

**TOWN OF WEMBLEY
BYLAW 734**

A Bylaw of the Town of Wembley to set out a Procedure for the Administration of Elections in the Town of Wembley.

WHEREAS the Local Authorities Elections Act, RSA 2000, Chapter L-21 hereinafter referred to as the “Act” provides for the conduct of elections by local authorities; and

WHEREAS the Act permits the local authority to pass bylaws for the conduct of such elections;

NOW THEREFORE the Municipal Council of the Town of Wembley duly assembled, hereby enacts as follows:

1. DEFINITIONS

“**Election**” means a municipal general election, first election, by-election and a vote on a bylaw or question;

“**Election Day**” means the day fixed for voting at an Election pursuant to the Act.

“**Local Jurisdiction**” means the Town of Wembley;

“**Nomination Day**” means the day referred to Section 25(1) of the Act;

“**Returning Officer**” means a person appointed under the Act as a returning officer for the purpose of conducting elections under the Act;

2. Nomination Day

2.1 Nomination Day is four (4) weeks before Election Day.

2.2 A person may file a nomination to become a candidate:

- a) for a general Election, within the period beginning on January 1 in a year which a general Election is to be held and ending at 12 noon on Nomination day; and
- b) for a by-election, within the period beginning on the day after the resolution or bylaw is passed to set Election Day for the by-election and ending at 12 noon on Nomination Day

2.3 Any person so nominated, may at any time within 24 hours after the close of the nomination period, withdraw in writing to the Returning Officer, as a candidate for the office for which they were nominated.

2.4 Within 48 hours of the close of nominations on Nomination Day, the Returning Officer shall post or cause to be posted at the Local Jurisdiction office the names of all candidates that have been nominated and the offices for which they were nominated.

3. Form of Nomination

3.1 A person shall file a nomination to become a candidate for a general election within the period prescribed by the Act.

3.2 For the office of Mayor and Councillor, each nomination paper must be signed by a minimum of five (5) electors eligible to vote in that Election and resident in the Local Jurisdiction on the date of signing the nomination.

3.3 The Returning Officer shall not accept a nomination for filing if the nomination is not:

- a) In the prescribed form;
- b) Signed by at least five (5) electors who are eligible to vote in that election and resident in the Local Jurisdiction on the date of signing the nomination;
- c) Accompanied with a written acceptance sworn or affirmed in the prescribed form by the person nominated stating:
 - i) that the person is eligible to be elected to the office;
 - ii) the name, address and telephone number of the person's official agent, if one has been appointed;
 - iii) that the person will accept the office if elected;
 - iv) that the person will read and comply with the municipality's code of conduct if elected; and
 - v) that the persons who have signed the nomination are electors who are eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination; or
- d) Accompanied with a deposit in the required amount;

4. Nomination Deposits

- 4.1 Candidate nominations must be accompanied by a deposit in Canadian funds, payable in cash or by certified cheque or money order in the amount of \$100.00.
- 4.2 The candidate's deposit shall be returned to the candidate:
 - a) If the candidate is declared elected;
 - b) If the candidate obtains a number of votes at least equal to ½ of the total number of votes cast for the candidate elected to the office with the least number of votes; or
 - c) If the candidate withdraws as a candidate in accordance with Section 32 of the Act.

5. Withdrawal of Nomination

- 5.1 A person nominated as a candidate may withdraw as a candidate at any time during the nomination period.
- 5.2 Subject to subsection 5.3, at any time within 24 hours after the close of the nomination period, if more than the required number of candidates for any particular office are nominated, any person so nominated may withdraw as a candidate for the office for which the candidate was nominated by filing with the Returning Officer a withdrawal in writing.
- 5.3 If, after one or more candidates have withdrawn in accordance with subsection 5.2, the number of remaining candidates does not exceed the number of vacancies to be filled, the Returning Officer shall refuse to accept further withdrawals.

6. General Provisions

- 6.1 This Bylaw shall come into force and effect on December 14, 2020.
- 6.2 That Bylaw 642 and all amendments thereto are hereby rescinded December 14, 2020.

Read a first, second time and by unanimous consent of all Councillors present, a third time and finally passed this 14 day of December 2020.

(SIGNED)
Chris Turnmire, Mayor

(SIGNED)
Noreen Zhang
Chief Administrative Officer