

## BYLAW 21014 - ELECTIONS BYLAW

### Recommendation

That Bylaw 21014 be given the appropriate readings.

### Purpose

The purpose of Bylaw 21014 - Elections Bylaw is to establish procedures for the 2025 Edmonton Election within the framework of the *Local Authorities Election Act* (LAEA). Bylaw 21014:

- Repeals Bylaw 19457 - Election Bylaw
- Implements the next steps outlined in Attachment 5 of the October 22, 2024, Office of the City Clerk report OCC02694, Elections Bylaw Policy Decisions.
- Complies with the recently amended LAEA

In accordance with the LAEA, the Elections Bylaw must be passed before December 31, 2024.

### Readings

Bylaw 21014 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving to third reading, Council must unanimously agree “That Bylaw 21014 be considered for third reading.”

### Previous Council/Committee Action

At the October 22, 2024, City Council meeting, the following motion was passed:

That the next steps as outlined in Attachment 5 of the October 22, 2024, Office of the City Clerk report OCC02694, be approved.

## REPORT

Proposed Bylaw 21014 - Elections Bylaw repeals and replaces Bylaw 19457 - Election Bylaw, which is no longer compliant with the LAEA. Bylaw 21014 includes updates to the Edmonton Election Bylaw as directed in Attachment 5 mentioned above.

## **BYLAW 21014 - ELECTIONS BYLAW**

That the updated Elections Bylaw include the following:

### **Recommendation 1:**

That fax be removed as an accepted method of making a special ballot application.

### **Recommendation 2:**

An earlier application deadline for applications requesting delivery by mail of 4:30 p.m. on the Monday before Election Day;

A later application deadline for applications requesting in-person pick up of 7:00 p.m. on Election Day; and

Maintain the current return deadline of 7:00 p.m. on Election Day.

### **Recommendation 3:**

That the deposit amounts remain as \$500 for mayoral candidates and \$100 for councillor candidates.

### **Recommendation 4:**

That the nomination signature requirements remain unchanged at 100 signatures for mayoral candidates and 25 signatures for councillor candidates.

### **Recommendation 5:**

Replace the current requirement with a more enabling requirement to provide a voter template for electors with low or no vision at all in-person voting opportunities.

### **No Recommended changes to the following sections of the bylaw**

The time to commence counting at the count centre, which the Bylaw 19457 currently sets at 7:30 p.m. This is the earliest time allowed.

The delegation of the following authorities to the returning officer:

- Translated voting instructions
- Place of nominations
- Voting subdivisions
- Voting stations
- Institutional voting locations

Order of candidates on ballot - Edmonton Elections does not recommend implementing the option to rotate the order of candidates on the ballot rather than order them alphabetically, as this would introduce additional complexity for the design, printing, use and counting of ballots.

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Procedure upon the death of a candidate - Bylaw 19457 currently provides for the election to be discontinued and a new one called for a later date.

Home voting is not currently used. Significant additional resources would be required to develop and deliver this service.

Bylaw 19457 provides the City Manager with the authority to appoint the returning officer and substitute returning officer.

Election Day remains unchanged.

### Additional Information

More information on these policy decisions was presented to Council in the October 22, 2024, Office of the City Clerk report OCC02694, Elections Bylaw Policy Decisions. Bylaw 21014 implements the next steps approved by Council at the October 22, 2024, City Council meeting.

As several sections of Bylaw 19457 no longer comply with the LAEA and must be removed, Administration recommends repealing and replacing the Elections Bylaw to maintain its consistency and readability. A side-by-side comparison of Bylaw 21014 and Bylaw 19457 is provided in Attachment 3.

### Community Insight

Edmonton Elections surveyed members of the Accessibility Advisory Committee, Youth Council and Women's Advisory Voice of Edmonton Committee in fall 2024 regarding criminal record checks, candidate deposits and nomination signatures. In this survey:

- 58 per cent of respondents stated that the current nomination deposit amounts are barriers to participation.
- 33 per cent of respondents stated that the signature requirements were a barrier and 41.9 per cent were unsure.
- 77 per cent of respondents felt requiring a criminal record check would create barriers for prospective candidates. The top three barriers identified were:
  - The cost
  - Historical injustices related to poverty, overpolicing and race
  - Societal stigma associated with having a criminal record

The proposed Bylaw 21014 reflects the 2024 amendments to the LAEA and the motion passed at the October 22, 2024, City Council meeting. As a result, no additional community insight was undertaken with respect to the Elections Bylaw. The *Municipal Government Act* does not require the Elections Bylaw to be advertised.

### Attachments

1. Bylaw 21014 - Elections Bylaw (Proposed)
2. Bylaw 19457 - Election Bylaw (Current)
3. Elections Bylaw Side-by-Side Comparison

## **BYLAW 21014 - ELECTIONS BYLAW**

### **Others Reviewing the Report**

- M. Plouffe, Chief People Officer and City Solicitor