

**Returning Officer's Report to
Priorities and Finance Committee
2020 September 8**

**ISC: UNRESTRICTED
PFC2020-0965
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Amendments to the Election Bylaw

RECOMMENDATION:

That the Priorities and Finance Committee recommend that Council give three readings to the proposed Bylaw, as set out in Attachment 1, to amend Bylaw 35M2018.

**RECOMMENDATION OF THE PRIORITIES AND FINANCE COMMITTEE, 2020
SEPTEMBER 08:**

That Council give three readings to **Proposed Bylaw 35M2020**.

HIGHLIGHTS

- The Election Bylaw needs to align with provincial legislation governing municipal elections.
- What does it mean to Calgarians? Ensuring that the Election bylaw is current and aligns with legislation promotes Calgarians' confidence in the Returning Officer's planning and execution of elections.
- Why does it matter? Amending the Election Bylaw at this time allows the Returning Officer to prepare information and services for candidates and electors in advance of the 2021 October 18 General Election.
- Municipal council and school board elections are governed by the *Local Authorities Election Act* (the Act). The Act permits Council to pass bylaws to provide authority and govern various aspects of a general election, by-election or plebiscite.
- In addition to the Election Bylaw, other bylaws have been previously passed by Council over time under the authority of the Act. For ease of reference, the Returning Officer recommends consolidating all relevant election-related bylaws into the Election Bylaw.
- On 2018 December 11, the *Act to Renew Local Democracy in Alberta* (Bill 23) was passed, amending the Act. On 2020 July 21, the *Local Authorities Election Amendment Act* (Bill 29) was passed, further amending the Act. As a result, the Returning Officer recommends amendments to the Election Bylaw to align with the amended Act.
- In addition to recommended Election Bylaw amendments required to align with the Act, minor amendments to address typographical errors and improve accuracy are recommended.
- The Election Bylaw was most recently amended at the 2018 June 25 Regular Meeting of Council, in preparation for the 2018 Olympic Plebiscite.
- Strategic Alignment to Council's Citizen Priorities: A well-run city.

DISCUSSION

Currently, the Election Bylaw (Bylaw 35M2018) addresses a number of provisions required to administer a general election, by-election and plebiscite in keeping with the current election program.

The Returning Officer recommends Election Bylaw amendments to align with Bill 23 and Bill 29 amendments to the Act, address typographical errors and improve the Bylaw's accuracy.

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For ease of reference, consolidation of separately-enacted bylaws related to nomination signatures (Bylaw 31M2007) and nomination deposits (30M2007) into the Election Bylaw is also recommended. Bylaws related to the early receipt of nominations (Bylaw 10M92) and rotation of ballots (Bylaw 37M80) are moot and should be repealed.

Attachment 2 is a table summarizing the recommended amendments. Attachment 3 is the Election Bylaw (office consolidation), incorporating recommended amendments in underline for ease of reference.

Should Council adopt the recommended amendments, Elections Calgary will issue required communications to advise candidates and electors of applicable Election Bylaw changes.

The Ministry of Municipal Affairs was consulted in the development of the recommended amendments to the Election Bylaw.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☐ Public Engagement was undertaken
- ☒ Public Communication or Engagement was not required
- ☐ Public/Stakeholders were informed
- ☐ Stakeholder dialogue/relations were undertaken

IMPLICATIONS

Social

Not Applicable

Environmental

Not Applicable

Economic

Not Applicable

Service and Financial Implications

The cost of communications required to inform candidates and electors about changes to the Election Bylaws will be absorbed within the existing operating budget.

Existing operating funding - base

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RISK

If the recommended amendments are not adopted, the Elections Bylaw will not align with current legislation.

ATTACHMENTS

1. **Proposed Bylaw 35M2020**
2. Summary of Recommended Amendments
3. Underline of Election Bylaw 35M2018 showing recommended amendments

Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform (Pick-one)