


<b>DEPARTMENT: Legislative Services</b>	
	<b>TOPIC: 2025 Municipal Election</b>
<b>REPORT PREPARED BY:</b> Krista Conrad <b>REPORT PRESENTED BY:</b> Sherri Barrett	
<b>PURPOSE OF REQUEST</b>	

The *Local Authorities Election Act* (the 'LAEA') states that Council may pass bylaws and/or resolutions on a number of decisions regarding the conduct of an election. In addition, to provide information regarding important dates and changes to the Act.

**BACKGROUND**

Specific bylaws and resolutions must be authorized by Foothills County Council prior to the end of December 2024, ahead of the 2025 Municipal Election.

Important dates to note:

January 1, 2025: Nomination period begins

September 22, 2025: Nomination period closes

October 20, 2025: Election Day

In accordance with the Act, Council may provide direction on a number of items. Foothills County currently does not have an election bylaw, and whereas it is not required, it is essential to break the requirements down into individual Bylaws and resolutions, which is in alignment with the Act. The following considerations need decisions prior to the end of December 2024. Additional considerations will be brought back at a later date.

**RESOLUTIONS FOR COUNCIL'S CONSIDERATION:**

1. Appointment of a Returning Officer – Section 13(1) of the *LAEA* states: An elected authority may, by resolution, appoint a returning officer for the purposes of conducting elections under this Act by June 30 of the year in which the election occurs.
2. Appointment of a Substitute Returning Officer - Section 13(2.1) of the *LAEA* states: An elected authority must, by resolution, appoint a substitute returning officer by June 30 of the year in which the election occurs.

3. Advanced Vote – Section 73(3) of the LAEA states: A municipality having a population greater than 5,000 must provide for holding an advanced vote. Section (6) states that the Returning Officer must determine the days and hours when the advance vote is to be held.

BYLAWS FOR COUNCIL'S CONSIDERATION:

1. A Bylaw must be passed for Election Deposits as per Section 29(1) that states an elected authority may, by bylaw passed not fewer than 30 days before nomination day, require that every nomination be accompanied with a deposit in the amount fixed in the bylaw. Section 29(2)(a) states that an amount fixed in a bylaw under subsection (1) may not exceed \$1,000, in the case of a local jurisdiction with a population of more than 10,000.

In the 2021 election, Council passed Bylaw 59/2020 to authorize the requirement that all nominations be accompanied by a deposit in the amount of \$500, pursuant to Section 29(1) of the Local Authorities Election Act. This deposit would be returned to the Candidate, provided it meets the criteria as noted in Section 30 of the *Local Authorities Election Act*.

2. A Bylaw must be passed to determine the location to file nomination papers, as Section 28(1.1) states an elected authority may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, provide that a returning officer may establish one or more locations in addition to the local jurisdiction office, where a deputy may receive nominations.

At this time, it is recommended the local jurisdiction office be the only point where nominations be accepted.

3. A Bylaw must be passed regarding the death of a candidate, as per Section 33(1), which states an elected authority may, by a bylaw passed prior to nomination day, provide that if prior to the opening of the voting stations on election day a candidate for an elected authority dies after being nominated,
  - a. The election for the position for which the deceased candidate was nominated shall be discontinued, and
  - b. The elected authority shall, as soon as practicable, provide for the holding of a new election for that office.
4. A Bylaw must be passed to allow more than one voting station as per Section 37(3) that states the elected authority may pass a bylaw by June 30 of a year in which a general election is to be held allowing the returning officer of the elected authority to designate more than one voting station for each subdivision and the location of those voting stations for that election.

## **REQUEST OF COUNCIL**

---

### *Proposed Motions:*

### RESOLUTIONS:

1. That Council appoint Garity Stanley as Foothills County Returning Officer for the purposes of the 2025 Election as per Section 13(2.1) of the Local Authorities Election Act.
2. That Council appoint Sherri Barrett as Foothills County Substitute Returning Officer for the purposes of the 2025 Election as per Section 13(2.1) of the Local Authorities Election Act.
3. That Council authorize an Advanced Vote(s) to be held in the 2025 election year, to be determined by the Returning Officer.

### BYLAWS:

1. First Reading to Bylaw XX/2024 is required to be approved for Election Deposits as per Section 29(1).
2. First Reading to Bylaw XX/2024 is required to be approved to determine the location to file nomination papers as per Section 28(1.1)
3. First Reading to Bylaw XX/2024 is required to be approved regarding the death of a candidate, as per Section 33(1)
4. First Reading to Bylaw XX/2024 is required to be approved to allow more than one voting station as per Section 37(3)

## **APPENDICES**

---

### Appendix A: Proposed Bylaws

**BYLAW NO. XX/2024**

**A BYLAW OF FOOTHILLS COUNTY  
IN THE PROVINCE OF ALBERTA**

TO REQUIRE THAT CANDIDATE'S NOMINATIONS BE ACCOMPANIED BY A DEPOSIT

**WHEREAS** Section 29(1) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, authorizes the elected authority to pass a bylaw prior to December 31 of the year before a year in which a general election is to be held, requiring that every nomination be accompanied with a deposit in the amount fixed in the bylaw;

**WHEREAS** Section 29(2) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, indicates that an amount fixed in a bylaw under subsection (1) may not exceed (a) \$1000, in the case of a local jurisdiction with a population of more than 10,000, or (b) \$100, in any other case;

**WHEREAS** Section 30(1) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, when a bylaw has been passed to provide for a deposit, the returning officer shall require the deposit to be provided in cash, by certified cheque or by money order;

**WHEREAS** Section 30(2) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, the candidate's deposit shall be returned to the candidate (a) if the candidate is declared elected (b) if the candidate obtains a number of votes at least equal to  $\frac{1}{2}$  of the total number of votes cast for the candidate elected to the office with the least number of votes or (c) if the candidate withdraws as a candidate in accordance with section 32;

**WHEREAS** Section 30(3) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, if a candidate dies before the closing of the voting stations on election day, the sum deposited by the candidate shall be returned to the candidate's estate;

**AND WHEREAS** Section 30(4) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, if a candidate does not obtain the number of votes described in subsection (2) (b), the deposit shall be paid into the general revenue of the local jurisdiction for which the deposit requirement has been established;

**THEREFORE** the Council of Foothills County hereby enacts as follows:

1. Every nomination will be accompanied with a \$500 deposit.
2. This Bylaw shall have effect on the date of its third reading.

First Reading:

---

REEVE

---

CAO

Second Reading:

---

REEVE

---

CAO

Third Reading:

---

REEVE

---

CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta, the \_\_\_ day of \_\_\_\_\_, 2020.

**BYLAW NO. XX/2024**

**A BYLAW OF FOOTHILLS COUNTY  
IN THE PROVINCE OF ALBERTA**

TO SET LOCATIONS FOR THE PURPOSE OF RECEIVING NOMINATIONS.

**WHEREAS** Section 28(1) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, states that:

28(1) Subject to subsection (1.2), nominations shall be submitted at the local jurisdiction office at any time during the nomination period;

(1.1) An elected authority may, by a bylaw passed prior to December 31, of the year before a year in which a general election is to be held, provide that a returning officer may establish one or more locations, in addition to the local jurisdiction office, where a deputy may receive nominations.

(1.2) If an elected authority passes a bylaw referred to in subsection (1.1) nominations shall be submitted to the local jurisdiction office or any location established by the returning officer at any time during the nomination period.

**THEREFORE** the Council of Foothills County hereby enacts as follows:

1. The returning officer may establish one or more locations, in addition to the local jurisdiction office, where a deputy may receive nominations;
2. This Bylaw shall have effect on the date of its third reading.

First Reading:

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

Second Reading:

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

Third Reading:

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta, the \_\_\_\_ day of \_\_\_\_\_, 2024.

**BYLAW XX/2024**

**BEING A BYLAW OF FOOTHILLS COUNTY IN THE PROVINCE OF ALBERTA**

TO PROVIDE FOR THE DISCONTINUATION OF THE ELECTION OF A DECEASED CANDIDATE IN THE EVENT OF THE DEATH OF SAID CANDIDATE PRIOR TO OPENING OF THE VOTING POLLS

**WHEREAS** Section 33 of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, authorizes Council to discontinue an election in which a candidate dies following nomination day and prior to the opening of the polls on election day;

**NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:**

1. If, prior to the opening of the voting stations on election day a candidate for an elected authority dies after being nominated,
  - a. The election for the position for which the deceased candidate was nominated shall be discontinued, and
  - b. Foothills County shall, as soon as practicable, provide for the holding of a new election for that office.
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

SECOND READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

THIRD READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this        day of                    , 20    .

**BYLAW NO. XX/2024**

**A BYLAW OF FOOTHILLS COUNTY  
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF FOOTHILLS COUNTY IN THE PROVINCE OF ALBERTA, TO ALLOW FOR MORE THAN ONE VOTING STATION

**WHEREAS** Section 37(1) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, allows the returning officer to designate the location of one voting station only for each voting division and the location maybe outside the area;

**WHEREAS** Section 37(2) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, indicates that when a voting station designated by the returning officer is not available, the returning officer shall designate another place in the vicinity and shall, by notice posted at the original voting station, direct the electors to the other voting station; and

**WHEREAS** Section 37(3) of the Local Authorities Election Act, being Chapter L-21, Revised Statutes of Alberta, 2000 and amendments thereto, the elected authority may pass a bylaw by June 30 of a year in which a general election is to be held allowing the returning officer of the elected authority to designate more than one voting station for each subdivision and the location of those voting stations for that election.

**THEREFORE** the Council of Foothills County hereby enacts as follows:

1. The returning officer may designate one or more voting stations for each voting subdivision and determine the location for each voting station for the municipal election;
2. This Bylaw shall have effect on the date of its third reading.

First Reading:

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

Second Reading:

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

Third Reading:

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this        day of        , 20   .