



Town of Bowden
Box 338, 2101 20th Ave
Bowden, Alberta, T0M 0K0

Town of Bowden – Province of Alberta MUNICIPAL ELECTION BYLAW 10 / 2024

A bylaw of the Town of Bowden, in the Province of Alberta, pursuant to the provisions of the Municipal Government Act, being Chapter M-26 of the revised statutes of Alberta,

Whereas section 237 of the Municipal Government Act, RSA2000, Chapter M-26 provides that a vote of electors must be conducted in accordance with the Local Authorities Election Act,

And whereas under the authority of and subject to the provisions of the Local Authorities Elections Act, RSA2000, Chapter L-21 which provides that Council may establish, by bylaw, procedures for the conduct and administration of Municipal Elections and by-Elections,

And whereas there are provisions within the Local Authorities Elections Act, that are within the discretion of elected authorities to do so by bylaw or resolution,

Now therefore, the Municipal Council of the Town of Bowden hereby enacts as follows,

1 SHORT TITLE

This Bylaw may be known as, and cited as, the "Municipal Election Bylaw".

2 PURPOSE

The purpose of this Bylaw is to enact regulation and establish procedures specific to the administration of General Elections and By-Elections within the Municipality but principally for the procedures of the 2025 General Municipal Election.

3 DEFINITIONS

Except as otherwise provided herein, words in this bylaw shall have the meanings as prescribed in the Local Authorities Elections Act.

Within this bylaw the following definitions apply:

Act

Means the Local Authorities Elections Act, RSA 2000, Chapter L-21.

Ballot Box

Means a container, in a form approved by the Returning Officer intended to contain the ballot cards.

Ballot Card / Ballot

Means the printed document presented to electors containing the names and office of the candidates be voted on, and spaces provided to mark their vote.

Candidate

Means a person who has been nominated to run for election as either Mayor or Councillor.

CAO (Chief Administrative Officer)

Is the person appointed by Council into the position of Chief Administrative Officer for the Town of Bowden in accordance with the MGA and is the administrative head of the Municipality (and includes any person given designated responsibilities by the CAO).

Council

Means the duly elected Municipal Council of the Town of Bowden.

Deputy Returning Officer

Means a substitute returning officer appointed by the appointed Returning Officer to assist in conducting duties necessary for an election as directed by the Returning Officer.

Election

Means the General Municipal Election scheduled for October 25, 2025.

Elector

Has the same meaning as provided for in the Local Authorities Elections Act which means a person eligible to vote in an election.

Electors Register

Means the permanent Electors Register of residents in the municipality who are eligible to vote that is compiled using information received from Elections Alberta and from other sources.

Election Sign

Any sign (inscribed board, bill, placard, poster, banner, flag or device) used to promote a candidate or party during an election or by-election.

Municipality

Means the Town of Bowden.

Person

Means any of the following:

- i. an individual,
- ii. a resident,
- iii. an election candidate (or their agents, campaign workers or volunteers)

Returning Officer

Means the person appointed under this bylaw to carry out all duties necessary for the conduct of an election.

Scrutineer

Has the same meaning as provided for in the Local Authorities Elections Act which means a person recognized as a scrutineer pursuant to the provisions within section 69 and 70 of the Local Authorities Elections Act

Town

Means the municipal corporation of the Town of Bowden, its administrative staff, and designated officers.

Words (interpretation)

- i. "may" is to be interpreted as permissive (allowed but not obligatory, optional).
 - ii. "must" is to be interpreted as imperative (obligatory, mandatory, required, unavoidable).
 - iii. "shall" is to be interpreted as "must".
 - iv. "should" is to be interpreted as a recommended (desirable, not required to conform).
 - v. "Including but not limited to" means when listing a number of items, does not limit the bylaw term to only those words or those items listed.
-

4 Office

The number of vacancies, within the jurisdiction of the Municipality for the office of:

- i. Councillor is six (6)
- ii. Chief Elected Official (Mayor) is one (1)

to be elected by a vote of the electors.

5 Election Officials

5.1

The Returning Officer for the Town of Bowden is appointed by Council resolution for the purpose of conducting election duties as provided in the Act and any other applicable enactment.

5.2

If a Returning Officer is not appointed by Council resolution, then the Chief Administrative Officer is appointed as the Returning Officer.

5.3

The Returning Officer has the responsibility for performing the duties as specified in:

- i. Section 14 of the Act,
- ii. any other applicable Provincial Act or Regulation,
- iii. this bylaw and any other applicable enactment.

5.4

The Returning Officer is empowered by the Act to:

- i. do all things necessary for the conduct of an election,
- ii. delegate any powers of office,
- iii. impose any conditions or restrictions on any delegation powers,
- iv. administer an oath to a person making an oath that is authorized or required by the Act,
- v. appoint a Deputy Returning Officer(s), and other Election officials as necessary to ensure the efficient conduct of the election.

5.5

The Returning Officer must take the official oath of office, in the prescribed form as required by the Act, before performing the duties of that office.

5.6

The Returning Officer is responsible for ensuring that every Deputy, Enumerator, Scrutineer and all other appointed election officers before the commencement of any duties sign an official statement or oath of office, in the prescribed form as required by the Act,

6 Nominations

6.1

The Returning Officer (or Deputy) will accept candidate nomination forms for the office of Mayor and Councillor.

Nominations will be accepted in person (only) at the Town administration office located at 2101 – 20th Avenue, Bowden.

Incomplete or altered nomination forms will not be accepted by the Returning Officer (or Deputy).

6.2

Nominations for the general election open January 1, 2025, and close at noon on Nomination Day, September 22, 2025.

Nomination forms will not be accepted after noon on September 22, 2025.

6.3

Candidates must meet the eligibility requirements outlined in the Act, including:

- a) being at least 18 years of age,
- b) being a Canadian citizen,
- c) having been a resident of the Town for at least six consecutive months immediately preceding Nomination Day,
- d) not otherwise ineligible or disqualified.

6.4

Nominations will not be accepted from:

- a) an employee of the Town,
- b) any person who is in default to the Town for more than \$50 in taxes in arrears,
- c) any person who is in debt to the Town for \$500 or more and in default for more than 90 days,
- d) any person who has been convicted of an offence in the last 10 years under the Local Authorities Election Act, the Election Act, the Election Finances and Contributions Disclosure Act or the Canada Elections Act (federal),
- e) any person who has been convicted of an offense that is punishable by imprisonment for five or more years,
- f) any person who has been convicted of an offense under:
 - i. Section 123 (municipal corruption)
 - ii. Section 124 (trafficking in public office),
 - iii. Section 125 (Influencing or negotiating appointments or dealing in offices),of the Criminal Code of Canada.

6.5

A candidate cannot submit a nomination to run for both the office of Councillor and Mayor.

6.6

Candidate nomination forms must be completed in accordance with the requirements set out on the nomination form, or the Act or the Local Authorities Election Forms Regulation.

6.7

It is the sole responsibility of Candidates to ensure that nominations comply with the requirements of this bylaw and the Act.

6.8

Candidates may withdraw their nomination in writing to the Returning Officer until 12:00 p.m. noon on September 23, 2025.

6.9

Each candidate must provide a deposit of \$100.00 in the form of cash or cheque or debit card payment payable to the Town of Bowden.

Deposits will be returned to candidates subject to the provisions of section 30 of the Local Authorities Election Act.

6.10 Register of Candidates

6.10.1

In accordance with section 147.221(1) of the Act the Town will maintain a register of candidates.

Members of the public may view the register of electors and the nomination documents under the supervision of the Returning Officer (or Deputy).

6.10.2

After submitting a notice of intent to be nominated, candidates' names will appear on a register of candidates on the Town of Bowden website.

7 Campaign Finance & Disclosure

7.1

No Candidate shall accept contributions in excess of the limits established under Part 5.1 of the Act.

Campaign expenses and non-monetary contributions are defined in Part 5.1 section 147 of the Act.

7.2

All Candidates must maintain complete financial records of contributions received and expenditures made during their campaign.

7.3

Candidates must not accept or spend an anonymous or unauthorized contribution after submitting an intent to run for office.

7.4 Notice requirement re contributions and expenses

No person acting for a candidate shall accept a contribution or incur a campaign expense unless that person has filed a notice with the Returning Officer (or Deputy) in accordance with section 147.22(1) of the Act.

The notice must be submitted in writing and include the following:

- a) the full name, address and contact information of the person,
- b) address of the place or places where records are maintained and where communications may be sent,
- c) names and addresses of the financial institutions where campaign contributions will be deposited, and,
- d) names of the individuals with signing authority for each campaign account above.

7.5

Candidates must submit their financial disclosure statement to the Returning Officer by March 1, 2026, detailing all campaign contributions and expenses.

8 Third Party Advertising

8.1

Third-Party Advertisers must register with the Returning Officer before engaging in Election related advertising in accordance with Part 8 of the Act.

8.2

The Returning Officer will maintain a register of third parties who engage in election advertising.

8.3

Third-Party Advertisers must satisfy all of the requirements of the Act.

9 Permanent Electors Register

9.1

The Town of Bowden shall maintain a permanent Electors Register (list) to facilitate the identification and verification of eligible Electors, in accordance with the provisions of the Act.

9.2

The Chief Administrative Officer is authorized to enter into an information sharing agreement with the Chief Electoral Officer of Alberta (Elections Alberta) for the purpose of compiling and revising the permanent Electors Register and the Provincial Register of Electors as required under the Act.

9.3

Eligible Electors may verify their inclusion and details on the Electors Register in advance of Election Day.

9.4

Corrections to address errors or omissions can be requested in person from the Returning Officer (or Deputy Returning Officer) at the Town Administration Office during normal office hours.

9.5

All Elector information collected for the Electors Register will be stored securely and handled in compliance with Alberta's Freedom of Information and Protection of Privacy Act (FOIP) to protect individuals' privacy.

Access to the Electors Register shall be limited to authorized personnel within the Town of Bowden, with the information only used for Election purposes.

10 Proof of Voter Eligibility and Identification

10.1

The Returning Officer (or Deputy Returning Officer) is responsible for ensuring that elector eligibility and identification is carried out in accordance with the provisions of the Act and this bylaw.

10.2

The permanent Electors Register will be used to facilitate the identification and verification of eligible Electors in accordance with the provisions of section 53 of the Act.

10.3

In accordance with the provisions of the Act all electors will be required to:

- i. ensure that they are named on the permanent electors register, and
- ii. show identification as prescribed by the Act prior to being given a ballot card, or
- iii. satisfy the provisions of section 53(1)(b) of the Act.

Acceptable identification is a document issued by a Canadian Government, whether federal, provincial, or local, or an agency of that government, that contains a photograph of the elector and his or her name and current civic address, and where required a date of birth.

10.4

If the form of identification in 10.3 does not identify the electors civic address additional identification, will be required that establishes the electors name and current civic address.

Acceptable forms of identification include:

- i. a bank / credit card statement,
- ii. correspondence issued by a school, college or university,
- iii. an Income Tax or Property Tax Assessment Notice,
- iv. an Insurance Policy Cover document (car or household),
- v. a letter from a public curator, public guardian, or public trustee,
- vi. a Pension Plan statement of benefits, contributions, or participation,
- vii. a residential lease or mortgage statement,
- viii. a statement of government benefits, eg: employment insurance, old-age security social assistance, disability support or child tax benefit,
- ix. a utility bill, (telephone, gas, electric or water),
- x. vehicle ownership or insurance certificates.

Other forms of identification will be accepted as authorized by the Returning Officer.

Any form of identification must not have expired or be dated more than three (3) months prior to the date of the Election.

10.5

Notwithstanding 10.2 and 10.3 above, an identified elector may:

- i. vouch for one other elector's eligibility if that other person accompanies the identified elector,
- ii. vouch for more than one person if every person shares the same place of residence as the identified elector.

10.6

A candidate, official agent, campaign worker, or scrutineer cannot validate the identity of an elector other than persons who reside in the same household as the candidate, official agent, campaign worker, or scrutineer.

11 Voting Procedures

11.1

The Returning Officer (or Deputy Returning Officer) is responsible for ensuring that voting procedures are carried out in accordance with the provisions of the Act and this bylaw, including but not limited to:

- i. ballots and ballot boxes,
- ii. instructions for voters,
- iii. voting hours and rules for the closure of voting stations,
- iv. elector assistance,
- v. persons at a voting station.

11.2

Voting procedures may be modified as deemed necessary at the discretion of the Returning Officer to do all things necessary for the conduct of an election.

11.3

Electors must follow and adhere to the voting procedures as set out in the Act and this bylaw and must follow and adhere to any additional voting procedures as posted in a voting station by the Returning Officer (or Deputy Returning Officer).

11.4

If an Elector spoils their ballot accidentally, they may return the spoiled ballot to an election officer and request a new ballot. The spoiled ballot shall be immediately marked as "spoiled" and kept separate from other ballots.

12 Advanced Voting

12.1

An advance vote may be held as enacted by Council resolution in accordance with the provisions of the Act.

12.2

The date(s), time and place of Advance Voting shall be established by the Returning Officer and advertised and conducted in accordance with the provisions of the Act.

12.3

The Returning Officer will ensure a record is kept of persons voting on advanced voting days to ensure duplication of voting does not occur on Election Day.

12.4

Provision may be made for "incapacitated voting" by the Returning Officer during the dates and times of advance voting to allow for the vote of an elector who because of incapacity or mobility limitations is unable to attend an advance voting station or a voting station on election day (subject to resource availability).

At least two designated election officers must be in attendance at the residence of the elector during the time of the incapacitated voting.

Ballot Cards completed by incapacitated electors will be treated in the same manner as ballot cards completed through advanced voting.

13 Special Ballot

13.1

A special ballot may be held as enacted by Council resolution in accordance with the provisions of the Act.

13.2

The Returning Officer (or Deputy Returning Officer) will conduct a special ballot in accordance with the provisions of the Act.

14 Post Vote Procedures

14.1

The Returning Officer (or Presiding Deputy Returning Officer) is responsible for ensuring that post vote procedures are carried out in accordance with the provisions of the Act, including (but not limited to):

- i. post vote procedures and the counting of votes,
- ii. spoiled ballots,
- iii. rejected ballots,
- iv. election results,
- v. inspection of ballots post-election.

14.2

The Returning Officer (or Deputy Returning Officer) will ensure that the counting station(s) are secure from unauthorized access by persons who are not entitled to be present during the processing and tabulation of results.

14.3

The Returning Officer (or Deputy Returning Officer) will preside during the whole of the counting procedures.

14.4

The counting centre for voting will be the place nominated as the voting hall.

14.5

The count of advance votes and special votes may commence at 7:30 p.m. on Election Day.

14.6

The Returning Officer shall declare the official election results no later than noon on Friday October 24, 2025.

14.7

Any recounts requested must be made in accordance with section 98 of the Act.

The Returning Officer may order a recount of the votes at their discretion or at the request of a Candidate, as per the provisions of the Act.

15 Scrutineers

15.1

Scrutineers may observe Election procedures including the setup and opening of ballot boxes, the counting of ballots, and recounts.

15.2

Scrutineers must remain in the designated locations of the voting station or in a place designated by the Returning Officer.

15.3

Scrutineers must not interfere with the voting process, take photographs, or engage in any form of campaigning within voting stations.

15.4

Failure to comply with the provision of this bylaw or any reasonable request made by the Returning Officer may result in a warning and / or removal from the voting station.

16 Post Election Procedures

The Returning Officer (or Deputy Returning Officer) is responsible for ensuring that post-election procedures are carried out in accordance with the provisions of the Act, including (but not limited to):

- i. completion of election documentation,
 - ii. reporting of election results,
 - iii. safekeeping of election materials,
 - iv. destruction of election material, ballots, and documents.
-

17 Election Signs during Campaigning

17.1.1 General

A development permit is not required for election signs subject to all provisions contained within this bylaw being met.

17.1.2

No election sign shall be erected before Nomination Day.

17.1.3

Election signs must not be placed on a municipal building, on a municipal structure, or on municipal land including:

- i. the Municipal Administration Office building, the Firehall, the Arena, the FCSS building,
- ii. all Public Works buildings or structures,
- iii. the Town Library,
- iv. the Bowden and District Cemetery,
- v. public playgrounds,
- vi. on public sidewalks or public furniture or public notice boards,
- vii. on public land adjacent to municipally owned buildings.

17.1.4

Election signs must:

- i. not obstruct or impair vision to traffic signs, traffic movement or traffic right of way,
- ii. not obstruct any public right of way,
- iii. not display illuminated, intermittent flashing, rotating, or moving light(s),
- iv. not be floodlit,
- v. not have any moving or rotating parts,
- vi. be securely erected and not present a safety hazard to pedestrians or vehicles,
- vii. be free standing (and must not be affixed to trees, traffic signs, lampposts, flagpoles, etc).

17.1.5

With regard to Provincial highways and Provincial property, election signs:

- i. must not be placed on any roadway structure or road sign,
- ii. must not be placed on provincial highway rights-of-way,
- iii. must not contravene the requirement of any provincial act, policy or order with regard to highway legislation and enactment.

17.1.6

Any person placing an election sign on private property must obtain the prior permission of the property owner.

17.1.7

No sign shall be placed in a manner designed to impair the effectiveness of other election signs.

17.2 Removal of Signs

17.2.1

Signs may be taken down temporarily by the Town in order to complete routine maintenance or repairs (eg: grass cutting).

17.2.2

Election signs must be removed within five (5) days of the end of the election period and disposed on in an acceptable manner for the normal disposal of waste.

Removal includes:

- i. the sign panel,
- ii. any supporting structure,
- iii. any tie or wiring or stake used to install and support the sign.

17.2.3

Signs that pose an actual or perceived hazard to the public or vehicle traffic will be removed by the Town or any relevant Agency or person with due authority (eg: Alberta Transportation, Alberta Sheriffs Branch, etc).

17.2.4

Contravention of any of the requirements this bylaw may result in the immediate removal of the election sign without notice or compensation to the owner or the candidate.

18 METHODS OF NOTIFICATIONS

18.1

Notwithstanding any provision of the Act, the method of advertising by the Town for the purpose of notifications will be in accordance with section 4.1 (Public Notification Methods) of the Town of Bowden Advertising Bylaw 06 / 2024.

This states that all Town statutory notices will be advertised electronically by published notices on the Town of Bowden website.

18.2

The provision in section 18.1 applies to:

- i. section 26 of the Act (publishing a notice of Nomination Day),
- ii. section 35 of the Act (publishing a notice of Election),
- iii. section 74 of the Act (publishing a notice of Advance Voting).

18.3

As per the provisions of section 4.2 of the Town of Bowden Advertising Bylaw 06 / 2024 the Town may also elect to choose other means of advertising statutory notices.

19 PENALTIES

19.1

Any contravention of any provision of this Bylaw may be enforced by the provisions contained within the Municipal Government Act (Division 4 Enforcement of Municipal Law), the Provincial Offences Procedures Act, R.S.A. 2000 Chapter P-24, this Bylaw, or any other Provincial or Federal regulation where valid and enforceable.

19.2

Any person who contravenes any provision of this bylaw, by doing any act or thing which is prohibited, or by failing to do any act or thing that is required, is guilty of an offence in accordance with this bylaw or any other enactment.

19.3

This may lead to the issue of an unspecified penalty the amount of any which will be determined and applied at the discretion of the Returning Officer dependent upon the context, nature and severity of the offence, as determined by the Returning Officer.

20 APPLICABILITY

20.1

Nothing in this bylaw (either by inclusion or omission) exempts any person from any statutory enactment, requirement or Ministerial Order including, but not limited to, the Municipal Government Act and the Local Authority Elections Act, and Regulations thereof.

20.2

All references in this bylaw to an act, statute, regulation, or other bylaw refer to the current version of that enactment, as amended or replaced from time to time including all successor legislation.

21 SEVERABILITY

Every provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.

22 BYLAW PRECEDENCE

This bylaw supersedes and takes precedence over all previously passed bylaws that enact regulation and set procedures for the administration of elections within the Municipality.

Bylaw 02 / 2021 Municipal Election Bylaw and all amendments thereto are hereby repealed.

This bylaw will come into effect on the final day of passing and signature thereof.

Read a first time in open council this 25th day of November 2024.

Read a second time in open council this 9th day of December 2024.

and finally passed by unanimous consent of the Councillor's present.

Read a third time in open council this 9th day of December 2024.


Robb Stuart, Mayor


Arno Glover, Chief Administrative Officer