



2023

Municipal By-Election

Information Guide For Prospective Candidates

Alberta Beach
4935 – 50 Avenue
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<http://www.albertabeach.com/elections.html>



Alberta Beach Municipal Administration Office: 4935 – 50 Avenue

Dear Potential Candidates,

Thank you for your interest in running for Alberta Beach Village Council. Council members have an important responsibility to effectively represent their constituents and an important privilege to provide direction for the community's future.

This guide is designed to give prospective candidates an understanding of the process and legislative requirements for running for municipal office in Alberta Beach.

By reading this information package, we hope that you will be able to make a more informed decision on whether to run for office. If you decide to run, we wish you the best of luck in your campaign.

I trust that you will find this information package helpful. If you have any questions, please contact Cathy McCartney, Returning Officer, at aboffice@albertabeach.com or call 780-924-3181.

Sincerely,

Cathy McCartney
Returning Officer

Welcome!

The nomination period begins July 19, 2023.

Nomination Day is Monday, August 28, 2023, ending at 12:00 noon

Election day is Monday, September 25, 2023

Please note that every candidate should review and reference Alberta Beach Bylaws and Policies, the *Municipal Government Act (MGA)*, and the *Local Authorities Election Act (LAEA)*.

Bylaw #260-18 – Council Code of Conduct – Alberta Beach

Bylaw #290-22 Council Procedural Bylaw – Alberta Beach

Local Authorities Election Act (LAEA).

The *Local Authorities Election Act* Revised Statutes of Alberta Chapter L-21 is the primary legislation that guides the conduct of a municipal or school board election or by-election. The LAEA is current as of December 15, 2022.

Municipal Government Act:

The *Municipal Government Act (MGA)* Revised Statutes of Alberta 2000 Chapter M-26 is the primary legislation that governs municipalities. The MGA is current as of April 1, 2023.



*****Important***** *this is a general information guide only and has no legislative sanction. For certainty, the local authority's election act and other relevant statutes and regulations should be consulted. Note: this guide is subject to change.*

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Before You File Your Nomination Paper

This section provides a brief overview of what to take into consideration before running for municipal office.

Qualification of Candidates

To become a candidate, you must be

- Eligible to vote in this election;
- Has been a resident of Alberta Beach for the six (6) consecutive months immediately preceding Nomination Day (August 28, 2023, until 12:00 noon).
- is not otherwise ineligible or disqualified.

Ineligibility for Nomination?

You are not eligible to become a candidate under any of the following circumstances:

- if you are the auditor of the municipality;
- an employee of Alberta Beach, unless the employee takes a leave of absence as prescribed in the LAEA;
- if your current property taxes are more than \$50 in arrears;
- if you are in default for any debt to Alberta Beach, in excess of \$500 for more than 90 days; or
- if within the previous ten (10) years you have been convicted of an offense under the ***Local Authorities Election Act (LAEA)*** or the ***Canada Elections Act***.

Other Considerations

Time Commitment

As an elected official, the demands on your time can be extensive and during that time, you will be required to attend:

- regular and special meetings of council;
- council committee meetings;
- meetings of other boards and agencies to which you are appointed as a council representative;
- conferences, conventions, seminars, and workshops for training and discussion; and
- other events promoting your municipality.

Alberta Beach Committee Appointment Listing:

Alberta Beach Ag Society Agliplex Operations Committee
Alberta Beach Ag Society Beachwave Park Operations Committee
Alberta Beach Campground Advisory Committee
Alberta Beach Inter-Municipal Development Plan Steering Committee
Alberta Beach Library Board
Alberta Beach Museum & Archives
Alberta Beach Public Works Advisory Committee
Beachwave Park Stakeholders Committee
Community Futures Yellowhead East
Community Policing Advisory Committee (CPAC)
Emergency Management Advisory Committee
FCSS TriVillage Committee

HWY 43 East Waste Commission
Intermunicipal Collaboration Framework (ICF) Committee
Lac Ste Anne East End Bus
Lac Ste Anne Foundation
LILSA (Lake Isle & Lac Ste. Anne Water Quality Mgmt Society)
Land Use Bylaw Review Committee
Municipal Planning Commission (all of council)
Onoway Regional Fire Services Executive Steering Committee
Partners in Progress
Regional Trail Master Plan Committee
SARLUC (Ste. Anne Recreational Lake Use) Committee
SARM (Ste. Anne Regional Municipalities) Committee
Stony Plain Crime Prevention Association (no appointment)
Sturgeon River Watershed Alliance
T.V.R.S.S.C. (Tri-Village Sewage)
Water Distribution Feasibility Study Steering Committee
WILD Water Commission
Yellowhead Regional Library

Time must also be spent reading agenda material, and talking with residents, the Chief Administrative Officer (CAO), and other relevant stakeholders. This will all be part of the necessary preparation for meetings so that you can make informed decisions.

Remuneration

Elected officials generally receive remuneration or other financial compensation for the time and energy they have devoted to their community.

Councillors receive a meeting remuneration fee for attending an approved committee meeting, training course, or meeting on behalf of Council where a meeting fee is not already being paid. Regular Council meetings, Special Council meetings, Round Table meetings, and conventions are excluded.

Monthly Remuneration is as follows:

Mayor: \$ 879.46

Deputy Mayor: \$ 799.50

Councillor: \$ 772.86

In addition, Council members also receive a per diem rate for attending an approved committee meeting or meeting on behalf of Council where a meeting fee is not already being paid.

The following rates are as follows:

Half-Day Meetings \$75.00 (up to 4 hours)

Full-Day Meetings \$125.00 (over 4 hours)

Chairperson Fee \$ 25.00

Mileage \$.58 per km (per Government Rates)

Roles and Responsibilities of an Elected Official

As a council member, you will have the opportunity to significantly influence your community's future. Decisions of council may only be made by resolution or bylaw and must be made at public meetings, at which a quorum is present.

As an individual member of council, you will not have the power to commit the municipality to any expenditure or to direct the activities of the municipal employees. Any promise you make as a part of your election campaign that involves municipal expenditures or the activities of the employees can only be carried out if you can convince a majority of council that it is a good idea.

In accordance with the ***Municipal Government Act***, a municipal council may pass legislation in the form of municipal bylaws. These bylaws remain in effect until they are amended or repealed. You will not be starting with a blank slate and creating your ideal municipality from scratch. You will have to become familiar with what exists, how it has been created – by bylaw, resolution, or policy – and why it exists before you will be able to start discussing your changes.

Administration of a Municipality

As a member of council, it will be your duty to establish policy for your municipality. It is the job of the administration to implement the policy direction. Alberta municipalities have competent and dedicated administrators. The Chief Administrative Officer (CAO) is the only employee of Council. You will rely on your CAO's support, advice, and assistance if you are to be an effective member of council.

How Else Can You Prepare?

The best way to find out what the job is all about is to spend some time reading council agendas and minutes and talking to current council members.

- Familiarize yourself with local bylaws and municipal legislation;
- Read council agendas and minutes;
- Sit in the gallery at council meetings; and
- Talk to the CAO to find out what other information is available.

Researching now will help you in your campaign and prepare you for assuming office.

The Nomination Process

Form of Nomination

Your nomination must be filed using the prescribed form (Form 4 – Nomination Paper and Candidate's Acceptance Appendix "A"). To seek advice on filling out the form accurately, the CAO, or the Returning Officer, will be able to help you.

- Your nomination paper must be signed by **at least five (5) voters** eligible to vote in the election.
- The signatures collected must be of people who are a resident of Alberta Beach on the date of signing the nomination, and include the voter's name, address (street address or legal description of residence), and signature.

In addition to the signatures, the nomination paper must also be complete with the written acceptance signed in the prescribed form by the person nominated.

If you do not have the required number of signatures on your nomination form, your form will not be accepted by the Returning Officer.

Candidates Written Acceptance

The Candidate's written acceptance includes:

- The person is eligible to be elected to the office;
- The name, address, and telephone number of the person's official agent (if applicable); and
- That the person will accept the office if elected.

The acceptance is an affidavit that must be sworn or affirmed before a Commissioner for Oaths or the Returning Officer.

Please ensure that the Candidate's Acceptance section is completed. How your name appears on the nomination form will be how it appears on the ballot.

Filing the Nomination Form

A "Notice of Nomination Day" will be advertised once a week for two weeks before Nomination Day. Every person who wishes to be a candidate must file his or her nomination papers in person to the Returning Officer during the Nomination Period beginning on **Wednesday, July 19, 2023**, and ending on Nomination Day on **Monday, August 28, 2023, at the Alberta Beach Village Office (4935 – 50 Avenue), Alberta Beach, AB. Nomination Day closes at 12:00 noon.** The Returning Officer **CANNOT** accept nominations after 12:00 noon on Nomination Day.

Nomination forms must be hand-delivered. It is always a good idea to deliver your nomination form to the Returning Officer in person; however, anyone may file your nomination paper on your behalf. If you are unable to file your nomination paper yourself, ensure that the nomination paper is completed fully before Nomination Day.

As the candidate, you are responsible for ensuring that the nomination form is fully completed and meets the requirements for filing under section 27 of the **Local Authorities Election Act**.

Nomination Papers may **NOT** be submitted by fax or electronic mail.

It is not the Returning Officer's responsibility to rule on the validity of the information contained in the nomination paper.

Withdrawing Nominations

At any time throughout the nomination period, a candidate may withdraw at any time. Candidates may also withdraw their nomination form within 24 hours from the close of nominations, provided the number of candidates nominated exceeds the number of positions for the office you are seeking.

If candidates choose to withdraw, they must provide written notice, in person, to the Returning Officer.

Insufficient Nominations

If by noon on Nomination Day, the number of nominations filed is less than the number of vacancies in Alberta Beach, the Returning Officer will be available to receive nominations the next day (and for a period of up to 6 days, if required) including nomination day but not including Saturday, Sunday and holidays from 10:00 AM to 12:00 noon.

Nominations Equal Number of Vacancies

If by noon on Nomination Day, the number of candidates nominated equals the number of vacancies in Alberta Beach, nominations will be closed, and the Returning Officer will declare the candidates elected by acclamation (no election will be held).

Nominations Exceed Number of Vacancies

If more than the required nominations are received by noon on Nomination Day, nominations will be closed, and the election will be held according to the process.

Candidate's Scrutineer

If, at any time during voting hours, a person who is at least 18 years old presents to the presiding deputy a written notice, in a form acceptable to the returning officer, signed by a candidate, and stating that the person presenting the notice is to represent that candidate as the candidate's scrutineer at the voting station, the person presenting the notice shall be recognized by the presiding deputy as the scrutineer of the candidate.

Campaigning

Once you have filed your nomination form and your candidate's acceptance, there are several things to remember as you campaign for Election Day.

Canvassing on Election Day

Candidates, official agents, or campaign volunteers cannot canvass or solicit votes in or immediately adjacent to a voting station on Election Day. In addition, campaign materials (posters, pins, signage, etc.) cannot be displayed or distributed inside or on the outside of a building used as a voting station.

Political campaign signs are listed under the Alberta Beach Land Use Bylaw 252-17

Section 3.2

- s) campaign signs for federal, provincial, municipal, or school board elections on private property for no more than thirty (30) days or such other time as regulated under provincial or federal legislation provided that:
 - i) such signs are removed within fourteen (14) days after the election date; and
 - ii) the consent of the property owner or occupant is obtained; and
 - iii) that such signs do not obstruct or impair vision or traffic; and
 - iv) such signs are not attached to trees or utility poles; and
 - v) such signs indicate the name and address of the sponsor and the person responsible for removal.

Campaign signage cannot be posted on village property.

Election Day



You have filed your nomination papers, you've campaigned, and now you've reached Election Day! It is important to understand the process for Election Day and seek clarification on any questions you may have.

How long are voting stations open on Election Day?

Voting stations in Alberta Beach, are open between the hours of 10:00 am and 8:00 pm on Election Day.

Who is eligible to vote?

A person is eligible to vote in a municipal election if the person:

- Is at least 18 years of age;
- Is a Canadian Citizen;
- Resides in Alberta, and the person's place of residence is located in Alberta Beach on Election Day.

Can people observe Election Day?

Candidates, or official agents, or a candidate's scrutineer, may observe the processes at the voting station(s) on Election Day. The Returning Officer in your municipality will have details on how to appoint official agents and scrutineers. As well, the Returning Officer will explain the role and responsibilities of a candidate, official agent, or scrutineer observing the election process.

Maintaining the Secrecy of the vote

All ballots, forms, ballot boxes, and voting machines (if applicable) are in the custody and control of the Returning Officer. Forms and statements made by the electors cannot be viewed by any person observing the election due to privacy reasons. All voter compartments are equipped with voting screens and instructions for electors to ensure secrecy.

At the close of the voting station and the conclusion of the count, the ballot boxes are sealed and retained in a protected area for six (6) weeks following Election Day.

Are results made official on Election Night?

After the count, the Returning Officer will post as soon as possible the unofficial results. The official results are not posted or announced until 12:00 noon on the fourth day following Election Day.

Election Campaign Expenses

Candidates are responsible for reading and understanding Part 5.1 of the *Local Authorities Election Act* (LAEA) as it pertains to Municipal Election Finance and Contribution Disclosure.

Candidate Registration

No candidate may accept campaign contributions, including the funds of the candidate until the nomination period commences and the candidate has filed nomination papers. For more information, you are encouraged to read section 147.2 of the LAEA or to speak with the Returning Officer in your municipality. The municipality will have the required forms that you will need to complete.

Contributions and Expenses

Campaign expense limits

No candidate and no chief financial officer of a candidate shall incur campaign expenses that exceed, in the aggregate, the amounts determined by the regulations.

Candidate Self-funded Contributions

A candidate can contribute up to \$10,000 of their own funds.

Contributions to Candidates

After a person files nomination papers in the campaign period, the person officially becomes a candidate and may accept contributions of up to \$5,000 from any person who is ordinarily a resident in Alberta. Candidates cannot accept contributions from any prohibited organization, including a corporation or unincorporated organization. Candidates, or those acting on their behalf, should not directly or indirectly solicit contributions if the candidate knows or ought to know that the potential contributor.

A candidate must open a bank account in the name of the candidate or in the name of the campaign as soon as possible after the amount of contributions from any person(s) exceeds \$1,000 in the aggregate, including any money paid by the candidate out of their own funds. Money in that account must then only be used for the payment of campaign expenses.

Contributions of real property, personal property, goods, and services have to be valued. Throughout the duration of the campaign, receipts must be issued for every contribution received, and be obtained for every expense. Receipts will assist candidates in creating itemized expense reports and can be used as proof of contributions.

Campaign contributions do not include services provided by a volunteer who voluntarily performs the services and receives no compensation, directly or indirectly, in relation to the services or the time spent providing the services.

All campaign records of contributions and expenses must be kept for a minimum of three (3) years following the date the disclosure statements were required to be filed. That date is within 60 days following the by-election.

Anonymous & Ineligible Contributions

If a candidate receives an anonymous contribution, the candidate must return the contribution to the contributor immediately (if the identity of the contributor can be established) or donate the total contribution to a registered charity or the local municipality.

Campaign Disclosure Statements

The campaign disclosure statement is due within 120 days following the by-election and contains information about the contributions received, any additional sources of funding, campaign expenditures, campaign deficits, or campaign surpluses. The disclosure will include the name and address of those contributors whose donations exceeded \$50 in the aggregate, and the total amount of all contributions received that did not exceed \$50 in the aggregate. a candidate shall file with the secretary of the candidate's local jurisdiction a disclosure statement in the prescribed form.

Campaign Surplus

A candidate who incurs a surplus during an election is required to fill out a disclosure statement showing the surplus. If the amount is \$1,000 or more the amount is to be donated to a registered charity. If the amount is less than \$1,000 the candidate may retain the amount or donate all or any portion of the amount to a registered charity.

Conclusion

Congratulations on taking the step to become a candidate in the Alberta Beach municipal by-election!

In addition to this handbook, you are encouraged to review the *Local Authorities Election Act* Revised Statutes of Alberta Chapter L-21 current as of December 15, 2022, as this is the primary legislation that guides the conduct of a municipal or school board election or by-election and the *Municipal Government Act* (MGA) Revised Statutes of Alberta 2000 Chapter M-26 current as of April 1, 2023. as this is the primary legislation that governs municipalities.

Appendix “A”

Forms (attached)

Form 4 - Nomination Paper and Candidate’s Acceptance

Form 5 – Candidate Financial Information

Form 11 – Enumerator, Candidate or Official Agent Proof of Identification for Section 52 Access

Form 16 – Statement of Scrutineer or Official Agent

Form 26 – Campaign Disclosure Statement and Financial Statement

Council Code of Conduct Bylaw #260-18

Council Procedural Bylaw #280-20