

# TOWN OF REDCLIFF



## **2021 Municipal Election Information Guide for Prospective Candidates For the Offices of Mayor and Councillor**

**This is an information package only and has no legislative sanction. For certainty, the Local Authorities Election Act and other relevant statutes and regulations should be consulted.**

For updates/revisions to this package please refer to [www.redcliff.ca/municipal-election](http://www.redcliff.ca/municipal-election)

Document dated: May 4, 2021



# 2021 Municipal Election Candidate Information Package

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## ADDITIONAL INFORMATION ATTACHED

- [A Candidates Guide: Running for Municipal Office](#)
- [Roles and Responsibilities of Municipal Officials](#)
- [Pecuniary Interest for Municipal Councillors](#)
- [What Every Councillor Needs to Know: A Council Member Handbook](#)
- [Policy 25, Remuneration & Benefits for Elected Officials](#)
- [List of Committees, Boards & Commissions that Council members are commonly appointed to](#)
- [Policy 121, Council Orientation Policy](#)
- [Bylaw 1858/2018, Council Code of Conduct Bylaw](#)
- [Bylaw 1918/2021, Town of Redcliff Procedural Bylaw](#)

## FORMS

- [Form 4 - Nomination Paper and Candidates Acceptance](#)
- [Form 5 - Candidate Financial Information](#)
- [Release of Candidate Information](#)



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### INTRODUCTION

This is a general information package only and has no legislative sanction. It is intended to answer frequently asked questions about elections and information that candidates for Mayor and Councillor should be aware of. For certainty, the Local Authorities Election Act and other relevant statutes and regulations should be consulted, or legal advice should be sought.

The Local Authorities Election Act, the Municipal Government Act, and other statutes can be viewed, downloaded, or ordered in paper form from Alberta Queen's Printer: <http://www.qp.alberta.ca/>.

Many resources are available for candidates and newly elected officials and may be accessed from the Alberta Municipal Elections website at <https://www.alberta.ca/municipal-elections.aspx>. Some of these documents have been attached for your information.

### Election Inquiries

If you require additional information or clarification with regard to the election or its process please contact Ruth Schaffer, Returning Officer at 403-548-3618 or Shanon Simon, Deputy Returning Officer at 403-548-9247. Inquiries can also be emailed to [election2021@redcliff.ca](mailto:election2021@redcliff.ca).

### Inquiries about the Municipality or the Position of Mayor or Councillor

If you have any questions about the municipality or questions about being in the position of Mayor or Councillor you may contact Phyllis Forsyth, Municipal Manager at 403-548-3618 or [phyllis.forsyth@redcliff.ca](mailto:phyllis.forsyth@redcliff.ca).

If you are interested in running in the election you are encouraged to attend Council meetings and review agenda packages/minutes. Speaking with a current member of Council may also be valuable.



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### IMPORTANT DATES

Nomination Day (last day to submit papers): September 20, 2021  
10:00 a.m. to Noon  
Council Chambers (#1 – 3<sup>rd</sup> Street NE)

Advance Vote: Location, date and time TBD

Election Day: October 18, 2021  
10:00 a.m. to 8:00 p.m.  
Location TBD

#### For successful Municipal Candidates:

Town of Redcliff Orientation: An orientation session for successful municipal candidates will be scheduled with the Municipal Manager.

Date, time and location to be determined.

Swearing-in Ceremony and Organizational meeting: Monday, October 25, 2021 @ 6:30 p.m.

Regular Council meetings begin: Monday, October 25, 2021 @ 7:00 p.m.  
*(Note: Council meetings are held the second and fourth Mondays of each month with the exception of July and August and December. July and August meetings are on the third Monday and in December it is the second Monday.)*



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### BEFORE YOU FILE

#### Are you qualified?

To become a candidate, you must be at least 18 years old on nomination day, a Canadian Citizen and you must have been a resident of the municipality for the six consecutive months preceding nomination day.

#### Are you eligible to be nominated?

You may be nominated as a candidate under the Local Authorities Election Act if, on Nomination Day:

- You are at least 18 years old.
- Are a Canadian citizen.
- Have been a resident of the local jurisdiction for the 6 consecutive months immediately preceding nomination day.
- Are not otherwise ineligible or disqualified.

You are **not** eligible to be nominated as a candidate in any election under the Local Authorities Election Act if, on Nomination Day, you:

- Are the auditor of the Town of Redcliff.
- Are an employee of the Town of Redcliff, unless you are on a leave of absence.
- Are indebted to the Town of Redcliff for taxes in default exceeding \$50 excluding
  - Any indebtedness for current taxes, and
  - Any indebtedness for arrears of taxes for which you have entered into a consolidation agreement with the Town
- Are indebted to the Town of Redcliff in excess of \$500 for any debt and are in default for more than 90 days.
- Have within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada)

#### Reason for disqualification (Sec 174 Municipal Government Act)

- 174 (1) A councillor is disqualified from council if
- (a) when the councillor was nominated, the councillor was not eligible for nomination as a candidate under the Local Authorities Election Act;
  - (b) the councillor ceases to be eligible for nomination as a candidate under the Local Authorities Election Act;
  - (b.1) the councillor
    - (i) fails to file a disclosure statement as required under section 147.4 of the Local Authorities Election Act before the end of the time period referred to in section 147.7 of the Local Authorities Election Act, and
    - (ii) has not been relieved from the obligation to file a disclosure statement by a court order under section 147.8 of the Local Authorities Election Act;
  - (c) the councillor becomes a judge of a court or a member of the Senate or House of Commons of Canada or of the Legislative Assembly of Alberta;
  - (d) the councillor is absent from all regular council meetings held during any period of 8 consecutive weeks, starting with the date that the first meeting is missed, unless subsection (2) applies;



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- (e) the councillor is convicted
    - (i) of an offence punishable by imprisonment for 5 or more years, or
    - (ii) of an offence under section 123, 124 or 125 of the Criminal Code (Canada);
  - (f) the councillor does not vote on a matter at a council meeting at which the councillor is present, unless the councillor is required or is permitted to abstain from voting under this or any other enactment;
  - (g) the councillor contravenes section 172;
  - (h) the councillor has a pecuniary interest in an agreement that is not binding on the municipality under section 173;
  - (i) the councillor uses information obtained through being on council to gain a pecuniary benefit in respect of any matter;
  - (j) the councillor becomes an employee of the municipality;
  - (k) the councillor is liable to the municipality under section 249.
- (2) A councillor is not disqualified by being absent from regular council meetings under subsection (1)(d) if
- (a) the absence is authorized by a resolution of council passed at any time
    - (i) before the end of the last regular meeting of the council in the 8-week period, or
    - (ii) if there is no other regular meeting of the council during the 8-week period, before the end of the next regular meeting of the council, or
  - (b) the absence is in accordance with a bylaw under section 144.1.
- (3) For the purposes of this section, a councillor is not considered to be absent from a council meeting if the councillor is absent on council business at the direction of council.
- (4) A councillor who is disqualified under this section is eligible to be elected at the next general election in the municipality if the person is eligible for nomination under the Local Authorities Election Act.

### **Do you have the time?**

You will be elected for a four (4) year term of office. 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 council representative
- Conferences, conventions, seminars, and workshops for training and discussion
- Social and other events promoting your municipality

You will also need to spend time reading material and talking with residents, business owners, the Chief Administrative Officer (CAO), and others. This will all be part of the necessary preparation for meetings so that you can make informed decisions.

### **Do you understand the position?**

As a member of Council you will have the opportunity to significantly influence the future of your community. Your power as a member of the Council depends on your ability to persuade other members of Council to adopt your view. All decisions must be made at meetings, held in public, at which a quorum is present.



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As an individual member of Council you will not have the power to commit your municipality to any expenditure or to direct the activities of the municipal employees. Any promise you make as part of your election campaign that involves municipality 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.

Your role regarding town employees is very limited; the Chief Administrative Officer (CAO) is the only employee of Council.

The Canadian Constitution delegates responsibility for municipal institutions to the Province. Through a variety of legislation, the Alberta Legislative Assembly has delegated some of its authority to Municipal Councils. The legislation you will use most often is the Municipal Government Act (MGA).

### **Are you familiar with local legislation?**

Local legislation is in the form of bylaws that 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. If you are running with some kind of reform in mind, you will need 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.

You may refer to the Town of Redcliff's website [www.redcliff.ca](http://www.redcliff.ca) or contact Shanon Simon, Legislation & Development Director for information on or for access to local bylaws and policies.

### **Do you know how the municipality is administered?**

As a member of Council, it will be your duty to establish policy for your municipality. It is the job of administration to implement the policy through approved procedures. You will need the support, advice, and assistance of the CAO if you are to be an effective member of Council. Their training, experience, and understanding of how and why things have developed as they have will be an important resource for you.

### **Excerpts from Municipal Government Act:**

General duties of Councillors

153 Councillors have the following duties:

- (a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
- (a.1) to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;
- (b) to participate generally in developing and evaluating the policies and programs of the municipality;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- (e.1) to adhere to the code of conduct established by the council under section 146.1(1)
- (f) to perform any other duty or function imposed on councillors by this or any other enactment or by the council.



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### General duties of chief elected official

- 154 (1) A chief elected official, in addition to performing the duties of a councillor, must
- (a) preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and
  - (b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.
- (2) The chief elected official is a member of all council committees and all bodies to which council has the right to appoint members under this Act, unless the council provides otherwise.
- (3) Despite subsection (2), the chief elected official may be a member of a board, commission, subdivision authority or development authority established under Part 17 only if the chief elected official is appointed in the chief elected official's personal name.

Additional Resources are available as noted on Page 2.





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### NOMINATION PROCESS

#### Filing your Nomination

Candidates wishing to file nomination forms are asked to book an appointment with the Deputy Returning Officer by calling 403-548-3618 or emailing [election2021@redcliff.ca](mailto:election2021@redcliff.ca).

Your nomination must be filed using the required forms (Form 4 – Nomination Paper and Candidate’s Acceptance and Form 5 – Candidate Financial Information). The Nomination Papers and Candidate’s Acceptance Form must be signed by five people “eligible” to vote in the election.

A person is eligible to vote in an election held pursuant to the Local Authorities Election Act if he/she

- 1) is at least 18 years of age on nomination day;
- 2) is a Canadian Citizen; and
- 3) has resided in Alberta for the six (6) consecutive months immediately preceding election day and is a resident in the area.

For each elector, the form must include the person’s name, address (street address or legal land description of residence of the elector), and signature.

To ensure validity of the nomination paper, a candidate may submit more than the required five electors’ signatures.

*Note 1: The nomination form states that you are required to make an affidavit saying that you are eligible for nomination, not disqualified from office, and that you will accept the office if you are elected. You must swear or affirm that affidavit before a Commissioner of Oaths or the Returning Officer.*

*Area means the area within the boundaries of a local jurisdiction.*

*Note 2: A candidate may not accept contributions OR incur campaign expenses until the candidate files a nomination paper with the municipality.*

#### **Nomination Period**

The Nomination Period is between January 1, 2021 to 12:00 p.m. noon on September 2021. Nomination papers can be filed with the Returning Officer by contacting the Returning Officer at 403-548-3618 and scheduling an appointment.

#### **Nomination Day**

Nomination Day is September 20, 2021. It is the last day for filing nomination papers for Mayor and Councillor offices. On Nomination Day, nomination paper will be accepted from 10:00 a.m. and 12:00 p.m. noon on Monday, September 20, 2021 at the Town Hall Council Chambers, #1 - 3<sup>rd</sup> St. N.E. The Returning Officer cannot accept nominations after noon on nomination day.

If you will be collecting campaign contributions or incurring a campaign expense you MUST file your nomination papers before you accept the contribution or incur the expense.



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Nomination papers may be handed in by any person.

Nomination papers will **not** be accepted if sent by mail, fax or by e-mail.

Any elector may examine nomination papers during regular business hours and in the presence of the Returning Officer or the Presiding Deputy.

A cash deposit accompanying the nomination paper is **not** required.

If more than the required number of candidates for any particular office are nominated, any person so nominated may, at any time within 24 hours after the close of the nomination period, withdraw their name as candidate for the office for which they were nominated by filing with the Returning Officer a withdrawal in writing.

If the number of nominations filed is less than the number of vacancies, the Returning Officer will be available the next day (and for up to six days) from 10:00 a.m. until noon to receive further nominations.

If, by noon on any of the days, the number of candidates nominated equals the number of vacancies, nominations will be closed and the Returning Officer will declare the candidates elected by acclamation. That means the candidates are elected without of the necessity of holding an election.

If more than sufficient nominations are received by noon on any of the days nominations will be closed and the election will be held as originally planned.

**Note:**

*If a nomination is not signed by at least five (5) (the minimum number) of electors required to sign the nomination, the Returning Officer shall not accept it for filing.*

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



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### **ELECTION INFORMATION**

#### **Advance Vote**

Location, date and time to be determined.

*Note: All electors are eligible to vote at an Advance Vote.*

#### **Election Day**

Election Day is October 18, 2021. The voting station location is still to be determined. Doors will open promptly at 10:00 a.m. and close at 8:00 p.m. Unofficial results may be made available during and following the counting. The official results are announced at noon on the fourth day after the election – Friday October 22, 2021.

*The Town of Redcliff does not have a list of electors and a bylaw relative to Section 53 was not adopted. Electors wishing to vote in the 2021 municipal election, in addition to making the statement (Voting Register), will be required to produce identification.*



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### POSTING OF ELECTION CAMPAIGN SIGNS/LITERATURE

#### **Town of Redcliff – Land Use Bylaw 1698/2011**

A development permit is not required for “A sign identifying a political campaign provided the sign is removed within seven (7) days following the election to which it relates”. However, such developments shall otherwise comply with the provision of Land Use Bylaw and must be carried out or performed in accordance with all other applicable legislations and bylaws. *[Land Use Bylaw Section 86(4)(d)]*

#### **General Sign Regulations: (Land Use Bylaw Section 86(6))**

No sign shall be constructed, placed, relocated, or altered in a manner that, in the opinion of the Development Authority:

- a) Conflicts with the general character of the surrounding streetscape or the architecture of buildings in the area.
- b) Unduly blocks natural light or the view from a building.
- c) Obstructs the view of, or may be confused with a traffic control device.
- d) Obstructs the view of, or otherwise poses a potential hazard to vehicle or pedestrian traffic.
- e) Displays lights which resemble or may be mistaken for the flashing lights usually associated with hazards or danger or with those used on police, fire, ambulance or other emergency vehicles.
- f) Displays lights that will adversely affect adjacent properties.
- g) Utilizes revolving lights or beacons, or emits amplified sounds or music.
- h) Is, in the opinion of the development authority, vulgar or would be offensive to the public.

No one shall erect or permit to be erected or remain on Town property, any temporary sign other than in accordance with this Bylaw.

No sign shall be located closer to an overhead power or service line than is permitted pursuant to the Electrical Protection Act.

No sign or any portion thereof, other than a traffic control device or sign placed by the Town, may be located within or project over the right of way of a public roadway.

The base of all private signs shall be located within the site and with the exception of an approved awning and canopy signs no part of the sign shall overhang a public road or an adjacent site.

A sign shall be maintained in good repair and without limiting the generality of the foregoing:

- a) a sign shall at all times be structurally sound.
- b) a sign shall not be allowed to peel or become torn.
- c) any portion of a sign that is metal shall not be allowed to rust.

All structural members and guy wires must be properly attached to the sign and building.

No sign shall be permitted which is attached to fences, utility poles, trees, or any object in a public street or place.



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No person shall attach an auxiliary sign to a sign.

The back of a sign, other than a fascia sign, shall be enclosed to the satisfaction of the Development Authority.

In the case of a double faced sign, the sides of the sign shall be enclosed to the satisfaction of the Development Authority.

Signs advertising businesses no longer in operation shall be removed.

No person shall place a motor vehicle or a trailer on a site where the purpose for placing the motor vehicle or trailer on the site is to display a sign.

Signs shall not be placed so as to reduce the number of parking stalls or loading spaces or to obstruct the use of the parking or loading areas, required pursuant to an approved Development Permit.

**Note: Please contact the Development Officer for further clarification or inquiries**

### **Advertising (S. 152)**

The *Local Authorities Election Act* prohibits the display or distribution of advertising material on or in voting stations on Election Day.

Section 152 of the *Local Authorities Election Act* states subject to subsection (2), a person who, at an Advance Vote or on Election Day,

(a) displays within a building used for a voting station or within the boundaries of the land on which a building used for a voting station is located, or

(b) distributes within a building used for a voting station or within the boundaries of the land on which the building used for a voting station is located,

an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper except those posted by the deputy in accordance with this Act is guilty of an offence and liable to a fine.



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### CANDIDATES' AGENTS / SCRUTINEERS

#### **Official Agent (S. 68.1)**

Each person nominated as a candidate may, on the nomination papers, appoint an elector to be the candidate's official agent.

If it becomes necessary to appoint a new official agent, the candidate shall immediately notify the Returning Officer in writing of the contact information of the new official agent.

A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act*, the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada) is not eligible to be appointed as an official agent.

No candidate shall act as an official agent for any other candidate.

The duties of an official agent are those assigned to the official agent by the candidate.

#### **Candidate's Scrutineer (S. 69)**

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,

- (a) signed by a candidate, and
- (b) 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.

A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act*, the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada) is not eligible to be recognized as a scrutineer.

Before a person is recognized as a scrutineer, the person shall make and subscribe before the presiding deputy at the voting station a statement in the prescribed form.

The presiding deputy shall not permit a candidate to have an official agent or a scrutineer present while the candidate is present in a voting station during voting hours.

A candidate may not have both an official agent and a scrutineer present at the same time in a voting station during voting hours.

A candidate or official agent personally may

- (a) undertake the duties that the candidate's scrutineer may undertake, and
- (b) attend any place that the candidate's scrutineer is authorized by this Act to attend.



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The presiding deputy may designate the place or places at a voting station where a candidate, an official agent, or a scrutineer of a candidate may observe the election procedure, and in designating the place or places, the presiding deputy shall ensure that the candidate, official agent, or scrutineer can observe any person making a statement under section 53(1)(b) or (2) or 78.

### **Municipal Election Finances and Contributions Disclosure \*Important\***

The *Local Authorities Election Act* requires financial disclosure of campaign contributions and campaign expenses. The legislation is binding on all candidates running in the election. Failure to comply could result in significant penalties payable by both candidates and contributors. Candidates are strongly encouraged to read and understand Part 5.1 of the [Local Authorities Election Act](#). Candidates are responsible for ensuring that their campaign complies with all provincial legislation.

[A Candidate's Guide: Running for Municipal Office in Alberta](#) is also a useful guide for outlining information relating to campaign contributions and campaign expenses.

*Note:* You are required to file a campaign disclosure statement with the Town of Redcliff on or before March 1, 2022.