

RURAL MUNICIPALITY OF MONTROSE NO. 315

BYLAW NO. 2020-03

A BYLAW TO PROVIDE FOR CONSOLIDATING THE RULES AND REGULATIONS TO RUN A MUNICIPAL ELECTION IN THE RURAL MUNICIPALITY OF MONTROSE NO. 315

The Council of the Rural Municipality of Montrose No. 315, in the Province of Saskatchewan, enacts as follows:

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1. Section 1 Interpretations

- a) This Bylaw shall be known as the Elections Bylaw.
 - i) The Authority for this Bylaw lies with *The Local Government Election Act, 2015, 2015*, and amendments.
 - ii) This Bylaw is designed to list the common timelines, regulations and Forms in *The Local Government Election Act, 2015, 2015*, and to address matters which Council may decide by bylaw or resolution. This is not designed as a substitute for *The Local Government Election Act, 2015, 2015*.
 - iii) This Bylaw will not address votes on bylaws, referendums, resolutions or questions.
- b) DEFINITIONS
 - i) "Council" shall mean The Council of The Rural Municipality of Montrose No. 315;
 - ii) "Minister" shall mean the Minister of Government Relations in the Province of Saskatchewan;
 - iii) "Municipality" shall mean The Rural Municipality of Montrose No. 315;
 - iv) "*The Local Government Election Act, 2015*" shall mean *The Local Government Election Act, 2015, 2015* and amendments;
 - v) Definitions within *The Local Government Election Act, 2015, 2015* shall apply here;
 - vi) "Schedules" shall mean the schedules attached to this bylaw and shall form part of this bylaw;
 - vii) "Severability" in the event of a decision of court that any part of this bylaw is illegal, void, or unenforceable, that decision will affect that portion of the bylaw and not the remainder of the bylaw.

2. Section 2 Election Procedures

- a. Division Boundaries
 - i) There are 6 Division in the Rural Municipality of Montrose No. 315 as follows:
 - a. Division 1 shall be all of Township 31, Range 6 and Range 7 as well Township 32, Range 6 and Range 7.
 - b. Division 2 shall be all of Township 31 and Range 8 as well half of Township 32 and Range 8.
 - c. Division 3 shall be Township 31 and Range 9 as well half of Township 32 and Range 9.
 - d. Division 4 shall be Township 33 and Range 6 and Range 7.
 - e. Division 5 shall be half of Township 32 and Range 8 as well Township 33 and Range 8.
 - f. Division 6 shall be half of Township 32 and Range 9 as well Township 33 and Range 9.
- b. Election Dates
 - i) General Election dates are set in Section 10 of *The Local Government Election Act, 2015*.
 - ii) In the event a by-election is required, Council shall pass a resolution as per Section 11 to Section 15 of *The Local Government Election Act, 2015*.
- c. Nomination Day
 - i) Nomination dates are set in Section 73 of the Elections Act.
 - ii) Nominations shall be accepted until 4:00 p.m. as per section 74 of *The Local Government Election Act, 2015*.
 - iii) Candidates have 24 hours after the close of Nomination Day to withdraw their nomination forms as per section 76 of *The Local Government Election Act, 2015*.

- d. Advanced Poll
 - i) According to Section 83(5), advanced polls must take place between 3 days and 15 days prior to Election Day.
 - ii) The Advance Poll house shall be set pursuant to section 83(4).
- e. Election Day
 - i) The Poll on Election Day shall open from 9:00 a.m. until 7:00 p.m.
- f. Polling Stations
 - i) The Polling Places for all elections within the Municipality shall be:
 - a. The Returning Officer shall set the Polling Places for all elections providing they are located in the following communities:
 - 1)Division 1: Donavon, Saskatchewan
Pike Lake, Saskatchewan
 - 2)Division 2: Donavon, Saskatchewan
 - 3)Division 3: Donavon, Saskatchewan
 - 4)Division 4: Donavon, Saskatchewan
Pike Lake, Saskatchewan
 - 5)Division 5: Donavon, Saskatchewan
 - 6)Division 6: Donavon, Saskatchewan
 - 7)Reeve: Donavon, Saskatchewan
Pike Lake, Saskatchewan
 - b. All Advanced Polls, unless otherwise specified by the Returning Officer, shall be at the Municipal Office located at 311- 1st Avenue North, Hamlet of Donavon, Saskatchewan.
 - c. If there are multiple Polling Places open, notice of poll will identify location of polling place for each division.
- g. Ballots and Ballot Boxes
 - i) The Ballots:
 - a. Shall be in the prescribed Form N.
 - b. In the event of multiple positions being elected on the same day, each position's ballot shall be in a different color.
 - c. Names on the Ballots shall be "LAST NAME, FIRST NAME" in alphabetical order of the last name.
 - d. Section 90 of *The Local Government Election Act, 2015* allows for voting machines by bylaw. The Municipality shall not use voting machines for election purposes.
 - ii) Ballot Boxes:
 - a. The same ballot box may be used for both Advanced Polls and Regular Poll.
 - b. A separate ballot box will be used for each poll in the event of multiple positions being elected on the same day.
- h. Mail-in-Ballots
 - i) As per section 92 of *The Local Government Election Act, 2015*, a council, by bylaw, or a board, by resolution, may establish a mail-in ballot voting system for the purpose of receiving ballots in an election. The Municipality will not be accepting Mail-in-Ballots.
- i. Election Officials
 - ii) Prior to starting their position, every Election Official shall sign Form E.
 - a. Returning Officer
 - 1) The Returning Officer shall be the Administrator of the Municipality unless a resolution is passed by Council at least 90 days prior to the call of the election.
 - 2) In the event that the Administrator, or appointed Returning Officer, cannot fulfill their duties, Council shall appoint a replacement.
 - 3) The Returning Officer shall appoint all other Election Officials by using Form D.
 - 4) The Returning Officer shall accept all completed Form I, Nomination Form and Acceptance, and shall give a receipt as Form K.

- b. Deputy Returning Officer
 - 1) As per *The Local Government Election Act, 2015*, there shall be one Deputy Returning Officer appointed at each of the Polling Places at each of the Advanced Poll(s) and Regular Poll(s).
 - 2) Duties are listed in 101(2) of The Elections Act.
 - c. Poll Clerk
 - 1) As per *The Local Government Election Act, 2015*, there shall be one Poll Clerk appointed at each of the Polling Places at each of the Advanced Poll(s) and Regular Poll(s).
 - d. Indemnities
 - 1) All election officials shall be paid at the rate set by council by resolution prior to the election.
 - 2) No Mileage will be paid.
- j. Voters
- iii) Section 36(1) of *The Local Government Election Act, 2015* provides the eligibility for voting in the Municipality. As such a person must be:
 - a. A Canadian citizen;
 - b. At least 18 years of age;
 - c. At least one of the following:
 - 1) Has resided in the municipality, or on land now in the municipality, for at least three consecutive months immediately preceding the day of the election; or
 - 2) Is the registered owner of property within the municipality, or land now situated in the municipality, for at least three consecutive months immediately preceding the day of the election;
 - 3) Is the occupant of a trailer or mobile home in the municipality, or land now situated in the municipality, that is the object of a permit required pursuant to section 306 of The Municipalities Act;
 - 4) Is the spouse of a person mentioned in subclause (ii) or (iii); or
 - 5) Is the chief executive officer of a duly incorporated co-operative, corporation or religious association that is assessed on the last revised assessment roll with respect to property in the rural municipality that is not exempt from taxation;
 - d. Each voter can only vote once for their appointed division councillor and once for reeve.
 - 1) As per Section 39 of *The Local Government Election Act, 2015*, the division which a voter votes is determined by the following order:
 - i. If a person lives in the Municipality, they shall vote in that division;
 - ii. If a person has property in only one division, they shall vote in that division;
 - iii. If a person has property in more than one division, it shall be the division with the highest total assessed value. If the person in this clause wishes to vote for another division, they shall write a letter to the Administrator prior to September 1 and may only do so once every 4 years.
 - e. To obtain a ballot, each voter shall:
 - 1) Present one piece of identification which contains a photograph of the voter or two pieces of identification without photographs so long as one has their address; or
 - 2) If a voter does not have the prescribed identification, another eligible voter who knows them can vouch for their identity by using Form B; and
 - 3) Fill out Form R.

- k. Voter List
 - i) The Municipality shall not have a voter's list, nor is there any list available for distribution.

- l. Candidates
 - iv) As per section 42 of *The Local Government Election Act, 2015*, to become a Candidate in the municipal election, a person:
 - a. Must be a voter of the Municipality;
 - b. Must not be disqualified pursuant to section 43 of *The Local Government Election Act, 2015*, or any other Act;
 - c. Must reside in Saskatchewan and;
 - d. Must have lived in Saskatchewan for at least six consecutive months immediately preceding the date on which he or she submitted the nomination paper.
 - e. Shall submit a completed Nomination Form. This form shall be given to the Returning Officer prior to closure of the nomination period.
 - v) Disclosure of Election Expenses
 - a. Section 34 of *The Local Government Election Act, 2015* allows Council to establish disclosure requirements respecting contributions and expenses and to establish election campaign limits.
 - 1) There will be no requirements for candidates to disclose contributions or expenses for a Municipal Election at this time.
 - vi) As per section 103 and section 104, during the Advanced Poll and the Election Day Poll, each candidate may have up to two people, including themselves, attending each polling place.
 - a. Prior to any agent being able to attend the poll, the Candidate shall sign Form T.
 - b. Any candidate, or candidate's agent, who attends the polling place with the intent of staying must sign the prescribed Form U.
 - c. The candidate or the agents may not talk directly to voters at the polling place during the election.

- m. Advertising
 - i) Call for Nominations
 - a. Shall be on Form H
 - b. Shall be posted in the Municipal Office;
 - c. Shall be posted in the RM Review, The Gazette, or The Outlook; and
 - d. Shall be posted on the Municipal Website and Community Billboards.
 - ii) Nomination Papers shall be posted at the Municipal Office.
 - iii) Abandonment of Poll
 - a. Shall be the Abandonment of Poll Form;
 - b. Shall be posted in the Municipal Office;
 - c. Shall be posted in the RM Review, The Gazette, or The Outlook; and
 - d. Shall be posted on the Municipal Website and Community Billboards.
 - iv) Notice of Vote
 - a. Shall be the Notice of Vote Form;
 - b. Shall be posted in the Municipal Office;
 - c. Shall be posted in the RM Review, The Gazette, or The Outlook; and
 - d. Shall be posted on the Municipal Website and Community Billboards.
 - v) Notice of Advanced Polls
 - a. Shall be the Advanced Poll Form;
 - b. Shall be posted in the Municipal Office;
 - c. Shall be posted in the RM Review, The Gazette, or The Outlook; and
 - d. Shall be posted on the Municipal Website and Community Billboards.

- n. Procedure after closure of poll
 - vii) At the closure of the poll, the Deputy Returning Officer shall certify the last person entered and the total of people voting in their poll by signing he last page.
 - viii) The ballot box shall be opened in front of the following:
 - a. The Poll Clerk;
 - b. The Candidate or one agent, if in attendance; and

- c. The Returning Officer, if in attendance.
- ix) The Deputy Returning Officer shall:
 - a. Verify and count the ballots;
 - b. Prepare Form Z.
 - 1) The original Form Z shall be placed in the Ballot Box prior to sealing.
 - 2) A Copy shall be given to the Returning Officer
 - 3) Any Candidates, or Agents wishing a copy can obtain one.
 - c. Shall place all ballots, original Form Z and all the Form R, along with other necessary Forms into the ballot box and seal it.
- x) The Returning Officer shall:
 - a. Combine form Z from all the Polling Places and add them on Form CC and declare the elected person for each position.
 - 1) In the event of a tie, Section 141 of *The Local Government Election Act, 2015* states that on the same type and size of paper, the Returning Officer write the name of each tied candidate on separate pieces and directs one person who is not the candidate nor the candidate's agent to draw one of the sheets. That person is declared elected.
 - b. Shall notify the Province of Saskatchewan and any other places as deemed necessary.
 - c. Shall Post the Results at the Municipal office, on the Municipal Website and Community Billboards until at least the First Meeting of the new Council.
 - d. Shall ensure that the election materials are kept safe until destroyed following the Elections Act and records retention.

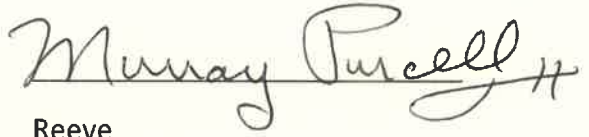
3. Section 3 Schedules

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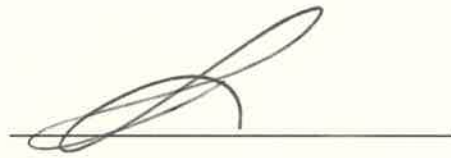
4. Section 4 Coming into Effect

This Bylaw comes into effect on August 13, 2020.

RURAL MUNICIPALITY OF MONTROSE
NO. 315



Reeve



Administrator

Read a third time and adopted

this 13 day of August, 2020.



Administrator