



A Candidate's Guide: Running for Municipal Office in High River Municipal Election 2017



NOTICE:

This guide is designed to give prospective candidates an understanding of the process and legislative requirements for running for municipal office in Alberta and has no legislative sanction. For certainty, please refer to the *Local Authorities Election Act* and the *Municipal Government Act*. Copies are available for purchase from Alberta Queen's Printer Bookstore.

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INTRODUCTION

The Town of High River's Council consists of a Mayor and six Councillors, elected for a four year term.

The *Local Authorities Election Act* is the primary legislation that governs the conduct of municipal elections. All definitions, procedures and processes described in this guide are from the *Local Authorities Election Act*.

In the event that you require further clarification on the legislation or this guide, please contact the Town's Returning Officer, Kara Rusk at (403) 603-3652, (403) 333-1303 or krusk@highriver.ca.

All forms, including the Notice of Intent to run, nomination forms and candidate's acceptance, and candidate disclosure statement can be found on the Town's website at: <http://www.highriver.ca/2017-municipal-election/>

CHANGES TO CANDIDATE REGISTRATION, CONTRIBUTION & EXPENSES

Candidate Registration

Beginning in 2014, candidates may not accept campaign contributions, including their own funds, unless they are registered with the municipality in which they intend to run. The Notice of Intent can be located on the Town's website or picked up at the Town Office.

If a candidate has funded their campaign exclusively from their own funds, up to \$10,000, they are not required to register with the Town.

For more information about registering as a candidate, you are encouraged to speak with the Town's Returning Officer.

Contributions and Expenses

The payment of the following expenses (related to the campaign) is not consider to be in contravention of the legislation:

- Your personal expenses;
- Cost of acquiring premises, accommodation, goods or services for proper election campaign expenses;
- Payments for the cost of printing and advertising;
- Reasonable payment to any person for the hire of transportation used by a candidate or speakers in travelling to and from public meetings or by any person in connection with and for the proper purposes of an election.

A candidate may entirely self-fund their campaign up to and including \$10,000. If a candidate self-funds their campaign, there is no need for the candidate to open a bank account specifically for campaign contributions.

Candidates may accept contributions from any person, corporation, trade union or employee organization up to \$5,000.

A candidate must open a bank account in their own name or the name of the campaign as soon as possible after the amount of contributions exceeds \$5,000 in aggregate or the amount of contributions and any of the candidate's own funds exceeds \$5,000 in aggregate.

It important to know that contributions of real property, personal property, goods and services have a value. Receipts must be issued for every contribution received and be obtained for every expense throughout the duration of the campaign.

All campaign records of contributions and expenses should be kept for a minimum of 2 years following the municipal election.

Any anonymous or ineligible contributions received must be returned to the contributor immediately (if the identity of the contributor is known) or paid to the Town.

BEFORE YOU FILE YOUR NOMINATION PAPER

Here are some things you should consider:

Qualifications

To become a candidate, you must be:

- At least 18 years of age on nomination day;
- A Canadian citizen;
- Eligible to vote in the municipal election;
- A resident of the local jurisdiction for the 6 consecutive months preceding nomination day.

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;
- If you are a municipal employee, unless you take the entitled leave of absence;
- If your property taxes are more than \$50.00 in arrears, excluding from that amount:
 - Any indebtedness for current taxes; and
 - Any indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality, unless the person is in default in the payment of any money due under the agreement;
- If you are in default, for more than 90 days, for any other debt in excess of \$500 to the municipality;
- If you have, within the previous 10 years, been convicted of an offense under the *Local Authorities Election Act*, the *Elections Act*, or the *Canada Elections Act*.

If you are a Judge, Member of Parliament, Senator or Member of the Legislative Assembly, you must resign that position before you take office as a member of Council.

Time Commitment

The demands on your time will be heavy. You will be elected for a four year term of office 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 Council's 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, the Town Manager, and others. This will all be part of the necessary preparation for meetings so that you can make informed decisions. It is also important not to forget the time you need for your personal life, work, etc.

Regular Meetings of Council are typically held on the second and fourth Monday of the month, commencing at 3:00 p.m. In July and August, there is only one Regular Meeting of Council each month and it is typically held on the third Monday.

Remuneration

Elected officials receive honoraria and remuneration for the time and energy they devote to their community.

Currently, Councillors with the Town of High River are entitled to receive the following:

\$17,753.46 (base salary) + \$8,876.78 (expenses) = \$26,630.24

Currently, the Mayor with the Town of High River is entitled to receive the following:

\$35,510.80 (base salary) + \$17,755.40 (expenses) = \$53,266.20

Reimbursement for travel and per diems are paid to Council members for travel outside of High River for Town-related functions.

For further information, please review the enclosed the Council Remuneration and Travel Policy.

Roles and Responsibilities of Elected Officials

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

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 promises you make as part of your election campaign that involves municipal expenditures or the activities of the employees, can only be carried out if you can convince the majority of Council that it is a good idea.

The Canadian constitution delegates responsibility for municipalities to the provinces. Through a variety of legislation, the Alberta Legislative Assembly has delegated some of its authority to municipal Councils. The legislation that you will use most often is the *Municipal Government Act*.

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 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.

Some examples of local documents you will often refer to are the Council Procedure Bylaw, Land Use Bylaw, the bylaws establishing the positions of the Town Manager and designated officers, and other policy documentation.

Copies of frequently requested bylaws and policies can be located on the Town of High River's website at: <http://www.highriver.ca/bylaws-and-policies/>

The Difference between Mayor and Councillor

The Mayor is an equal member of Council and does not have the authority to decide matters or speak on behalf of Council unless Council provides otherwise. The Mayor has additional responsibilities, which include but are not limited to:

- Chairing Council Meetings;
- Representing the Town as a figurehead at a greater number of events and meetings than other Council members;
- Having availability to sign documents on behalf of the Town;
- Automatically being appointed to all Town boards and committees.

Administration of a Municipality

Alberta municipalities have competent and dedicated administrators. You will need the support, advice and assistance of the Town Manager if you are to be an effective member of Council. His/her training, experience, and understanding of how and why things have developed as they have, will be an important resource for you.

The Difference between Council and Administration

Governance (Council) Determine the "What"	Management (Administration) Determines the "How"
<i>The creation of a setting in which Administration can manage effectively</i>	<i>The making of operating decisions by Administration</i>
Strategic Plan Development	Strategic Plan Execution
Develop Policies	Implement Policies (Development of Procedures)
Approve Bylaws	Enforce Bylaws
Approve Budget <ul style="list-style-type: none">Total revenue & expendituresDepartment/division budgets	Manage Budget <ul style="list-style-type: none">General ledger accountsFinancial reporting
Set Direction	Provide Information and Recommendations
Key Relationships <ul style="list-style-type: none">Premiers, MP's, MLA's, Cabinet Ministers, Reeves, other municipal Mayors and Councillors	Key Relationships <ul style="list-style-type: none">Deputy Ministers, Provincial and Federal Administration, other municipal Town Managers/CAOs, Administrators

Other Preparation Considerations

The best way to find out what the job is all about is to spend some time reading Council agendas and minutes, sit in on some Council meetings, and talk to the Town Manager and current members of Council. This will help you in your campaign and will assist you in assuming office. If you do not do that kind of research now, you will have to do it after you are elected, and you probably have more time now than you will if you are elected.

Ask the Town Manager and current Council members how much time may be required for committee work and for Council appointments to other boards and agencies, over and above the time required for Regular Council meetings. Once you are elected you have a duty to represent your community.

If you are elected, your term will officially begin at the organizational meeting on October 23, 2017 and will end at the organizational meeting in 2021. A term of office may be ended early by resignation or disqualification from office.

FILING YOUR NOMINATION

Form of Nomination

Your nomination must be filed using the prescribed form which is enclosed or can be located on Municipal Affairs website at: http://www.municipalaffairs.gov.ab.ca/am_laea_election_forms.

Your form must be signed by at least fifteen people eligible to vote in the election and are residents in the local jurisdiction on the date of signing the nomination paper. Your form will be refused by the Returning Officer if it has not been signed by the required number of eligible electors.

For each nominator, the form must include that person's name, address (street address or legal description of residence) and signature.

The completed form is to be filed with the Returning Officer between 9:00 a.m. and noon on nomination day at the Town of High River Main Office. Nomination day for the 2017 municipal election is September 18, 2017.

You may want to file the form in person; however, anyone can file it on your behalf as long as it is fully completed. You are responsible for ensuring that the nomination form filed meets the requirements under Section 27 of the *Local Authorities Election Act*.

The Returning Officer can provide you with advice regarding filling out the form.

Candidates Written Acceptance

The candidate's written acceptance includes:

- That the person is eligible to be elected to the office;
- The name, address and telephone number of the person's official agent (if applicable);
- 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 note that under the Criminal Code (Canada), it is an offence to make a false Affidavit.

Withdrawing Nominations

Within 24 hours of the close of nominations, you may withdraw your nomination form, provided that more than the required number of candidates have been nominated for the office you were seeking. The Returning Officer cannot accept your withdrawal if it would result in less than the required number of candidates.

If you wish to withdraw, you must provide a written notice to the Returning Officer.

Insufficient Nominations

If the number of nominations filed is less than the number of vacancies in any particular office, 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 in any particular office, nominations will be closed and the Returning Officer will declare the candidates elected by acclamation. That means the candidates are elected without the necessity of actually holding the election.

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

Late Filing of Nominations

The Returning Officer cannot accept nominations after noon on nomination day. Be sure that your nomination paper is filed on time.

CAMPAIGNING

How do I campaign?

You will want your campaign style to match your municipality, your personality and your resources. The purpose of campaigning is to convince the electors that you are the best candidate for the position. You may want to do that by talking to people, preparing brochures or posters, utilizing social media pages or hosting a meet and greet event.

Please ensure that all signage meets the criteria as set out in the Election Signage Policy and Procedure. Copies of the Policy and Procedure are enclosed for your reference.

Is there anything I cannot do during a campaign?

As a candidate, you cannot give or promise to give money or any other valuable consideration (such as an office or job) to anyone in return for their voting or refraining from voting at an election. In addition, an elector or resident of the Town cannot accept money or any other valuable consideration in returning for voting or not voting during an election.

As a candidate, you cannot use, or threaten to use, violence, injury, damage or intimidation to compel a person to vote or refrain from voting at an election. You cannot obstruct the voting process or obstruct a person from accessing a voting station to vote during an election.

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.

ELECTION DAY

Voting Hours

Voting stations are open between the hours of 9:00 a.m. and 8:00 p.m. on Election Day.

Eligible Voters

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

- Is at least 18 years of age;
- Is a Canadian citizen;
- Has resided in Alberta for the 6 consecutive months preceding Election Day;
- The person's place of residence is located in the area on Election Day.

Observation of Election Day

Candidates, or official agents, or a candidate's scrutineer, may observe the process at voting stations on Election Day.

An official agent or scrutineer must be at least 18 years of age. All official agents or scrutineers are required to sign a Statement of Scrutineer or Official Agent which is enclosed with this package or can be located at: http://municipalaffairs.alberta.ca/am_laea_election_forms.

Voters List

The Town of High River does not currently have a voters list.

Maintaining the Secrecy of the Vote

The Returning Officer is available to explain the election process to you. All ballot boxes are kept under the control of the Returning Officer. Forms and statements made by electors cannot be viewed by any person observing the election due to privacy concerns. All voter compartments are equipped with voting screens and instructions for electors to ensure secrecy.

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

Election Results

At the conclusion of the count, the Returning Officer may make unofficial results available. The official results are not posted or announced until noon on the fourth day following Election Day.

RECOUNT

Asking for a Recount

The Returning Officer may call for a recount of the votes cast at one or more of the voting stations if:

- A candidate or official agent or scrutineer shows grounds that the Returning Officer considers reasonable for alleging that the record of the result of the count at any voting station is inaccurate;
- The Returning Officer considers the number of valid ballots objected to or rejected ballots other than those on which no vote was cast, is sufficient to affect the result of the election; or
- The Returning Officer is of the opinion that there may have been an administrative or technical error that may have caused an error in the count of votes.

When a Recount Can Happen

An application for a recount may be made within 44 hours immediately following the close of voting stations on Election Day. No applications for recount will be accepted by the Returning Officer after the prescribed 44 hours has passed.

Notification of a Recount

If the Returning Officer calls for a recount they must, within 12 hours of the recount, notify any candidates who may be affected and those election officers that the Returning Officer deems it necessary to conduct a recount.

CAMPAIGN DISCLOSURE STATEMENTS

Campaign disclosure statements (Form 21) must be filed with the Returning Officer on or before March 1, 2018.

The campaign disclosure statement 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 \$100 in the aggregate, and the total amount of all contributions received that did not exceed \$100 in the aggregate.

A candidate who incurs a deficit during an election and does not run in the next general election must clear that deficit and file an amended disclosure statement with the municipality showing the deficit has been eliminated.

A candidate who incurs a surplus during an election is required to provide all surplus funds to the Town to be held in-trust until the next general election nomination day.

If the candidate does not run in the next general election, the candidate must direct the Town to pay all surplus funds to the charity of the candidate's choice. If the Town does not receive direction from the candidate, the surplus funds become the property of the Town.

The campaign disclosure statement is filed in a prescribed form that includes information about campaign contributions received, other sources of funding, campaign expenditures, and the campaign surplus or deficit. The campaign disclosure statement is enclosed or can be located on the Town's website.

CONCLUSION

Congratulations on taking the step to become a candidate in the Town of High River's municipal election!

In addition to this handbook, you are encouraged to review the *Local Authorities Election Act* in detail. If you have any questions about anything in the handbook or the Act, please speak with the Town's Returning Officer.

Good luck and enjoy the Alberta municipal election process!

APPENDIX "A"

MUNICIPAL GOVERNMENT ACT

Section 3: Municipal Purposes

The purposes of a municipality are:

- a) to provide good government,
- b) to provide services, facilities or other things that, in opinion of Council, are necessary or desirable for all or a part of the municipality, and
- c) to develop and maintain safe and viable communities.

Section 153: General Duties of Councillors

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;
- 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 Town Manager or a person designated by the Town Manager;
- e) to keep in confidence all matters discussed in private at a Council or Council committee meeting until discussed at a meeting held in public;
- f) to perform any other duty or function imposed by Councillors by this or any other enactment or by the Council.

Section 154: General Duties of Chief Elected Official [Mayor]

A Mayor, 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 Mayor by this or any other enactment or bylaw.

The Mayor is a member of all Council committees and all bodies to which Council has a right to appoint members under the Act, unless Council provides otherwise.

Section 201: Council's Principal Role in Municipal Organization

- 1) A Council is responsible for:
 - a) developing and evaluating the policies and programs of the municipality;
 - b) making sure that the powers, duties and functions of the municipality are appropriately carried out;
 - c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.
- 2) A Council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the Town Manager or a designated officer.