

24-89-37  
36M89  
Authorize 3rd

MOVED BY ALDERMAN LEIGH, SECONDED BY ALDERMAN HODGES, that authorization now be given to read By-law No. 36M89 a third time.

MOTION CARRIED UNANIMOUSLY

24-89-38  
36M89  
3rd Reading

MOVED BY ALDERMAN LEIGH, SECONDED BY ALDERMAN HODGES, that By-law No. 36M89, Being a By-law of the City of Calgary to Amend By-law Number 9017, be read a third time and passed.

MOTION CARRIED

24-89-39  
35M89  
1st Reading

MOVED BY ALDERMAN LEIGH, SECONDED BY ALDERMAN HODGES, that By-law No. 35M89, Being a By-law of the City of Calgary to Amend By-law Number 9019, be introduced and read a first time.

MOTION CARRIED

24-89-40  
35M89  
2nd Reading

MOVED BY ALDERMAN LEIGH, SECONDED BY ALDERMAN HODGES, that By-law No. 35M89 be read a second time.

MOTION CARRIED

24-89-41  
35M89  
Authorize 3rd

MOVED BY ALDERMAN LEIGH, SECONDED BY ALDERMAN HODGES, that authorization now be given to read By-law No. 35M89 a third time.

MOTION CARRIED UNANIMOUSLY

24-89-42  
35M89  
3rd Reading

MOVED BY ALDERMAN LEIGH, SECONDED BY ALDERMAN HODGES, that By-law No. 35M89, Being a By-law of the City of Calgary to Amend By-law Number 9019, be read a third time and passed.

MOTION CARRIED

24-89-43  
C89-90  
Physically  
Incapacitated  
Elector Voting

8164

MOVED BY ALDERMAN HODGES, SECONDED BY ALDERMAN LEIGH, that Recommendation No. 1, as contained in Clause C89-90 of the Report of the Commissioners, dated 1989 August 29, Re: Physically Incapacitated Elector Voting, be filed, and that Recommendation No. 2 contained therein, be adopted.

MOTION CARRIED

24-89-44  
Table  
C89-91  
Damage After  
Concerts  
(Ref. #24-89-46)

8167

MOVED BY ALDERMAN HIGGINS, SECONDED BY ALDERMAN DUERR, that Clause C89-91 of the Report of the Commissioners, dated 1989 August 29, Re: Damage to LRT Vehicles and Property After Concerts, be tabled until Alderman Hunter returns to today's meeting.

MOTION CARRIED

24-89-45  
Waive Notice  
of Motion  
Rent Increases  
(Ref. #24-89-78)

MOVED BY ALDERMAN BARDSLEY, SECONDED BY ALDERMAN HODGES, that Notice of Motion be waived in order to introduce an item of Urgent Business to today's Agenda regarding Rent Increases.

MOTION CARRIED

COMMISSIONERS' REPORT

1989 August 29

8124

C89-90 RE: PHYSICALLY INCAPACITATED ELECTOR VOTING

ISSUE:

Should provision be made to allow for Physically Incapacitated Electors to vote at their residence.

BACKGROUND:

Section 79 of the Local Authorities Election Act provided for an elector to vote at home. It was a cumbersome procedure requiring the elector to advise the Returning Officer in writing as prescribed by a resolution of the local authority. It did not cover the situation that occurred in Calgary prior to the 1986 election where a voter complained that due to an injury just prior to the election the elector was unexpectedly confined to their residence and unable to vote.

As a result of this complaint City Council at it's meeting of 1987 May 19 adopted the following resolution to be forwarded to the 1987 AUMA Convention for consideration:

"NOW THEREFORE BE IT RESOLVED that the Local Authorities Election Act be amended to have in it a similar procedure as is found in Sections 113 to 115 of the Election Act in order to make it possible for a physically incapacitated elector who cannot go to a voting station to vote at their place of residence".

Following this initiative, Section 79 of the Local Authorities Election Act has been amended to simplify the procedure as requested. (See Attachment "A")

INVESTIGATION:

All of the 16 Alberta cities were surveyed. Only the six cities listed below provided for physically incapacitated elector voting at home during the 1986 Election:

City	Number
Airdrie	Nil
Edmonton	22
Fort McMurray	Nil
Lethbridge	10
Lloydminster	25
St. Albert	3

The experience of the above cities indicates that requests increase with each election as the electors become aware of the service.

The legislation provides that such voting may take place during the hours of the advance vote or other times as may be fixed by resolution.

**RE: PHYSICALLY INCAPACITATED ELECTOR VOTING**

It is the opinion of the Returning Officer that the most appropriate time for the taking of physically incapacitated elector votes would be during the hours of 10:00 a.m. to 4:00 p.m. on election day. In order to implement this, it is proposed that the service would be advertised in the Statutory Notice of Election ad. The ad would also include details on who to contact, etc.

**FINANCIAL IMPACT:**

The number of requests that may be received for voting at residences in Calgary is unknown. Based primarily on the size of the city, it is estimated that if physically incapacitated voting is provided for, additional election workers will be required to visit the residences, at an estimated cost of \$3,500.00. There are sufficient funds in the 1989 Election Budget to cover this expenditure.

**RECOMMENDATION:**

That City Council:

1. Receive this report for information and file.

or

2. Hereby provides for the attendance of a deputy returning officer at the residence of a physically incapacitated elector, pursuant to Section 79 of the Local Authorities Election Act, during the hours of 10:00 a.m. to 4:00 p.m. on election day.

Attachment A: Location Authorities Election Act, Section 79

Local Authorities Election Act, Section 79

"(1) An elected authority may by resolution provide for the attendance of a deputy at the residence of an elector, during the hours an advance voting station is open or other times as may be fixed by the resolution, in order to take the votes of an elector who, because of physical incapacity, is unable to attend a voting station or an advance voting station to vote.

(2) When a resolution has been passed under subsection (1), an elector described in subsection (1) may request the returning officer to have a deputy attend at his residence to take his vote.

(3) If the returning officer is satisfied that an elector is unable to attend a voting station or an advance voting station because of physical incapacity, he shall include that elector's name and address on a list arranged alphabetically according to wards.

(4) When the returning officer has completed the list in accordance with this section, he shall

(a) advise each applicant in writing that his application has been accepted or rejected, as the case may be, and in the event of rejection, give reasons for it,

(b) inform each elector whose application has been accepted of the date and the approximate time at which the deputy will attend at his residence, and

(c) appoint sufficient deputies to give full effect to this section.

(5) All attendances by deputies under this section shall be made during the hours fixed by the resolution and no vote shall be taken at any other time.

(6) A ballot box used in an election under this section shall be sealed on completion of the voting so that no ballots can be deposited in it without breaking the seal and it shall remain sealed until opened for the counting of ballots at the close of the voting stations on election day.

(7) Every residence where a vote is taken under this section is a voting station and the voting procedures shall as nearly as possible follow the provisions of this Act".