

# Municipal Election 2010

Local government elections are held every three years under the authority of the Local Authorities Election Act. An election will be held this year in October.

The Town of Eckville has a 7 member Council and the elected offices are:

Mayor (1)

Councillor (6)

Nomination Requirements:

A candidate requires at least five (5) eligible electors to sign their Nomination Paper. A person who signs the Candidate's Nomination Papers must be a resident in the local jurisdiction on the date of signing the nomination papers, a Canadian Citizen and at least 18 years of age.

Nomination Papers:

Nomination papers for Mayor and Councillors will only be accepted between the hours of 10:00 am and 12:00 noon at the Eckville Town Office, 5023 - 51 Avenue on September 20, 2010.

## **Local Authorities Election Act Candidates Information**

### **Section 21 -Qualification of candidates**

(1) A person may be nominated as a candidate in any election under this Act if on nomination day the person (a) is eligible to vote in that election,

(b) has been a resident of the local jurisdiction and the ward, if any, for the 6 consecutive months immediately

preceding nomination day, and

(c) is not otherwise ineligible or disqualified.

(2) Notwithstanding subsection (1), in the case of a city, a candidate for councillor is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the city.

(3) Notwithstanding subsection (1), a candidate for trustee of a board of a school district that is wholly or partly within the boundaries of a city is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the school district.

(4) If the boundaries of a local jurisdiction are altered by the addition of land, a person who has been a resident of the added land for at least the 6 months immediately preceding nomination day is deemed, for the purposes of this Act, to have been a resident, during that time, of the local jurisdiction to which the land was added.

### **Section 22 - Ineligibility**

(1) A person is not eligible to be nominated as a candidate in any election under this Act if on

nomination day (a) the person is the auditor of the local jurisdiction for which the election is to be held;

(b) the person is an employee of the local jurisdiction for which the election is to be held unless the person is on a leave of absence granted under this section;

(c) the person is indebted to the municipality of which the person is an elector for taxes in default exceeding \$50, excluding from that amount;

(i) any indebtedness for current taxes, and

(ii) 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;

(d) the person is indebted to the local jurisdiction for which the election is to be held for any debt exceeding \$500 and in default for more than 90 days;

(d. 1) the person has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act* or the *Canada Elections Act* (Canada).

(e),(f) repealed 2006 c22 s13.

(1.1) A person is not eligible to be nominated as a candidate for election as a trustee of a school board if on nomination day the person is employed by

(a) a school district or division,

(b) a charter school, or

(c) a private school, in Alberta unless the person is on a leave of absence granted under this section. (2) Repealed 2006 c22 s13.

(3) Subsection (1)(b) to (d) do not apply to a candidate for election as a trustee of a school board. (4) Subsection (1) does not apply to a person by reason only

(a) that the person is a shareholder in a corporation having a contract or dealings with the local jurisdiction or elected authority for which the election is being held,

(i) unless the person holds or there is held by the person and the person's spouse or adult interdependent partner, parents, children, brothers and sisters more than 25% of the issued capital stock of the corporation, or

(ii) unless the contract or dealings are for the building or construction of a public work of the local jurisdiction; (b) that the person has a contract with the local jurisdiction for the supplying to the person, the person's spouse or adult interdependent partner or child of a service, utility or commodity that the local jurisdiction has statutory authority to supply;

(c) that the person holds an interest in a publication

(i) in which official advertisements of the local jurisdiction appear, or (ii) that is supplied to the local jurisdiction at the usual rates;

(d) that the person sells or leases to the local jurisdiction land or interest in land that the local jurisdiction has authority to expropriate;

(e) that the person supplies goods, merchandise or services to the local jurisdiction or to persons contracting with the local jurisdiction if they are supplied at competitive prices and in the ordinary

course of the person's business or profession;

(f) that the person renders

(i) services to indigents who are residents of the local jurisdiction and for which the local jurisdiction is or may become liable to pay, or

(ii) services for which the local jurisdiction has provided a subsidy;

(g) that the person is appointed to a position under the *Emergency Management Act*;

(h) that the person has rendered professional services as a lawyer to the local jurisdiction, if the fees for the services have been taxed under the *Alberta Rules of Court*;

(i) that the person has received a gratuity or allowance for services on a committee or board appointed by or responsible to the local jurisdiction;

(j) that the person is a member of an association under the *Rural Utilities Act* or is a member of a cooperative under the *Cooperatives Act*;

(k) that the person is a vendor, purchaser, assignor or assignee of land bought or sold under the *Agriculture Financial Services Act*;

(1) that the person is a party to a contract for the purchase or lease of real or personal property from the local jurisdiction entered into before nomination day;

(m) that the person is a volunteer chief, officer or member of a fire, ambulance or emergency measures organization established by a local jurisdiction or that the person is a volunteer for another purpose who performs duties under the direction of the local jurisdiction.

(5) An employee of a municipality who wishes to be nominated as a candidate in an election to be held for that municipality may apply to the council for a leave of absence without pay on or after July 1 in the year of a general election or on or after the day the council passes a resolution to hold a by-election but before the employee's last working day prior to nomination day.

(5.1) An employee referred to in subsection (1.1) who wishes to be nominated as a candidate for election as a trustee of a school board may apply to his or her employer for a leave of absence without pay on or after July 1 in the year of an election but before the employee's last working day prior to nomination day.

(6) Notwithstanding any bylaw, resolution or agreement of a municipality, the council shall grant every application it receives under this section.

(6.1) A school district or division, a charter school or a private school shall grant every application it receives under subsection (5.1).

(7) An employee who has been granted a leave of absence is subject to the same conditions that apply to taking a leave of absence without pay for any other purpose.

(8) If an employee who has been granted a leave of absence is not elected, the employee may return to work, in the position the employee had before the leave commenced, on the 5th day after election day or, if the 5th day is not a working day, on the first working day after the 5th day.

(9) If an employee who has been granted a leave of absence is declared elected, the employee is deemed to have resigned that position as an employee the day the employee takes the official oath of office as an elected official. (10) If an employee who has been granted a leave of absence is declared elected but, after a recount under Part 4, is declared not to be elected, the employee may return to work on the first working day after the declaration is made, and subsections (7) and (8) apply.

(11) Subject to subsection (12), an employee who has been granted a leave of absence and is declared elected continues to be deemed to have resigned that position as an employee if the employee subsequently forfeits the elected office or if the employee's election is adjudged invalid.

(12) If, through no act or omission of the employee, an employee forfeits the elected office or the employee's election is adjudged invalid, the employee may return to work on the first working day after the office is forfeited or the election is adjudged invalid, and subsections (7) and (8) apply.

### **Section 23 Ineligibility for nomination**

(1) A person is not eligible to be nominated for more than one office of the same elected authority.

(2) A member who holds office on an elected authority is not eligible to be nominated for or elected to the same or any other office on the elected authority

(a) unless the member's term of office is expiring, or

(b) if the member's term of office is not expiring, unless the member has resigned that office effective 18 days or more before nomination day.

### **Section 47 Eligibility to vote**

**(1)** A person is eligible to vote in an election held pursuant to this Act if the person (a) is at least 18 years old,

(b) is a Canadian citizen, and

(c) has resided in Alberta for the 6 consecutive months immediately preceding election day and the person's place of residence is located in the area on election day.

**(2)** Subject to subsection (3) and sections 75, 77.1, 79, 81 and 83, an elector is eligible to vote only at the voting station for the voting subdivision in which the elector's place of residence is located on election day.

**(3)** If a local authority establishes a voting station at a work site, the local authority may direct that those workers who are electors who wish to vote and who are required to work at the site during the hours for which the voting station is open shall vote at that voting station, notwithstanding that those workers do not reside in the voting subdivision in which that voting station is located.

**(4)** In the case of the performance of any function or the exercise of any right under this Act, a person shall be a resident on the day on which that function is performed or that right is exercised in the area, ward or voting subdivision in respect of which that function is performed or that right is exercised and shall have been a resident of Alberta for the 6 consecutive months immediately preceding the day on which that function is performed or that right is exercised, unless otherwise required by this Act.

### **Section 151 Offence**

A candidate for elective office who signs a candidate's acceptance form that contains a false statement is guilty of an offence and liable to a fine of not more than \$1000.

Additional information concerning elections and prospective candidate seminars can be accessed at the Alberta Municipal Affairs Website at [www.municipalaffairs.alberta.ca/](http://www.municipalaffairs.alberta.ca/).