



STAFF REPORT

Title: 2025 Municipal Election Procedures

Meeting Date: November 19, 2024

Executive Summary:

The municipal election is on October 20, 2025.

Administration is preparing amendments to Bylaw No. 682-AD-20, Election Bylaw, which will be brought for Council's consideration at an upcoming Regular Council Meeting. Administration seeks Council's feedback on specific election decisions that must be passed by bylaw.

Background:

Bylaw No. 682-AD-20, Election Bylaw was passed on November 24, 2020. The Bylaw was subsequently amended on March 9, 2021, and August 10, 2021.

In 2024, several amendments were made to the *Municipal Government Act* and the *Local Authorities Election Act*, RSA 2000, c L-21. Several of these changes necessitate updating of the City's Election Bylaw No. 682-AD-20. The changes to legislation for the 2025 municipal election can be summarized as follows:

Changes to the Local Authorities Election Act election rules and processes intended to:

- align candidate eligibility criteria with councillor disqualification criteria in the *Municipal Government Act*
- allow municipalities to require criminal record checks for local candidates
- limit the amount of money third-party advertisers could accept in contributions to \$5,000 (previously \$30,000)
- require third party advertisers interested in plebiscites to register and report finances
- enable regulation-making authority to define local political parties
- [see Local Parties and Campaign Expense Limits – Fact Sheet](#)
- require municipalities to use the most current provincial register of electors from Elections Alberta
- expand the use of special ballots while strengthening special ballot processes
- limit vouching to the ability to vouch for someone's address
- repeal the ability for a candidate or returning officer to object to an elector
- enable regulation-making authority to postpone elections in emergencies
- prohibit automated voting equipment, such as electronic tabulators
- require recounts if requested by a candidate when the margin is within 0.5% of total votes
- allow union and corporate donations to local candidates
- allow donations outside the local election year
- introduce campaign expense limits for municipal candidates and third-party advertisers across Alberta and similar limits for local political parties in Edmonton and Calgary



- [see Local Parties and Campaign Expense Limits – Fact sheet](#)
- update rules for scrutineers

Changes to the Municipal Government Act (municipal councils and councilor accountability) intended to:

- require a councillor's seat to become vacant upon disqualification
- require mandatory orientation training for councillors
- allow Cabinet to remove a councillor by ordering a vote of electors to determine whether the councillor should be removed. An elector vote to remove a councillor is limited to councillors who Cabinet consider to be unwilling, unable, or refusing to do the job for which they were elected, or if Cabinet considers such a vote to be in the public interest by taking into consideration illegal or unethical behaviour by a councillor
- allow elected officials to recuse themselves for real or perceived conflicts of interest and clarify that this choice is not subject to third-party review
- make the Minister of Municipal Affairs responsible for validating municipal recall petitions
- enable the provincial Cabinet to require a municipality to amend or repeal a bylaw given one of the following specific requirements are met. Intervention may occur if a bylaw:
 - exceeds the scope of the *Municipal Government Act* or otherwise exceeds the authority granted to a municipality under the act or any other statute
 - conflicts with the *Municipal Government Act* or any other statute
 - is contrary to provincial policy
 - contravenes the Constitution of Canada
- give the provincial Cabinet authority to direct a municipality to take specific action to protect public health and/or safety

Two of the legislative changes most significantly impact the City of Cold Lake's election procedures:

- **NEW FOR 2025 - Mandatory Permanent Electors Register:** Municipalities must prepare a permanent electors register of residents in the municipality that are entitled to vote in elections (this modifies the process for voter verification section 53(1)(a) LAEA. The City has never created a permanent electors register for past elections. Work is underway to prepare the required information in coordination with Elections Alberta.
- **NEW FOR 2025 - NO Use of Voting Machines:** Municipalities are prohibited from using "alternative voting equipment" that provide for the taking of votes of electors by voting machines The City's Bylaw will be updated to remove reference to electronic voting machines.

These changes will require significant Bylaw revisions which will be brought forward in the near future. In addition to incorporation of amendments to legislation, there are several other sections of the Bylaw that the Committee may wish to consider.

Administration seeks Council's feedback on the following items that may be passed by bylaw:

Decisions that need to be passed by bylaw prior to December 31, 2024:



- **Nomination Signatures:** To require more than 5 signatures (but not more than 100 signatures) on a candidate's nomination paper (section 27(2) of LAEA). Section 4.8 of Bylaw 682-AD-20 provides that a minimum of 10 signatures of eligible electors (and residents of the City of Cold Lake) must be submitted with the nomination paper.

Would Council like to see the number of signatures on a nomination paper changed from 10 signatures?

- **Location for Nomination Papers:** To provide that a returning officer may establish one or more locations, in addition to the local jurisdiction office, where a deputy may receive nominations (section 28(1.1) of the LAEA). Section 4.7 of City Bylaw No. 682-AD-20 as amended establishes that the Returning Officer may set locations in addition to the local jurisdiction office where nominations may be received.]

Administration recommends no change be made.

- **Campaign Expense Limits:** Section 147.34 of the LAEA states that no candidate may incur campaign expenses that exceed the amounts determined by regulation. To set a campaign expense limit that is less than the regulations, a bylaw must be passed prior to December 31st (section 147.91(2) of the LAEA). Regulation 171/2024 sets the campaign expense limits for the election year as \$20,000. Additional information may be brought forward as the impact of the new legislative changes are further reviewed.

Administration recommends no reduced limit be stated in bylaw.

- **Deposit:** Require that every nomination be accompanied with a deposit not exceeding \$1,000 (section 29 of the LAEA). Section 4.8 of City Bylaw No. 682-AD-20 requires a \$200 deposit. *[Must be passed before December 31, 2024]*

Would Council like to see the nomination deposit changed from \$200?

- **NEW FOR 2025 Criminal Record Check:** Municipalities may require a person seeking nomination as a candidate to provide a criminal record check. To establish this requirement, a bylaw must be passed prior to December 31st (section 21.1 of the LAEA).

Would Council like to require criminal records checks for candidates?

Additional decisions that must be passed by bylaw at the discretion of Council:

- **Death of a Candidate:** If prior to the opening of the voting stations on election day a candidate for an elected authority dies after being nominated, the election for the position for which the deceased candidate was nominated shall be discontinued, and the elected authority shall as soon as practicable provide for the holding of a new election for that office (section 33 of the



LAEA). If a bylaw in this regard is not passed, the returning officer shall cause a notice of the death to be posted at a conspicuous location in all the relevant voting stations. *[Must be passed before September 20, 2025]*

Administration recommends no change be made.

- **Voting Station Locations:** Allowing for the Returning Officer to designate more than one voting station for each subdivision and the location of those voting stations for that election (section 37(3) of the LAEA). If a bylaw is not passed, the Returning Officer shall designate the location of one voting station only for each voting subdivision and the location may be outside the area. City Bylaw No. 483-AD-13 currently allows the Returning Officer to divide the City into voting subdivisions (section 7.1) however, no voting subdivisions have been established. *[Must be passed prior to June 30, 2024]*

Administration recommends Council authorize the Returning Officer to designate more than one voting station per voting subdivision.

- **Printing Ballots in Lots:** Authorizing the printing of ballots in lots (with the first lot printed in alphabetical order, the second lot printed in alphabetical order expect the first name in the first lot is placed last, etc.) (section 43(3) of the LAEA). City Bylaw No. 682-AD-20 does not permit the printing of ballots in lots (section 4.16). All ballots are printed in alphabetical order. *[Must be passed by August 20, 2024]*

Administration recommends no change be made.

- **Voting Station Hours:** Provides that a voting station may be open before 10:00AM on election day (section 46(2) of the LAEA). If a bylaw is not passed, voting stations must be open from 10:00AM to 8:00PM on election day. *[Must be passed before June 30, 2024]*

Administration recommends no change be made.

- **Voter Identification:** To provide for the types of identification that are required to be produced by a person to verify their name and address for voting (section 53.01 of the LAEA). This provision is intended to provide for additional identification requirements. Additional information may be brought forward as the impact of the Permanent Elector's Register is further researched. *[Must be passed by April 18, 2024]*

Administration recommends no change be made.

- **Blind Voter Template:** Permits the passing of a blind voter template. The City has never received this request (section 78(4.1) of the LAEA). Although, a bylaw could be passed to provide for a blind voter template. With the prohibited use of electronic voting machines, alternative options



for the blind voter template would need to be investigated as the solution utilized in the 2021 election would not be permitted. *[Must be passed by June 30, 2024, if an elector requests a blind voter template].*

Administration recommends that no Blind Voter Template be utilized. No requests were made for use of a Blind Voter Template in 2021 election.

- **Counting Centers:** Permitting the Returning Officer to count the special ballot box, advance ballot box, and institutional vote box no earlier than 7:30PM on election day (section 85.1 of the LAEA). *[Must be passed before June 30, 2024]*

Administration recommends no change be made.

- **CHANGES for 2025 Special Ballots Expanded:** An elector whose name is contained in the permanent electors register and who is unable to vote at an advance vote, or at the voting station on election day, may apply to vote by special ballot. Previously, special ballots could only be provided for those with a physical disability, absence from the local jurisdiction, or for those who were involved in the election (returning officer, scrutineer etc.). City Bylaw No. 682-AD-20 permits Special Ballots that meet the requirements of the LAEA. Additional bylaw amendments may be recommended at a later date to ensure compliance with the new special ballot provisions.

Administration recommends no change be made.

In addition to the items listed above, several amendments will be incorporated into the Bylaw for Council's consideration at an upcoming Regular Council Meeting.

This report is provided for discussion purposes.

Alternatives:

This report is provided for discussion purposes.

Recommended Action:

This report is provided for discussion purposes.

Budget Implications (Yes or No):

No

Submitted by:

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