards from any Portable Ballot Box or Auxiliary Ballot Box <u>Compartment</u> into the Vote Tabulator;</i></p>	<p>To make clear the reference to Ballot is a reference to the Ballot Box.</p>

Previous Section Current Bylaw C-1145-21	New Section Proposed Bylaw C-1277-23	Amendment	Rationale
		<p><i>secure the Vote Tabulator against receiving any more Ballots;</i></p> <p><i>cause the Vote Tabulator to print off two copies of the Tally Register Tape, attaching one Tally Register Tape to the Ballot account;</i></p> <p><i>together with another Deputy Returning Officer, seal and initial each Ballot Box containing marked Ballot cardsCards; and</i></p> <p><i>hand the Vote Tabulator, the Tally Register Tape and the sealed Ballot Box to the person or persons assigned by the Returning Officer to deliver them to the Counting Centre.</i></p> <p><i>The Deputies at a Voting Station shall:</i></p> <p><i>count the unused Ballot Cards, the rejected Ballot Cards and the spoiled Ballot Cards and place them, packaged separately, sealed and initialed, in an empty Ballot Box;</i></p> <p><i>place the voting registers and all statements required under the Act in the same Ballot Box;</i></p> <p><i>seal and initial the Ballot Box and provide the sealed box for the delivery to the Returning Officer;</i></p>	

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		<p>complete the Ballot account; and</p> <p>personally deliver the ballotBallot account and Ballot Box to the Returning Officer or designate.</p>	
12.5	n/a	<p>Removed section:</p> <p>Any Ballot Box used in the advance vote and the institutional vote shall be sealed upon completion of the vote in which they are used and shall not be unsealed and opened until the close of voting stations on Election Day.</p>	MOVED TO ADVANCE VOTE AND INSTITUTIONAL VOTE SECTIONS
Section 14 – Counting Centre			
n/a	14.1	<p>Added section:</p> <p><u>The Returning Officer may designate a location as a Counting Centre and shall notify all affected candidates, official agents and scrutineers of the location of the Counting Centre.</u></p>	MOVED FROM SECTION 12./13.1
13.2	14.3	<p>Amended section:</p> <p><i>The Special Ballot Boxbox may be unsealed at the Counting Centre after 4:00no earlier than 7:30 p.m. on Election Day, and the sealed special Ballots will, in the presence of the Returning Officer and a Deputy, Ballots shall be inserted into the Vote Tabulator designated for Special Ballots.</i></p>	Amended as the <i>Local Authorities Election Act</i> provides allowance for an elected authority to allow the Returning Officer to open and count a special ballot box no earlier than 7:30 p.m. on Election Day. The original wording provided for the count of Special Ballots to occur at 4:00 p.m. which is outside the legislation. This change cleans up the

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			bylaw to bring it in line with the LAEA. The LAEA does not make an allowance for the municipality to change this start time to occur any earlier than 7:30 p.m.
13.3(c)	14.4(c)	Amended subsection (c): (c) verify the seal of each Ballot Box and Vote Tabulator;	To make clear the reference to Ballot is a reference to the Ballot Box.
Section 15 – Rejected Ballots			
14.2, 14.3, and 14.4	15.2, 15.3 and 15.4	Amended section: <i>If a voter has inadvertently marked the provided Ballot Card the voter may, upon returning it to the Deputy Returning Officer presiding at the Vote Tabulator, request a new Ballot Card.</i> <i>If the voter requests a new Ballot Card, the Deputy Returning Officer must issue a new Ballot Card to the voter and mark the returned Ballot Card “SPOILED”.</i> <i>Spoiled Ballot Cards must be retained and kept separately from all other Ballot Cards and must not be counted in the Election results.</i>	To make clear the reference to Ballot is as per the definition, which states the Ballot contains the spaces where the elector marks their vote. The Ballot Card is the listing of the offices to be voted on in the Election.
14.5	15.5	Amended section <i>If a Ballot Card is rejected by the Vote Tabulator, the Deputy Returning Officer at the Ballot <u>Box</u> must</i>	To make clear the reference to Ballot is as per the definition, which states the Ballot contains the spaces where the elector marks

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		<p><i>advise the voter that he or shethey may request another Ballot Card. If the voter refuses to request another Ballot Card, the Deputy Returning Officer at the Ballot <u>Box</u> must re-insert the Ballot Card into the Vote Tabulator to count the votes on any Ballots that have been completed correctly.</i></p>	<p>their vote. The Ballot Card is the listing of the offices to be voted on in the Election.</p>
<p>Section 17 – Automated Voting System</p>			
16.3	17.3	<p>Removed subsection (d): (d) obtaining access to another municipality's Automated Voting System for the purposes of vote tabulation; or</p>	<p>Removed as it would take a significant amount of time to put the borrowed tabulator through accuracy and logic testing. Section 17.3(e) provides for the ability of the Returning Officer to use a manual system in place of the automated voting system.</p>