Re: Prospective Candidate Package

Please find enclosed the following information to help you get started:

- Nomination Form and Candidates Acceptance
- A copy of the current council’s Board, Committee and Commission Appointments
- Municipal Affairs Prospective Candidate’s Guide
- Bylaw # 979/G/2011 – Council Procedures
- Bylaw # 1042/GEN/2018 – Council Code of Conduct
- Bylaw # 1049/GEN/2018 – Council Code of Conduct Amendment
- Policy – Council Honorariums and Expense Claims
- Policy – Regular and Special Council Meetings

Other information that you may find useful:

Nomination Day – January 28, 2019, between 10 AM and 12 PM (noon)

Election Day – February 25, 2019, between 10 AM and 8 PM

Town of Fairview Bylaws: [http://www.fairview.ca/bylaws-policies](http://www.fairview.ca/bylaws-policies)


If you have other questions, please contact us using any of the methods in the letterhead.
FORM 3

Nomination Paper and Candidate's Acceptance

Local Authorities Election Act
(Sections 12, 21, 22, 23, 27, 47, 68.1,
 147.11, 147.2, 147.21, 151)
School Act (Section 44(4))

Note: The personal information on this form is being collected to support the administrative requirements of the local authorities election process and is authorized under section 27 of the Local Authorities Election Act. The personal information will be managed in compliance with the privacy provisions of the Freedom of Information and Protection of Privacy Act.

If you have any questions concerning the collection of this personal information, please contact

(Title of the Responsible Official)                                  (Business Phone Number)

LOCAL JURISDICTION: ____________________________________________, PROVINCE OF ALBERTA

We, the undersigned electors of ____________________________________________, nominate

(Name of local jurisdiction and ward, if applicable)

______________________________________  of

(Candidate Surname)     (Given Names)

______________________________________ as a candidate at the election

(Complete Address and postal code)

about to be held for the office of ____________________________________________

(Office Nominated for)

of ____________________________________________

(Name of Local Jurisdiction)

Signatures of at least 5 ELECTORS ELIGIBLE TO VOTE in this election in accordance with sections 27 and 47 of the Local Authorities Election Act and section 44(4) of the School Act (if applicable). If a city or a board of trustees under the School Act passes a bylaw under section 27(2) of the Local Authorities Election Act, then the signatures of up to 100 electors eligible to vote may be required.

<table>
<thead>
<tr>
<th>Printed Name of Elector</th>
<th>Complete Address and Postal Code of Elector</th>
<th>Signature of Elector</th>
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LGS0753 (2013/04)
Candidate's Acceptance

I, the above named candidate, solemnly swear (affirm)

- THAT I am eligible under sections 21 and 47 (and section 12, in the case of summer villages) of the Local Authorities Election Act and section 44(4) of the School Act (if applicable) to be elected to the office;
- THAT I am not otherwise disqualified under section 22 or 23 of the Local Authorities Election Act;
- THAT I will accept the office if elected;
- THAT I have read sections 12, 21, 22, 23, 27, 47, 68.1, 147.11, 147.2, 147.21 and 151 of the Local Authorities Election Act and section 44(4) of the School Act (if applicable) and understand their contents; and
- THAT I am appointing

(Name, Contact Information or Complete Address and Postal Code and Telephone Number of Official Agent) (if applicable) as my official agent.

Print name as it should appear on the ballot

(Candidate's Surname) (Given Names (may include nicknames, but not titles, i.e., Mr., Mrs., Dr.)

SWORN (AFFIRMED) before me

at the _______ of _______________________,

in the Province of Alberta,

this ______ day of ______________, 20____

(Candidate's Signature)

(Signature of Returning Officer or Commissioner for Oaths)

IT IS AN OFFENCE TO SIGN A FALSE AFFIDAVIT OR A FORM THAT CONTAINS A FALSE STATEMENT
**Town of Fairview - Board, Commission and Committee Appointments 2018/2019**

*Blue indicates representative, Red indicates alternate representative (If you are unable to attend a meeting, please make sure someone else attends.)*

<table>
<thead>
<tr>
<th>Committee Name</th>
<th>Frequency</th>
<th>DEPUTY MAYOR APPOINTMENTS</th>
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<tbody>
<tr>
<td>Airport Advisory Committee</td>
<td>As required</td>
<td>November / December 2018</td>
</tr>
<tr>
<td>Chamber of Commerce</td>
<td>Directors Meeting – Fourth Thursday / Members Meeting – First Wednesday</td>
<td>Nicole Halvorson</td>
</tr>
<tr>
<td>Committee of the Whole</td>
<td>At call of the Chair</td>
<td>January / February 2019</td>
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<tr>
<td>Emergency Management Committee</td>
<td>At call of the Chair</td>
<td>Tim Schindel</td>
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<tr>
<td>GPRC Fairview Campus Liaison</td>
<td>At call of the Chair</td>
<td>March / April 2019</td>
</tr>
<tr>
<td>Fairview Economic Development Committee</td>
<td>Third Wednesday every month</td>
<td>Jenna Armstrong</td>
</tr>
<tr>
<td>Fairview Public Library Board / Peace Library System</td>
<td>Third Thursday every month</td>
<td>August / September / October 2019</td>
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<tr>
<td>FCSS Advisory Committee</td>
<td>Once a year</td>
<td>Bryarly Parker</td>
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<tr>
<td>Fine Arts Operating Committee</td>
<td>At call of the Chair</td>
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<tr>
<td>Fire Department</td>
<td>First Monday every month</td>
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<tr>
<td>Government Liaison</td>
<td>As required</td>
<td></td>
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<tr>
<td>Heart of the Peace Recreation Society</td>
<td>Fourth Wednesday every two months</td>
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<td>Joint Financial Group</td>
<td>As required</td>
<td></td>
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<tr>
<td>Medical Clinic Operating and Physician Recruitment</td>
<td>At call of the Chair</td>
<td></td>
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<tr>
<td>Mighty Peace Tourism Association</td>
<td>Fifth Monday</td>
<td></td>
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<tr>
<td>Municipal Planning Commission</td>
<td>As required</td>
<td></td>
</tr>
<tr>
<td>North Peace Housing Authority</td>
<td>First Wednesday every month</td>
<td></td>
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<tr>
<td>North Peace Regional Landfill Commission</td>
<td>At call of the Chair</td>
<td></td>
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<tr>
<td>EE Oliver Joint Use Committee</td>
<td>Annually and as required</td>
<td></td>
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<tr>
<td>Peace Region Economic Development Alliance (PREDA)</td>
<td>Quarterly (TBA)</td>
<td></td>
</tr>
<tr>
<td>Recreation Advisory Committee</td>
<td>Once a month, as scheduled</td>
<td></td>
</tr>
<tr>
<td>Subdivision / Development Appeal Board</td>
<td>As required</td>
<td></td>
</tr>
<tr>
<td>Public Works Committee</td>
<td>As required</td>
<td></td>
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<tr>
<td>Administrative / Legislative Committee</td>
<td>As required</td>
<td></td>
</tr>
<tr>
<td>Regular Council Meetings</td>
<td>First and Third Tuesday every month (7:00 PM)</td>
<td>All</td>
</tr>
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Running for Municipal Office in Alberta

Capacity Building, Municipal Services Branch
Alberta Municipal Affairs
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www.municipalaffairs.alberta.ca

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Introduction

This guide is designed to give prospective candidates an understanding of the process and legislative requirements for running for municipal office in Alberta.

This guide has no legislative sanction and therefore we recommend that you obtain a copy of the Local Authorities Election Act and other relevant statutes and regulations.

Local Authorities Election Act
The Local Authorities Election Act (LAEA) is the primary legislation that guides the conduct of a municipal or school board election or by-election. Copies can be obtained through the Alberta Queen’s Printer, http://www.qp.alberta.ca, 780-427-4952.

All definitions, procedures and processes outlined in this guide are from the LAEA. Should you require further clarification on any definitions, procedures, or processes you are encouraged to review and consult the LAEA, ask the returning officer in your municipality, call a Municipal Advisor, or seek an independent legal opinion.

All forms, including the notice of intent to run, nomination form and candidate’s acceptance, and campaign disclosure statement can be found on the Alberta Municipal Affairs website, or by contacting your municipality.

Municipal Government Act
The Municipal Government Act (MGA) is the primary legislation that governs municipalities. Copies can be obtained through the Alberta Queen’s Printer, http://www.qp.alberta.ca, 780-427-4952.
Candidate Registration, Contributions & Expenses

Candidates are strongly encouraged to read and understand Part 5.1 of the *Local Authorities Election Act* as it pertains to Municipal Election Finance and Contribution Disclosure

**Candidate Registration**

**LAEA s. 147.21**

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. It is very important that candidates check with their municipality to learn where to find the registration information and how to become registered prior to accepting any campaign contributions.

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

For more information about registering as a candidate you are encouraged to speak with the returning officer or chief administrative officer in your municipality. The municipality will have the required forms that you will need to complete.

**Contributions and Expenses**

**What are allowable campaign expenses?**

**LAEA s. 118**

The payments of the following expenses, related to the election campaign, are not considered a contravention of the legislation:

- Your personal expenses;
- Cost of acquiring premises, accommodation, goods or services for proper election campaign expenses;
- Payments for the costs 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.

**Candidate Self-funded Contributions**

**LAEA s. 147.1**

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.
Contributions to Candidates
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 the name of the candidate or in the name of the campaign as soon as possible after the amount of contributions exceeds $5000 in the aggregate or the amount of contributions and any amount of the candidate’s own funds exceeds $5,000.

It is 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 two (2) years following the general election.

Anonymous & Ineligible Contributions
If a candidate receives an anonymous contribution, the candidate must return the contribution to the contributor immediately (if the identity of the contributor is known) or pay the total contribution to the municipality.
Before You File Your Nomination Paper

This section provides a brief overview of what to take into consideration prior to running for municipal office.

**Are you Qualified?**

To become a candidate you must be at least 18 years of age on nomination day, a Canadian citizen, and you must have been a resident of the local jurisdiction for the 6 consecutive months immediately preceding Nomination Day.

**Qualification Requirements in a Ward System**

In a municipality with a ward system, you must be a resident of the ward or the electoral division in which you intend to run for the 6 consecutive months immediately preceding nomination day.

**Qualification Requirements in a City with a Ward System**

In a city with a ward system, it is required that you have been a resident of the city for 6 months immediately preceding nomination day, not necessarily the ward in which you wish to run.

**Qualification Requirements in a Summer Village**

In a summer village, you must meet the requirements for eligibility to vote in the election and have been a resident of Alberta for the 12 consecutive months immediately preceding Election Day.

**Note:** Nomination Day is 4 weeks prior to Election Day, unless a municipality has passed a bylaw under section 11(2) of the *Local Authorities Election Act*.

In the case of a general election, Election Day occurs on the 3rd Monday of October every 4 years. In the case of a by-election, Election Day will be set through a resolution of council.

In the case of a summer village, nomination day must occur in June and/or July and Election Day occurs 4 weeks following nomination day. Nomination day is set by council resolution.
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 your current property taxes are more than $50 in arrears;
- if you are in default for any other debt to the municipality in excess of $500 for more than 90 days; or
- if within the previous 10 years you have been convicted of an offense under the *Local Authorities Election 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.

If a person failed to comply with the requirements in the *LAEA* as they relate to campaign finance and disclosure and the secretary (chief administrative officer) transmitted a report in respect to that person, and/or the Court did not dispense with, or extend the time for compliance with respect to campaign finance and disclosure, a person is deemed to be ineligible. A person is deemed to be ineligible under these circumstances for either an 8 year period following the day that a report was transmitted by the secretary, or a 3 year period following the day the disclosure statement was filed with the municipality (which ever period expires first).

**NOTE:** If you are a municipal employee and you wish to run for municipal office, you must take a leave of absence as outlined in the *LAEA*. You may notify your employer on or after July 1 in the election year (on or after the day council passes a resolution setting Election Day in the case of a by-election) but before the last working day prior to Nomination Day.
Other Considerations

Time Commitment
The demands on your time while being an elected official 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 a council representative;
- conferences, conventions, seminars and workshops for training and discussion; and
- other events promoting your municipality.

Time must also be spent reading agenda material and talking with residents, the chief administrative officer (CAO) and other relevant stakeholders. This will all be part of the necessary preparation for meetings so that you can make informed decisions.

Remuneration
Elected officials generally receive remuneration or other financial compensation for the time and energy they have devoted to their community. The remuneration varies in each municipality, so check with your local municipal office to find out about remuneration for elected officials in your jurisdiction.

Roles and Responsibilities of an Elected Official
As a member of council you will have the opportunity to significantly influence the future of your community. Your effectiveness as a member of council depends on your ability to persuade the other members of council to adopt and support your view. Decisions of council may only be made by resolution or bylaw and must be made at public meetings, 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 promise you make as a part of your election campaign that involves municipal 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.

The Canadian Constitution delegates responsibility for municipal institutions to the provinces. Through a variety of legislation, the Alberta Legislative Assembly has delegated some of its authority to municipal councils. The legislation you will refer to most often is the *Municipal Government Act*. 
In accordance with the *Municipal Government Act*, a municipal council may pass legislation in the form of municipal bylaws. These bylaws 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.

Municipalities often make local bylaws available to the public through their municipal websites.

**Administration of a Municipality**
As a member of council, it will be your duty to establish policy for your municipality. It is the job of the administration to implement the policy direction. Alberta municipalities have competent and dedicated administrators. The chief administrative officer is the only employee of Council, and you will rely on the support, advice, and assistance of your CAO if you are to be an effective member of council. The CAO’s training, experience, and understanding of how and why things have developed the way they have will be an important resource for you.

**How Else Can I Prepare?**
The best way to find out what the job is all about is to spend some time reading council agendas and minutes, and talking to current members of council.

- Familiarize yourself with local bylaws and municipal legislation;
- Read council agendas and minutes;
- Sit in the gallery at council meetings; and
- Talk to municipal staff to find out what other information is available.

It is common practice in many municipalities to publish a prospective candidate’s information guide. These guides will provide valuable insight into time commitments, practices, and expectations of holding office in that municipality.

Researching now will help you in your campaign and prepare you for assuming office.
Nomination Papers

This section provides a brief overview of the information included on the nomination paper and the nomination day process.

Form of Nomination

Your nomination must be filed using the prescribed form (Form 3 – Nomination Paper and Candidate’s Acceptance). Contact the local municipal office to determine where to get the nomination form and to seek advice on filling out the form accurately. The CAO, returning officer, or municipal clerk will be able to help you.

What is included in the Form of Nomination?

Your nomination paper must be signed by at least five (5) voters eligible to vote in the election. The signatures collected must be of people who are resident in the municipality on the date of signing the nomination, and include the voter’s name, address (street address or legal description of residence) and signature.

- Cities with a population of at least 10,000 may pass a bylaw increasing the number of signatures required to a maximum of 100. Ensure that you check with the municipality to determine the number of signatures that you require.
- If you are seeking election in a municipality with a division or ward system, the voters signing your nomination form must be residents in the ward or division that you are running in.

In Summer Villages, the nominators must:

- Be eligible to vote in the election;
- Be 18 years of age;
- A Canadian Citizen; and
- Named on the certificate of title as the person who owns property within the summer village or is the spouse or adult interdependent partner of the person named on the title.

In addition to the signatures, the nomination paper must also be complete with the written acceptance signed in the prescribed form by the person nominated.

If you do not have the required number of signatures on your nomination form, your form will not be accepted by the returning officer.
What is included in the 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.

**Note:** Under the Criminal Code (Canada), it is an offence to make a false affidavit and is punishable by up to 14 years imprisonment.
Nomination Day

Filing the Nomination Form
Once you have completed the nomination form, the next step is to ensure that you file the form on Nomination Day.

How do I file my Nomination Form?
Completed nomination forms can be filed with the returning officer between 10am and 12noon on Nomination Day, four (4) weeks prior to Election Day. Municipalities may pass a bylaw prior to June 30th stating that the returning officer may receive nominations earlier than 10am and establish other locations where nominations may be received.

Municipalities will advertise a “Notice of Nomination Day” at least once a week for two weeks prior to Nomination Day that will indicate where and when the returning officer will receive the nominations. It is important to check the advertisement or with your municipality for the time and location to file your nomination papers.

Do I have to file my nomination form in person?
Nomination forms must be hand delivered. It is always a good idea to deliver your nomination form to the returning officer in person; however, anyone may file your nomination paper on your behalf. If you are unable to file your nomination paper yourself, ensure that the nomination paper is completed fully prior to Nomination Day. You, as the candidate, are responsible for ensuring that the nomination form is fully completed and meets the requirements for filing under section 27 of the Local Authorities Election Act.

Do I have to pay a deposit to file my nomination form?
Municipalities may pass a bylaw requiring a deposit to accompany nominations. The amount fixed in bylaw may not exceed:

- $1,000 in municipalities with a population over 10,000; and
- $100 in all other municipalities.

When you inquire or pick up the nomination form from the municipality, ensure that you seek clarification on whether a deposit is required and the amount of the deposit.

If a deposit is required, it must be paid, in full, at the time you file your nomination form. A deposit must be payable to the municipality and may be paid using:

- Cash;
- Certified cheque; or
Will I get my deposit back?

Your deposit will be returned to you if you are:

- Elected; or
- If you get at least one-half the number of votes of the person elected to office, with the least number of votes.

Withdrawing Nominations

Candidates may withdraw their nomination form within 24 hours (48 hours in a summer village) from the close of nominations, provided the number of candidates nominated exceeds the number of positions for the office you are seeking.

If candidates choose to withdraw, they must provide written notice, in person, to the returning officer.

Insufficient Nominations

In the event that the number of nominations filed is less than the number of vacancies in the municipality, the returning officer will be available to receive nominations the next day (and for a period of up to 6 days, if required) from 10am to 12noon.

Nominations Equal Number of Vacancies

If, by noon on any of the days, the number of candidates nominated equals the number of vacancies in the municipality, nominations will be closed and the returning officer will declare the candidates elected by acclamation (no elected will be held).

Nominations Exceed Number of Vacancies

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 according to process.

Summer Villages

In the case of a summer village, the returning officer will announce the time and place when further nominations will be received.

Late Filing of Nominations

The returning officer CANNOT accept nominations after 12 noon on Nomination Day. Ensure that you check with your municipality on the time and location for filing nomination forms and ensure that you file your nomination paper on time at the location available.
Campaigning

Once you have filed your nomination form and your candidate’s acceptance, there are several things to remember as you campaign to Election Day.

How do I Campaign?
There is no “standard” in campaigning when it comes to municipal elections. A candidate’s campaign style will want to match the uniqueness of the municipality to the candidate’s personality and available resources.

The purpose of campaigning is to convince the electors that you are the best candidate for the position in the municipality. Candidates have used various strategies including but not limited to:

- Door-knocking;
- Signage;
- Brochures or posters;
- Social media pages (Facebook, Twitter, Instagram) or websites; and
- Host a meet and greet event.

Is There Anything I Cannot Do During a Campaign?
There are a variety of offence provisions included in the *Local Authorities Election Act*; it is encouraged that candidates review and understand all offence provisions in the Act.

In addition to the offence provisions, it is essential that candidates seek additional clarification from municipal returning officers relating to campaign activities. Municipalities may have local bylaws that may address campaign activities including but not limited to the use and placement of campaign signage throughout the municipality.

If candidates require additional interpretation or clarification, they are encouraged to seek independent legal services if required.

Bribery

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 vote, or to agreeing not to vote.

It addition, an elector or resident of the municipality cannot accept money or any other valuable consideration in return for voting or not voting during an election.
**Undue Influence**

LAEA s. 117

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.

**Canvassing on Election Day**

LAEA s. 152

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

You have filed your nomination papers, you’ve campaigned, and now you’ve reached Election Day! It is important that you understand the process for Election Day and seek clarification on any questions you may have.

How long are voting stations open on Election Day?

Voting stations are open between the hours of 10am and 8pm on Election Day. Municipalities may pass a bylaw permitting voting stations to open earlier. It is advised that you confirm voting hours with your municipality.

Who is eligible to vote?

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.

In the case of a summer village, a person is eligible to vote in a municipal election if the person:

- The person is eligible to vote under section 47;
- Is at least 18 years of age;
- Is a Canadian Citizen;
- Has resided in Alberta for the 6 consecutive months preceding election day;
- Is named on a certificate of title as the person who owns property within the summer village; or
- Is the spouse or adult interdependent partner of a person who owns property with the summer village.

Can people observe Election Day?

Candidates, or official agents, or a candidate’s scrutineer, may observe the processes at the voting station(s) on Election Day. The returning officer in your municipality will have details on how to appoint official agents and scrutineers. As well, the returning officer will explain the role and responsibilities of a candidate, official agent or scrutineer observing the election processes.
Is there a voters list?

LAEA s. 50  Municipalities may pass a bylaw allowing for the enumeration and use of a voters list. You may wish to confirm with your municipality; currently, there are no municipalities that use a voters list in municipal elections in Alberta.

Maintaining the Secrecy of the Vote

LAEA s. 55&56  All ballots, forms, ballot boxes, and voting machines (if applicable), are in the custody and control of the returning officer. Forms and statements made by the electors cannot be viewed by any person observing the election due to privacy reasons. 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 six (6) weeks following Election Day.

Are results made official on Election night?

LAEA s. 97  At the conclusion of the count, the returning officer may make unofficial results available. The official results are not posted or announced until 12 noon on the fourth day following Election Day.
Recount

Who can ask 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 considered that the number of valid ballots objected to or rejected ballots other than those on which no vote was cast, was 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 can a recount happen?
An application for a recount may be made within 44 hours immediately following the closing of voting stations on Election Day. No applications for recount will be accepted by the returning officer after the prescribed 44 hours has passed.

How will I know if a recount is happening?
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 necessary to conduct the recount.
Election Results

Are results made official on Election night?
At the conclusion of the count, the returning officer may make unofficial results available. Due to the ability for the returning officer to call a recount, official results are not posted or announced on election night.

When are election results official?
The returning officer is required to announce or post the official election results in the statement of results at 12 noon on the 4th day following Election Day, at the municipal office.
Campaign Financing

As noted above, Candidates are responsible for reading and understanding Part 5.1 of the *Local Authorities Election Act* as it pertains to Municipal Election Finance and Contribution Disclosure.

**Campaign Disclosure Statements**

**Deadline to File**

LAEA s. 147.4

Campaign disclosure statements (Form 21) must be filed with the returning officer or municipality on or before March 1 following a general election. In the case of a by-election, the disclosure statement must be filed within 180 days of the date that the by-election occurred.

**What is included on the Disclosure?**

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.

**Campaign Deficits**

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

**Campaign Surplus**

LAEA s. 147.5

A candidate who incurs a surplus during an election is required to provide all surplus funds to the municipality 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 municipality to pay all surplus funds to the charity of the candidate’s choice. If the municipality does not receive direction from the candidate, the surplus funds will become the property of the municipality.
Conclusion

Congratulations on taking the step to become a candidate in your municipal election!

In addition to this handbook, you are encouraged to review the *Local Authorities Election Act (LAEA)* in detail. If you have any questions about anything in the handbook or in the LAEA, you are encouraged to seek out additional clarification from your municipality (CAO or returning officer), legal counsel, or Alberta Municipal Affairs.

If you are elected, congratulations! You are encouraged to read “Now That You Are Elected.”

Good luck and enjoy the journey to becoming a candidate in Alberta municipal elections!
BYLAW 979/G/11

A BYLAW OF THE TOWN OF FAIRVIEW, IN THE PROVINCE OF ALBERTA, TO DEAL WITH PROCEDURE AND TRANSACTIONS OF BUSINESS BY MUNICIPAL COUNCIL OF THE TOWN OF FAIRVIEW

WHEREAS Pursuant to Part 2 Division 1 of the Municipal Government Act, c.M-26. R.S.A. 2000 and amendments thereto, a Council may make rules and regulations for calling meetings, governing its proceedings and the conduct of its members, appointing committees and generally for the transaction of its business, and

WHEREAS The Council of the Town of Fairview deems it advisable to enact a bylaw for procedure and transactions of business

NOW THEREFORE The Council of the Town of Fairview in the Province of Alberta, pursuant to authority conferred upon it by the Municipal Government Act, enacts as follows:

1. This bylaw shall be cited as the Council Procedure Bylaw.

2. In this bylaw:

2.1 “Acting Mayor” is the Member selected by Council to preside at any meeting of Council in the absence or incapacity of both the Mayor and Deputy Mayor;

2.2 “Agenda” means the order of business for a regular or special meeting of Council prepared by the Director of Legislative Services;

2.3 “Bylaw” means a bylaw of the Town;

2.4 “Chief Administrative Officer” means the person duly appointed to that position by Bylaw of the Town of Fairview and in accordance with Section 205 of the Municipal Government Act.

2.5 “Committee” a committee of Council that is either a Standing Committee, Special Committee, Special Task force or Council Committee that is carrying out a power, duty or function delegated to it by Council, but excluding Committee of the Whole;

2.6 “Council” means the Mayor and Councillors to the Town for the time being elected pursuant to the provisions of the Municipal Government Act and the Local Authorities Election Act;

2.7 “Council Committee” means a committee established by Council under the Municipal Government Act, including Special Task Forces, but not including Committee of the Whole, the Subdivision Development Appeal Board or the Municipal Planning Commission;

2.8 “Committee of the Whole” is Members of Council present at a public meeting of Council sitting in committee;
2.9 “Councillor” means a Member of Council, duly elected and continuing to hold office under the terms of the Municipal Government Act;

2.10 “Delegation” shall be one or more persons who have formally requested, and been granted, an audience with Council at a regular Council meeting, in accordance with this Bylaw;

2.11 “Deputy Mayor” is the Member who is appointed by Council pursuant to Section 153(1) of the Municipal Government Act to act as Mayor in the absence or incapacity of the Mayor;

2.12 “Director of Legislative Services” means the person appointed by Council who is responsible for recording minutes of Council, creating Council Agendas and coordinating Correspondence on behalf of Council;

2.13 “Ex-Officio” means membership by virtue of one’s office and/or where appointed by Council as defined in the Municipal Government Act;

2.14 “In Camera” means a meeting of Council that is held in private, excluding the public, and has been called in accordance with the provisions of the Municipal Government Act. No formal decisions of Council are permitted in an “In Camera” Meeting;

2.15 “Majority” means one half the members present plus one;

2.16 “Mayor” is the Member duly elected as Mayor and continuing to hold office, and is the Presiding Officer of all Meetings of Council;

2.17 “Member” means any Meeting of Council, including a regular Meeting and a special Meeting;

2.18 “Motion to accept as information” is a motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration and of having the item, report or recommendation placed on record for future reference with no additional action being taken at the present time;

2.19 “New Business” shall be any matter appearing before Council for the first time on an Agenda that requires a decision of Council;

2.20 “Person” means any Delegation addressing Council, any Committee, or Special Task Force, any member of the media and any member of the public present at a meeting;

2.21 “Point of Information” is a request or statement directed to the Mayor or through the Mayor to another Member of Council or to the Administration, for or about information relevant to the business at hand, but not related to a Point of Procedure;

2.22 “Point of Order” is the raising of a question by a Member of Council with the view of calling attention to any departure from the Procedure Bylaw or the customary proceedings in debate or
in the conduct of Council’s business;

2.23 “Point of Privilege” refers to all matters affecting the rights and exemptions of Council collectively or the positions and conduct of Member of Council in their respective character as elected representatives;

2.24 “Point of Procedure” is a question directed to the Mayor to obtain information on a matter of parliamentary law or the rules of Council regarding the business the business at hand in order to assist a Member of Council to make an appropriate motion, raise a Point of Order or understand parliamentary situation or the effect of a Motion;

2.25 “Presiding Officer” means the Mayor; or in the absence of the Mayor, the Deputy Mayor; or in the absence of the two, any other Member of Council chosen to preside at the Meeting from those Members of Council present;

2.26 “Public Hearing” is a Meeting of the Council which is convened to hear matters pursuant to:

2.26.1 the Municipal Government Act,

2.26.2 any other Act,

2.26.3 any other matter that Council directs may be considered at a Public Hearing;

2.27 “Question of Privilege” is the raising of a question that concerns a Member of Council or Council collectively, when a Member of Council believes that another Member of Council has spoken disrespectfully towards them or Council, or when they believe their comments have been misunderstood or misinterpreted by another Member of Council;

2.28 “Quorum” means in the case of:

2.28.1 Council, the Majority of Members present,

2.28.2 Committees of Council, a Majority of the appointed Members present,

2.28.3 All other committees, a Majority of the appointed Members present unless Council provides otherwise;

2.29 “Special Task Force” means any group appointed by Council to perform/investigate a specific task that has a start time and a finish time frame;

2.30 “Special Meeting” is a meeting called by the Mayor or Majority of council, pursuant to the Municipal Government Act;

2.31 “Terms of Reference” a written statement that defines the composition, term, reporting requirements, objectives and mode of operation of a Committee or Task Force;
2.32 “Town” means the Corporation of the Town of Fairview and, where the context so requires, means the area included within the boundaries of the Town;

2.33 “Unfinished Business” means business which has been raised at the same or a previous meeting and which has not been completed.

3. Application and Interpretation

3.1 This Bylaw applies to:

3.1.1 all Meetings of Council; and

3.1.2 all Meetings of Committees or Special Task Forces established by Council unless permission has been granted to them to establish their own procedures.

3.2 When any matter arises relating to proceedings in a Meeting which is not covered by a provision of this Bylaw, the matter shall be decided by reference to Roberts Rules of Order – Newly Revised.

3.3 In the event of any conflict between the provisions of this Bylaw and those contained in the authorities set above, the provisions of this Bylaw shall prevail.

3.4 Procedure is a matter of interpretation by the Mayor, the Committee Chairman, or other Presiding Member, subject to the appeal process as described in this Bylaw.

COUNCIL

4. Organizational Meeting

4.1 The Organizational Meeting of council shall be held annually no later than two weeks after the third Monday of October in Council Chambers.

4.2 The Chief Administrative Officer shall fix the time and place for the Organizational Meeting.

4.3 Written notice of the Organizational Meeting of Council stating the time and place at which it is to be held, and the nature of the business to be transacted, shall be delivered to each Council Member not less than 24 hours prior to the Meeting.

4.4 When the Organizational Meeting is not preceded by an election, the Mayor or Deputy Mayor shall take the chair and call the Meeting to order.

4.5 If the Mayor has been elected at the last election immediately preceding the Organizational
Meeting, the Chief Administrative Officer or Returning Officer shall preside over the meeting until every Member of Council present has made and subscribed the official Oaths of Office Act.

4.6 Every Member of Council shall make and subscribe to the official oath, prescribed by the Oaths of Office Act, before entering into the duties and shall deposit the oath with the Director of Legislative Services.

4.7 Immediately upon completion by every Member of Council present and making the subscribing the Official Oath, the Chief Administrative Officer or Returning Officer shall retire from the chair if acting pursuant to Subsection 4.5, and the Mayor shall take the chair and call the Meeting to order.

4.8 At each Organizational Meeting the Mayor shall present to Council a recommendation for the appointment of Deputy Mayor/s for the upcoming year.

4.8.1 Council, at each Organizational Meeting, shall elect six of its Members to serve consecutive terms of two months each, who shall perform all the duties of the Mayor during his/her inability or absence.

4.9 Council shall, at its Organizational Meeting, establish the days and times of its regular Council and Council Committee Meetings. If a regular Meeting falls on a holiday, the Meeting shall be held on the next following day not being a holiday.

4.10 The Mayor, at each Organizational Meeting shall recommend to Council representatives to each Council Committee. Council will appoint representatives by resolution. The Mayor is an Ex-Officio Member of all Committees.

4.11 Council Committees shall be chaired by a selected Councillor. In the absence of the regular chair, the alternate Councillor appointed to the Committee shall chair the meeting.

5. Regular Meetings

5.1 A Quorum of Council shall be a Majority of those members elected and serving on Council, including the Mayor.

5.2 Unless there shall be a Quorum present in half an hour after the time appointed for the Meeting of Council, the Director of Legislative Services shall call the roll and take down the names of Members present and the Council shall then stand absolutely adjourned until the next day of Meeting unless a special Meeting is duly called in the meantime.

5.3 Council shall hold its Meeting openly and no person shall be excluded there-from except for improper conduct.

5.4 Where a majority of the members present is of the opinion that it is in the public interest to hold a committee meeting of the whole or part of the council to discuss land, legal or personnel issues
in private, a council may, by resolution, exclude any person or persons from the meeting, but it has no power at such a committee meeting to pass any bylaw or resolution apart from the resolution necessary to revert back to an open meeting.

5.5 Town Council shall adjourn at 11:00 p.m. if in session at that hour, unless otherwise determined by a vote of the majority of all the Members of Council.

5.6 When it is necessary to continue the Meeting beyond the day of the Meeting, it will be continued at 7:00 p.m. on the day following the said day, unless otherwise determined by a Majority vote of all the Members of Council.

5.7 In case the Mayor or Deputy Mayor shall not be in attendance within fifteen minutes after the hour appointed, an acting Mayor appointed by the Members present, shall immediately take the chair and call the Meeting to order if there are sufficient Members on the floor to constitute a Quorum. If the Mayor or Deputy Mayor arrives later, then the Presiding Officer shall vacate the chair and turn the Meeting over to the more senior officer.

5.8 Every Member in speaking to any question or motion shall address himself only to the Mayor or Presiding Officer.

5.9 During the review of minutes, reports, communications or other papers, and when a Member or any other Person is addressing the Council, silence shall be observed and no one shall be allowed to disturb the Meeting.

5.10 A Member called to order shall immediately cease to speak, but may afterwards explain, and the Council, if appealed to shall decide the same without debate; if there is no appeal the decision of the Mayor or other Presiding Officer shall be submitted to.

5.11 No Member shall use offensive words in or against the Council or against any Person thereof, nor shall s/he speak except upon the question in debate; and no Member shall reflect upon any vote of the Council except for the purpose of moving that such a vote be rescinded, nor shall s/he resist the rules of the Council, or disobey the decision of the Mayor or of the Council, on any question of Order or Practice, or upon the interpretation of the rules of the Council, and in case any Member shall so resist or disobey, s/he may be ordered by the Council by a majority vote to leave his/her seat for that Meeting, and in case of his/her refusing to do so, s/he may on order of the Mayor, Deputy Mayor or other Presiding Officer, be removed there from by the police, but in case of ample apology being made by the offender s/he may, by vote of the Council without debate, be permitted forthwith to take his/her seat.

5.12 Any Member may require the question or Motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.

5.13 The Director of Legislative Services shall prepare the Agenda of Council together with copies of all reports or communications to be dealt with at each regular Meeting and shall place these at
the disposal of Council, at least two full days prior to a council meeting. Items for addition to the Agenda once distributed may be added only with unanimous approval of Council.

5.14 Note of changes to regular Meeting dates and times will be deemed sufficiently delivered to any Councillor not present at the Meeting at which the change was made if the notice delivered to an adult person at the Councillor’s or Member’s home or place of business or by an alternate manner as specified by Council (Section 196(1) & 196(2) of the Municipal Government Act).

5.15 Notice of changes to regular Meeting dates and times to the public will be deemed sufficiently given by insertion of such changes in the Fairview Post and/or the Town’s website and the main foyer of the Town Office.

5.16 Persons who cause disruption or display disorderly conduct during a Council Meeting may be ordered by the Mayor, Deputy Mayor or Presiding Officer to leave his/her seat for that Meeting, and in case of his/her refusing to do so, s/he may on order of the Mayor, Deputy Mayor or other Presiding Officer, be removed there from by the police.

6. Special Meetings

6.1 The Mayor may call Special Meetings of Council whenever considered expedient to do so, and shall do so when requested in writing by a majority of Council.

6.2 When a Special Meeting is requested by a majority of Council, the Meeting shall be held within fourteen days of the date on which the request was delivered to the Mayor.

6.3 Written notice of a Special Meeting stating the time and place at which it is to be held and stating in general terms the nature of the business to be transacted thereat shall be given to the public and each Councillor;

6.3.1 to each Councillor by delivering a notice to the Council Member or an adult person at the residence or place of business of the Member not less than 24 hours prior to the Meeting, or by way of an alternate manner as specified by Council (Municipal Government Act Section 196(2).

6.3.2 to the public by insertion of such changes to the Fairview Post and/or the Town’s website and the main foyer of the Town Office.

6.4 The Mayor may call a Special Meeting of the Council upon such shorter notice, either oral or written, as s/he considers sufficient, however, no such Special Meeting may be held until a Majority of the Members of Council give their consent in writing before the beginning of the Meeting.

6.5 No business other than that stated in the notice shall be transacted at any Special Meeting of Council, unless all the Members of the Council are present, in which case, by unanimous consent
any other business may be transacted.

7. **Role of Mayor, Deputy Mayor & Presiding Officer**

7.1 As soon after the hour of Meeting as there is a Quorum present, the Mayor shall take the chair and the Members shall be called to order.

7.2 The Mayor or other Presiding Officer shall preserve order, decorum, and decide questions of procedure subject to an appeal to Council, and the decision of the Mayor or other Presiding Officer shall be final unless reversed by a majority vote of the members present, without debate.

7.3 When two or more Members desire to speak to a matter, the Mayor or other Presiding Officer shall settle the priority.

7.4 When the Mayor, or other Presiding Officer, is called upon to decide a Point of Order or practice, the point shall be stated without unnecessary comment, and the Mayor, Deputy Mayor or other Presiding Officer shall cite the rule or authority applicable to the same.

7.5 The Mayor, or other Presiding Officer, may cause to be expelled and excluded, from any Meeting, any person who has been guilty of improper conduct at the meeting.

7.6 The Mayor, or other Presiding Officer, shall ensure that the rules of procedure are applied impartially and even-handedly.

7.7 The Presiding Officer shall give each Member of the Council who wishes to speak on an item, an opportunity to do so before calling the question. No Member of Council shall speak without first being recognized by the Presiding Officer; and being granted the floor. No Member of Council shall speak twice to the same item, without the leave of Council, except to make an inquiry or an explanation or a part of their speech that may have been misconstrued; and no Member of Council shall speak twice without every other Member of Council having first received their opportunity to speak. No Member of Council shall speak to the same question, or in reply, for longer than five (5) minutes.

7.8 A Member of Council moving a Motion to table any matter shall include in the tabling Motion:

7.8.1 the time at the present Meeting or the date of a future Meeting to which the matter is to be tabled or,

7.8.2 a provision that the matter is to be tabled indefinitely.

8. **Voting**

8.1 The Mayor and every Councillor, when present, shall vote on every matter unless disqualified from voting by reason of conflict of interest.
8.2 Any Bylaw or resolution on which there is an equality of votes shall be deemed to be decided in the negative.

8.3 Any Member of Council may request a recorded vote on any issue. The request must be tabled prior to the question to allow the Director of Legislative Services to record in the minutes the name of each Member present and whether the Member voted for or against the matter.

9. Motions & Order of Putting Questions to Council

9.1 When a motion is stated, and upon request by any Member, it shall be read by the Mayor or other Presiding Officer or the Director of Legislative Services before debate.

9.2 After a motion is read by the Mayor or Director of Legislative Services, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment with the permission of all the Members of Council present.

9.3 No motion shall be offered that is substantially the same as one on which the judgement of the Meeting has already been expressed during the same Meeting.

9.4 Whenever the Mayor or other Presiding Officer is of the opinion that a motion offered to Council is contrary to the rules and privileges of Council, he shall apprise the Members thereof immediately, before putting the question, and shall cite the rule or authority applicable to the case without argument or comment:

9.4.1 No question shall be reconsidered more than once at any one Meeting of Council;

9.4.2 No reconsideration shall be allowed on motion of adjournment;

9.4.3 A motion to reconsider shall not be allowed unless a Majority of the Members of Council present agree;

9.4.4 A motion to rescind an action of Council may be offered at any time subsequent to the Meeting at which the original motion was passed.

9.4.5 Any Member of Council may make the motion to rescind.

9.4.6 A Majority vote of the Members of Council is necessary for the passage of a motion to rescind.

9.5 A motion to refer, until it is decided, shall preclude all amendments to the main question. The motion is debatable.

9.6 A motion to adjourn Council shall always be in order.
9.7 When the question under consideration contains distinct propositions, upon the request of any Member, the vote upon each proposition shall be taken separately. If the vote is taken upon each proposition, it then becomes necessary to vote on the whole.

9.8 After any question is finally put by the mayor or other presiding officer, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared; and the decision of the mayor or other presiding officer as to whether the question has been finally put shall be subject to appeal pursuant to Section 9. After the Mayor or Presiding Officer has declared the vote, and subject to a motion for reconsideration, no change of vote can be made except by the unanimous consent of the Members who were present when the vote was put.

10. Amendments

10.1 Every amendment must be relevant to the question on which it is proposed. Any amendment offered which raises a new question can only be considered on a distinct motion after notice.

10.2 An amendment proposing a direct negative is out of order.

10.3 All amendments shall be put in the reverse order to that in which they are moved; and every amendment shall be decided upon or withdrawn before the main question is put to a vote. Only one amendment to the main motion at one time shall be allowed.

10.4 All motions for the appointment of any person to any office shall preclude any amendments.

10.5 No Member may move to amend his own motion.

10.6 A sub-amendment (amendment to the amendment), should not enlarge the scope of the amendment but should deal with matters not covered by the amendment.

11. Reading of Proposed Bylaws and Proceedings

11.1 When a proposed Bylaw is read in Council, the Director of Legislative Services shall certify the reading and the date of the reading on the face thereof. When a Bylaw has been read a third time and finally passed, the Director of Legislative Services shall keep on file correct copies thereof including amendments, if any.

12. Signing Authority

12.1 Every order, agreement, or document made or executed on behalf of the municipality shall be signed by the Mayor or her/his designated alternates.

12.2 Responsibility to enter into contracts for the purchase or hire for municipal use of goods,
machinery, or equipment, and the services connected therewith is delegated in accordance with the Purchasing Authority Policy.

13. **Communication Intended for Town Council**

13.1 Every written communication reaching the Director of Legislative Services or the Chief Administrative Officer and intended for Town Council shall be fairly written or printed on paper and shall be signed by at least one person whose address is also shown.

13.2 Any type of communication received by the Council may be referred to a Committee of Council or may be referred to the Chief Administrative Officer for report.

13.3 Notwithstanding any provision of this Bylaw, the Council will grant a full and fair hearing to persons entitled by law to make oral submissions to Council.

13.4 A person wishing to make representation directly to Council shall so advise the Municipal Secretary not less than four (4) days prior to the Council Meeting date, unless otherwise approved by Majority of Council Members present.

13.5 In questioning Delegations whether statutory or otherwise, Members of Town Council will ask only those questions which are relevant to the subject of the hearing and will avoid repetition. Delegations will be restricted to speaking to the subject matter only.

**BYLAWS**

14.1 Every proposed Bylaw must have three (3) distinct and separate readings.

14.1.1 Each Councillor present at the Meeting at which first reading is to take place must be given or have had the opportunity to review the full text of the proposed Bylaw before the Bylaw receives first reading.

14.1.2 Each Councillor present at the Meeting at which third reading is to take place must, before the proposed Bylaw receives third reading, be given or have had the opportunity to review the full text of the proposed Bylaw and of any amendments that were passed after first reading.

14.1.3 A proposed Bylaw must not have more that two (2) readings at a Council Meeting unless the Councillors present unanimously agree to consider third reading.

14.1.4 Only the title or identifying number has to be read at each reading of the Bylaw.

14.2 All amendments to a Bylaw made in Committee of the Whole shall be reported by the chairman to the Council. After a report has been received, the proposed Bylaw shall be open to debate and amendment.
14.3 Every Bylaw shall be read a third time before it is signed by the Mayor or Deputy Mayor. If a Bylaw fails to receive third reading, it shall remain on the Agenda to be dealt with at the next regular Meeting of Council.

14.4 Every Bylaw of general application shall be printed or otherwise duplicated so as to be available to all interested parties; other bylaws shall be recorded and filed as well as amendments thereto and the Director of Legislative Services shall retain the original of every Bylaw on file and properly record amendments thereto.

14.5 Every Bylaw which has been passed by Council shall immediately, after being sealed with the seal of the Corporation, and signed by the Mayor and the Chief Administrative Officer, be securely deposited by the Director of Legislative Services.

**COMMITTEE OF THE WHOLE**

15. Order of Proceedings in Committee of the Whole

15.1 The rules of the Council shall be observed in Committee of the Whole, as far as may be applicable.

15.2 Questions of order arising in Committee of the Whole shall be decided by the chairman, subject to an appeal to the Council.

15.3 The Deputy Mayor shall hold the position of chairman of Committee of the Whole.

**COUNCIL COMMITTEES**

16. Council Committees

16.1 Council may appoint Council Committees comprised of Council Members, Town employees or any other individuals to investigate and report to Council about any matter.

16.2 A Council Committee may consist of two or more of its Members and may delegate any of the duties imposed on Council by the Municipal Act except the power to borrow money, to pass a bylaw, or to enter into a contract.

16.3 Committees will be exclusively advisory to Council, and may make recommendations to Council to expend monies for particular projects and items, or to use Town resources.

16.4 All standing Committee Meetings are open to the public. Committees may, by consensus, exclude any Person or Persons from their Meeting when it is deemed to be in the best interest.

16.5 Council shall appoint Members at large to Committees.
16.6 In any case where a Member of a standing Committee is absent from the Town or is otherwise unable to attend meetings of the Committee of which they are a Member, the Mayor may appoint a Member of Council to such Committee to attend the Meetings of the Committee concerned, such appointment to be restricted to one meeting unless authorized by Council.

16.7 The Member so appointed by the Mayor shall, during the term of such appointment, have all the powers, rights and duties as a Member of the Committee concerned as if appointed by Council.

16.8 When any Special Committee or Council Committee is appointed, Council must:

16.8.1 name it;
16.8.2 establish Terms of Reference;
16.8.3 establish the term of appointment, or direct that the Council Committee or Special Committee exist at the pleasure of Council; and
16.8.4 establish requirement for reporting to Council.

16.9 Committees:

16.9.1 may refer matters to other Council Committees
16.9.2 will submit recommendations to Council on any action or decision recommended on any matter within the jurisdiction of the Committee
16.9.3 may not appropriate, expend or direct the expenditure of any money not provided for in the budget approved by Council.

17. **Inter-Jurisdictional Committees**

17.1 Subject to the provisions of the Municipal Government Act a Council may pass a Bylaw authorizing the making of an agreement with the Council of any other municipality for the performance of any matter or thing.

17.2 Council will appoint elected and lay representatives to these bodies in accordance with the agreements signed and attached to the Bylaw.

18. **Special Task Forces**

18.1 The Municipal Government Act authorizes Council to appoint Special Committees consisting of two or more of its Members and may delegate any matter for consideration and recommendation.
18.2 The Town of Fairview does, from time to time, require in depth review of certain municipal issues. Council, by motion, may choose to create a Special Task Force by adopting a terms of reference and procedural guidelines in regular session.

19. Regulations for Conducting Committee Business

19.1 The business of Council Committees shall be conducted under the following regulations and subject to the rules governing procedure in the Council:

19.1.1 The chairman shall preside at every meeting;

19.1.2 In the absence of the chairman, the deputy chairman shall preside;

19.1.3 The minutes of the transactions of every Committee shall be accurately recorded and sent to Council for Information or action as the case may be;

19.1.4 When a division takes place on any question and the question may be put to a vote, the votes of the members may be recorded;

19.1.5 No report or recommendation to do with any matter or thing shall be recognized as emanating from any Committee unless it is recorded in the minutes of the Committee under which it is issued;

19.1.6 The Director of Legislative Services, or designate, shall record the minutes of the Committee;

19.1.7 Any Council Member not a Member of a Committee shall have the right to attend Committee Meetings with right of debate, but not to make motions or to vote.

ORDERS TO EMPLOYEES

20. No Member of the Council shall have the power to direct or interfere with the performance of any employee of the corporation, and the employee shall be subject only to his superior officer. Nothing in the foregoing shall in any way interfere or restrict the right of a Councillor to seek information from any officer or employee of the town through the office of the Chief Administrative Officer.

ADMINISTRATION

21.1 From the date of the passing of this Bylaw the preceding rules and regulations only shall be observed for the order and dispatch of business in Council and all Committees thereof and all motions, rules or regulations existing and inconsistent with this Bylaw are hereby repealed.
21.2 In the absence of any statutory obligation, any provision of this Bylaw may be temporarily altered or suspended by an affirmative vote of Majority of the Members.

22. Bylaw No. 970/G/96 is hereby repealed.

23. This Bylaw shall come into effect on the date of its final passing.

READ A FIRST TIME this 4th day of October 2011

________________________
Mayor Gordon MacLeod

________________________
CAO Larry Davidson

READ A SECOND TIME this 18th day of October 2011

________________________
Mayor Gordon MacLeod

________________________
CAO Larry Davidson

READ A THIRD TIME AND FINALLY PASSED this 1st day of November 2011

________________________
Mayor Gordon MacLeod

________________________
CAO Larry Davidson
BYLAW 1042/GEN/2018

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

WHEREAS pursuant to section 146.1(1) of the Municipal Government Act, a council must, by bylaw, establish a code of conduct governing the conduct of councillors; and

WHEREAS pursuant to section 153 of the Municipal Government Act, councillors have a duty to adhere to the code of conduct established by the council; and

WHEREAS the public is entitled to expect the highest standards of conduct from the members that it elects to council for the Town of Fairview; and

WHEREAS the establishment of a code of conduct for members of council is consistent with the principles of transparent and accountable government; and

WHEREAS a code of conduct ensures that members of council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of councillors;

NOW THEREFORE the Council of the Town of Fairview, in the Province of Alberta, duly assembled, enacts as follows:

1. Short Title
   1.1. This Bylaw may be referred to as the “Council Code of Conduct Bylaw”.

2. Review and Update
   2.1. This Bylaw shall be reviewed & updated as required, by council, at least once every four (4) years.

3. Definitions
   3.1. Administrative Staff: Employees of the Town of Fairview. Councillors are not considered employees.
   3.2. CAO: The Chief Administrative Officer of the Town of Fairview, as defined in the Municipal Government Act.
   3.3. Conflict of Interest: Arises when a councillor’s personal interests conflict with their duties as a councillor.
   3.5. Councillor: A member of the Council, including the Mayor.
   3.6. FOIP: Freedom of Information and Protection of Privacy Act, typically used in reference to Alberta’s FOIP Act, published by the Alberta Queen’s Printer.
   3.7. Gift: Any real or personal property given.
   3.8. MGA: Municipal Government Act, published by the Alberta Queen’s Printer.
   3.9. Pecuniary Interest: If a matter before Council may financially benefit a councillor and or his or her family to the exclusion of benefitting others, that Councillor has a pecuniary interest in the matter (see Municipal Government Act S.170).
3.10. **Political Activity:** Includes but not limited to membership of a political party, participating in a political party’s activities, soliciting donations and running for political office.

4. **General Personal Conduct**

4.1. Councillors shall carry out their duties with integrity and for the benefit of all residents and ratepayers in the Town.

4.2. Councillors shall carry out their duties with impartiality, putting the interests of the public above personal interests.

4.3. Councillors shall not show favouritism to any group or groups and shall deliberate and make decisions for the general benefit of all residents.

4.4. Councillors shall show respect and accountability to each other and understand the benefit of healthy debate and discussion.

4.5. Councillors shall show respect to all staff and the public.

4.6. Councillors shall carry out their duties in good faith and conduct themselves in public in a way that reflects positively on the Town council.

4.7. Council business shall take place in Council chambers. Councillor discussions and debates regarding public matters shall not take place outside chambers verbally, on social media or in print.

4.8. Council shall follow the procedural bylaw in all council and committee meetings.

4.9. If there is a conflict between councillors, they shall follow best practices in conflict resolution to maintain a professional working relationship.

4.10. Councillors shall adhere to all laws, legislation, regulations, bylaws and policies.

4.11. Councillors will strive to educate themselves and take mandatory and offered training to continuously improve their ability to carry out their Council duties.

4.12. Councillors will conduct themselves and carry out their duties in accordance with the MGA.

4.13. Councillors will generally only have access to municipal assets and services that are available to all residents of the Town, except as needed to perform official Council duties.

5. **Conflict of Interest**

5.1. Councillors shall remove themselves from Council proceedings where they or an immediate family member would have a pecuniary interest concerning an outside business interest.

5.2. If a councillor has a pecuniary interest, they will disclose the pecuniary interest to Council. The disclosure will be described and recorded in the Council minutes. The councillor will then abstain from the discussion and voting on the matter and leave Council chambers until the discussion and voting on the matter has concluded.

5.3. In the case that a councillor may have a perceived pecuniary interest, they may indicate their desire to remove themselves from discussion and voting on that matter. The councillor will disclose and describe the perceived pecuniary interest to council and Council will, by resolution, decide if that councillor will or will not vote on the matter under discussion.

5.4. Discussions or motions regarding a non-profit organisation that a councillor is affiliated to shall not be deemed a pecuniary interest.

5.5. Councillors shall not use any information gained in the execution of office that is not available to the public for any purpose other than for official duties.

5.6. Councillors shall not use any influence of office for any purpose other than official duties.
5.7. Councillors shall not make unreasonable or unintended use of municipal materials, equipment, facilities or employees for personal gain or any private purpose.

6. **Confidentiality**
   6.1. Councillors shall protect confidential information in accordance with Alberta’s FOIP Act. Any matters discussed during an in-camera portion of a council meeting shall be considered confidential.
   6.2. No resolutions shall be made during the in-camera portion of a meeting, except for a resolution to leave the in-camera portion and resume the regular meeting.
   6.3. Only information protected by FOIP or allowed by the MGA shall be discussed during the in-camera portion of a meeting.
   6.4. Councillors are required to continue to keep confidential information confidential even after leaving office at risk of fines or prosecution as per FOIP.

7. **Communication to Public and Media**
   7.1. When speaking to the public or the media, councillors shall represent the official policies and positions of Council.
   7.2. Councillors shall explicitly state that their opinion is not that of the Council when making a statement on their own opinion or position.
   7.3. Official statements to the public and/or media on behalf of Council will be made by the Mayor or the designate.

8. **Respect for Separation of Roles of Council and Administration**
   8.1. The only employee of Council is the Chief Administrative Officer (CAO). Councillors shall respect the CAO’s authority to direct staff.
   8.2. Council's point of communication access with the employees is the CAO. Councillors shall direct their questions and concerns regarding administrative matters to the CAO. Requests for information from directors shall be permitted.
   8.3. Councillors shall refrain from making negative comments about staff to the public or media.
   8.4. Council shall not advocate for the promotion, sanction or termination of any municipal employee other than the CAO.

9. **Council Meetings**
   9.1. Councillors have the responsibility to come prepared to Council meetings.
   9.2. Councillors shall listen respectfully to other councillors’ views and opinions before responding.
   9.3. All councillors must speak through the meeting Chair and will speak once permission has been granted by the Chair.
   9.4. Councillors shall act by resolution, policy and bylaw.
   9.5. Councillors are legally obligated to vote on all motions unless it has been determined that there is pecuniary interest.
   9.6. Councillors comments, questions and discussions will stay on topic with the agenda.

10. **Gifts**
   10.1. Councillors shall not accept or give gifts other than the normal exchange of gifts between business colleagues and friends. Acceptable gifts will include:
10.1.1. Rewards, gifts and benefits not connected with the performance or duties of the office,
10.1.2. Food and beverages at banquets, receptions, ceremonies or similar events,
10.1.3. Food, lodging, transportation and entertainment provided by other levels of governments, boards or commissions,
10.1.4. A reimbursement of reasonable expenses in the performance of council duties,
10.1.5. Token gifts such as souvenirs, mementoes and commemorative gifts that are given in recognition of service or attendance, OR
10.1.6. Gifts that are received as an incident of protocol or social obligation from the responsibility of office.

10.2. Councillors shall refrain from accepting gifts, favours or promises of future benefits that may compromise their independence.

10.3. Councillors shall not accept invitations from municipal contractors or potential contractors to attend special events that may be viewed as creating an unreasonable level of access or indebtedness.

11. Political Activity
11.1. Councillors have the right to be a member of a Provincial or Federal political party, take part in political activities and support a candidate for political office.
11.2. Councillors who wish to take part in political activities must clearly separate that activity from their duty as a councillor. Federal or Provincial political activities shall not be undertaken while carrying out the work of Council.
11.3. If a councillor wishes to run for a Provincial or Federal office, that councillor must take an unpaid leave of absence.
11.4. A Councillor that is elected to the House of Commons, the Legislative Assembly of Alberta or the senate will be required to resign from Council.

12. Breach of Policy
12.1. Members of council have a duty to help create a responsive, accessible, transparent and fair municipal government. Members have a duty to question whether another councillor is violating the legislation, ethics or respectful behaviour as set forth in this policy.
12.2. If a councillor suspects a breach of this policy by a fellow councillor, that councillor shall bring it to the attention of the Mayor.
12.3. If a councillor suspects a breach of this policy involves the mayor, it shall be taken up with the Deputy Mayor. If that councillor is not satisfied with the outcome of that discussion the councillor can table the matter in Council which may be discussed during an in-camera portion of the meeting.
12.4. Breaches of this policy may result in disciplinary action which may include but not limited to:
   12.4.1. Apology to affected individual or party,
   12.4.2. Removal of councillor from council committees,
   12.4.3. Dismissal from a position of Deputy Mayor or Chairperson of a committee,
   12.4.4. Mandatory training and education AND
   12.4.5. Disqualification if a breach of the MGA S.174(1).
13. Acknowledgment

13.1. It will be the requirement of each councillor upon accepting the oath of office, and every year thereafter, to sign Schedule A indicating they have read, understand and accept the terms of this and other related policies.

Read a first time in Council assembled this 15th day of May 2018
Read a second time in Council assembled this 15th day of May 2018
Council unanimously resolved to proceed to third reading this 15th day of May 2018
Read a third time in Council assembled this 15th day of May 2018

___________________________ ______________________________
Gordon MacLeod, Mayor Daryl Greenhill, Chief Administrative Officer
Schedule A – Policy Declaration

I, _______________________________(print name), have read, understand and accept the terms of the following bylaws, policies and procedures.

1) Town of Fairview Bylaw – Council Code of Conduct
2) Town of Fairview Bylaw – Council Procedure
3) Online FOIP Training - http://www.servicealberta.gov.ab.ca/foip/training/online-training.cfm

____________________________  ________________________
Signature                           Date
BYLAW 1049/GEN/2018


WHEREAS pursuant to Bylaw 1042/GEN/2018 passed on the 15th of May 2018 for the purpose of establishing a code of conduct for council; and

WHEREAS pursuant to the Municipal Government Act, Section 191, Council is authorized to amend a bylaw in the same way the original bylaw was passed;

NOW THEREFORE Council of the Town of Fairview, in the Province of Alberta, duly assembled, enacts as follows:

1. Item 12.4 of the Council Code of Conduct bylaw is amended to read:

12.4. Breaches of this policy may result in disciplinary action which may include:

12.4.1. Sanctions as detailed in Code of Conduct for Elected Officials Regulation, Section 5; AND

12.4.2. Disqualification if the breach is referred to in the Municipal Government Act, Section 174(1).

Read a first time this 4th day of December 2018
Read a second time this 4th day of December 2018
Read a third time this 4th day of December 2018

__________________________________________
Gordon Macleod, Mayor

__________________________________________
Daryl Greenhill, Chief Administrative Officer
Policy

For attendance of approved meetings, conference, seminars and workshops, the Town of Fairview will pay/reimburse councillors a fixed honorarium, per diem and or/stipend as outlined below:

Procedure

Council Honorarium

Compensation to members of council shall be paid monthly with no additional claims paid on a per meeting basis except where specifically provided for in this policy.

Mayor: $12,000 per annum
Councillors: $ 7,800 per annum

Honorariums cover all regular council meetings, including public hearings that are part of those meetings, strategic planning meetings, Community Cafes and joint council meetings. The honorariums also cover preparation time for all meetings, including those for which a per diem is claimed. This amount will be adjusted yearly in accordance with the Alberta Rate of Inflation.

Honorariums will not be paid for attendance at golf tournaments, openings, general public appearances, community events such as Canada Day, Remembrance Day etc., other purely social events or political party functions of any type.

Regular Monthly Committee Meetings

$25/hour is assigned to members of council for attending assigned regular monthly committee meetings as set out in the Board and Committee appointments assigned at the annual organizational meeting (Schedule A). If an alternate council member is asked to attend in the appointed member’s absence, the member attending the meeting is eligible for payment.

Special Meetings

$25/hour is assigned to Council for attending any special meetings where a waiver form for council is required.

Additional Honorariums (Per Diem)

$25/hour to a maximum of $225 per day will be granted when:
a) attending a meeting, official function, course, conference or seminar where the attendance has been approved by council. The Per Diem includes travel time, meeting attendance, official functions, course, conference or seminar attended on behalf of the Town and provided that no other fee has been accepted for that meeting.

If a member of council has been appointed to a regional board or commission which pays an honorarium for meeting attendance, that fee will not be paid by the Town.

Benefits

Members of Council may participate in the Town’s benefit programs as established by the Town’s Group Benefits Policy. The Town will pay 75% and the Council member will pay 25% of the premiums.

Authority to Travel

a) Travel is authorized for members of Council for a meeting or official function related to the appointment of that member of Council to a committee or regional body.
b) Travel is authorized for members of Council approved by policy or resolution to attend a course, conference or seminar on behalf of the Town.
c) Other travel must be approved by resolution of Council.

Expense Claims

a) Lodging may be claimed at the amount shown on submitted receipts.
b) Telephone and cell phone calls may be claimed based on receipts/invoices submitted for calls made regarding Town business.
c) Meals may be claimed at the amount shown on receipts and where no receipt is submitted, a maximum of the following may be claimed:
   - Breakfast: $10.00
   - Lunch: $20.00
   - Supper: $30.00
   - Gratuities on meals may be claimed to a maximum of 15% of the bill.

d) Travel by commercial carrier such as airlines, rail, taxi or bus may be claimed at the amount shown on submitted receipts.
e) Travel by personal vehicle may be claimed according to the rate established by the Business Travel Expenses Policy.
f) Miscellaneous charges such as parking, administrative services, photocopying etc. may be claimed based on submitted receipts.
g) Registration fees may be claimed at the amount shown on submitted receipts.
h) Liquor is not an allowable expense that can be claimed, except where protocol dictates.
i) Claims for spouses or travel partners will not be paid.
Submission and Approval of Claims

The Chief Administrative Officer shall provide procedures and forms for the submission and processing of claims.

Claims submitted by Councillors and the Chief Administrative Officer shall be approved by the Mayor.

Review of Council Honorarium

No later than March 1 in the same year as a general municipal election, Council shall appoint an Ad Hoc Committee on Council Compensation consisting of two members of council and three public-at-large members.

The Ad Hoc Committee on Council Compensation shall report to Council within 90 days with recommendations on the policy on honorariums and benefits to be established for members of Council elected in that year’s general municipal election.

Council shall receive the recommendations of the Ad Hoc citizens Committee on Council compensation and shall place on the council agenda a motion to implement the recommendations.
Town of Fairview

Department: Council  Title: Regular and Special Council Meetings

Updated:  Approved: February 2, 2010

Policy:
Regular Council Meetings will be held on the first and third Tuesdays in each month at 7:00 p.m. in the Town Council Chambers in the Provincial Building.

Procedure:
1. Should the Regular Council Meeting date fall on a holiday, the meeting will be automatically rescheduled to the next working day at the same time and place, unless otherwise determined by the Mayor or a Council majority.

2. Special Council Meetings will be held on an emergency basis, at the request of the Mayor or upon written request by a majority of Council at the above location. Date and time of the meetings will be determined by the person(s) calling the meeting.

3. Council will hold only one council meeting in July or August for summer holidays.