

BYLAW #2024-16

A BYLAW TO PROVIDE FOR GENERAL ELECTION PROCEDURES FOR THE RURAL MUNICIPALITY OF MERVIN No. 499

The Council of the Rural Municipality of Mervin No. 499 in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1. This bylaw is to be known as the “**General Election Bylaw**”.

PURPOSE AND DEFINITION

2. The purpose of this bylaw is to address the following matters pursuant to *The Local Government Election Act, 2015*:
 - a. the methods of providing public notice;
 - b. the addition of the candidate’s occupation to the nomination paper and ballot;
 - c. the form of ballots to be used;
 - d. the establishment of a mail-in ballot voting system; and
 - e. to set the remuneration paid to each election official.
3. In this bylaw:
 - a. “Act” means *The Local Government Election Act, 2015*;
 - b. “Administrator” shall mean the administrator or Chief Administrative Officer of the municipality;
 - c. “Municipality” shall mean the R.M. of Mervin No. 499;
 - d. “Regulations” means *The Local Government Election Regulations, 2015*.
 - e. “Returning Officer” means:
 - i. the administrator or the Chief Administrative Officer for the R.M. of Mervin No. 499;
 - ii. a person appointed by the Council of the R.M. of Mervin No. 499 pursuant to Section 47 of *The Local Government Election Act, 2025*; or
 - iii. a person appointed by the Minister pursuant to Section 62 of *The Municipalities Act*; and
 - f. “Voter’s Registration Form” means the Voter’s Registration Form and Poll Book, Form R of the Regulations, modified as provided for within this bylaw.

PUBLIC NOTICE

4. Notices required to be posted by the Act are to be posted in the following manner pursuant to Section 9 of the Act:
 - a. in a conspicuous public location in the buildings that are the main office of the municipality;
 - b. in the office of the returning officer if that office is different from the location described in clause (a);
 - c. in the case of an election of members of council of a municipality, in at least one issue or one or more newspapers having general circulation in the municipality; and
 - d. in the form of an announcement on the website of the Municipality.

CANDIDATES OCCUPATION

5. Pursuant to Section 9.2 of the Act, the occupation of a candidate will be required to be included in the nomination paper and ballot.



FORM OF BALLOT

6. Pursuant to Section 91(3) of the Act, the following provisions must govern the form of ballots:
- ballots must be printed in as many lots as there are candidates for office;
 - in the first lot, the names of the candidates must appear, as the case may be in alphabetical order pursuant to clause 91(1)(d);
 - in the second lot, the names must appear in the same order as in the first lot, except that the first name in the first lot must be placed last;
 - in each succeeding lot, the order must be the same as that of the preceding lot, except that the first name in the preceding lot must be placed last; and
 - tablets of ballots to be used at polling places must be made up by combining ballots from the different lots in regular rotation so that no two consecutive voters will receive ballots from the same lot, and so that each candidate's name will appear first and in each other position substantially the same number of times on the ballots used.

MAIL-IN BALLOT VOTING SYSTEM

Application Process

7. A voter who desires to vote by mail shall apply for a mail-in ballot kit, by filling out:
- a Voter's Registration Form, Form R, Schedule A appended hereto and forming a part of this bylaw; and
 - the Declaration of Person Requesting a Mail-in Ballot, Form C, Schedule B, appended hereto and forming part of this bylaw.
8. Schedule A and Schedule B may be witnessed by either:
- the returning officer;
 - the deputy returning officer;
 - a nominations officer;
 - any person authorized to sign oaths;
 - a person who is 18 years of age or older, who is registered or licensed to practice with the applicable governing body in one of the following professions:
 - judge;
 - dentist;
 - pharmacist;
 - veterinarian;
 - police officer;
 - notary public;
 - commissioner of oaths;
 - lawyer/notary;
 - medical doctor;
 - dean/head of university or college; or
 - signing officer of a bank, trust company, or financial institution that offers a full range of banking services (cash withdrawals, deposits, or savings) or
 - a Saskatchewan Health Authority employee who is 18 years of age or older and works in the hospital, rehabilitation center, senior assisted living facility, long-term care facility, or care home governed by or affiliated with the Saskatchewan Health Authority where the voter resides.
9. All applications from a voter who desires to vote by mail must be received in the office of the Municipality no later than 4:00 p.m. on the day following Nomination Day of the election. A voter who desires to vote by mail shall apply via:
- in person at the office of the Municipality;
 - electronically to an address provided by the Municipality; or
 - by mail to the office of the Municipality.

10. Upon receiving a voter's application consisting of Schedule A and Schedule B, for a mail-in ballot, the returning officer shall note the date of approval in the appropriate area of Schedule A.

Providing Ballot to Voters

11. Notwithstanding Section 41 of the Regulations, the returning officer may authorize the use of special ballots if, in his/her opinion, the expected delivery date of printed ballots will adversely affect the ability of voters to vote by mail.
12. The special ballot form pursuant to Section 11 of this bylaw is set out in Schedule E, appended hereto and forming a part of this bylaw.
13. All ballots issued to persons voting by mail shall be identical.
14. A ballot kit shall consist of:
 - a. a copy of this bylaw;
 - b. the ballots to which the voter is entitled;
 - c. a ballot security envelope, bearing the information described in Schedule C, appended hereto and forming part of this bylaw;
 - d. a voter confirmation envelope, bearing the information described in Schedule D, appended hereto and forming part of this bylaw;
 - e. an outer envelope, addressed to the returning officer, bearing the words "Mail-in Ballot" on its face; and
 - f. appropriate directions to voters.
15. The returning officer shall:
 - a. ensure the outer envelope is addressed to the returning officer at the correct postal address;
 - b. on the voter confirmation envelope, Schedule D:
 - i. print the name of the voter;
 - ii. identify the division in which the voter is entitled to vote; and
 - iii. identify the ballots provided to the voter;
 - c. on a ballot for the office of councillor, indicate the division number in which the voter is entitled to vote; and
 - d. place his/her initials in the box on the reverse side of the ballot or ballots provided to the voter.
16. The returning officer shall provide a mail-in ballot kit to a voter who has completed and submitted Schedule A and Schedule B in accordance with Section 9 of this bylaw:
 - a. a mail-in ballot kit will be provided after the Notice of Poll is issued;
 - b. the returning officer shall make the following entries to the poll book upon providing a mail-in ballot kit to a voter:
 - i. those required pursuant to Section 107 of the Act; and
 - ii. the date on which the mail-in ballot kit was provided to the voter; and
 - c. after the returning officer provides a ballot kit to the voter, the voter is deemed to have voted and is not entitled to vote at any other poll.

Receiving Mail-in Ballots from Voters

17. Voters are required to:
 - a. insert marked ballots into the mail-in ballot security envelope;
 - b. seal the mail-in ballot security envelope and insert it into the voter confirmation envelope;
 - c. date and sign the voter confirmation envelope;
 - d. seal the voter confirmation envelope and insert it into the outer envelope; and
 - e. return the mail-in ballot in its original form to the returning officer by regular mail, registered mail, courier, in person, or by any other means.
18. The returning officer shall ensure there is a ballot box which shall contain only mail-in ballots from the time ballots are received until the close of polls on election day.
19. Upon receipt of an outer envelope containing a voter's ballot on or before the close of poll on election day, the returning officer shall:
 - a. ensure the voter confirmation envelope is signed by the voter;
 - b. record in the poll book the date on which the envelope was received; and
 - c. deposit the voter confirmation envelope in a ballot box.
20. Ballots received after the close of polls on election day:
 - a. are deemed to be spoiled;
 - b. will remain unopened in the voter confirmation envelope; and



- c. are given to the administrator consistent with Sections 137 and 142 of the Act.
21. The returning officer shall designate at least one deputy returning officer who will receive mail-in ballots prior to the close of polls on election day.
22. Prior to the close of polls on election day, the returning officer shall deliver the following materials to the deputy returning officer designated pursuant to Section 21 of this bylaw:
- a. the ballot box containing all ballots received by mail;
 - b. the application kits from all voters who applied for a mail-in ballot; and
 - c. any ballots received by mail after the above materials have been delivered to the deputy returning officer.

Objections by Candidates/Agents

23. On election day, any candidate or candidate's agent may examine the application package filed by a person who applied for a mail-in ballot.
24. A candidate or candidate's agent retains the right to object to a person's entitlement to vote if that person votes by mail.
25. On the objection of a candidate or an agent to the entitlement of a person voting by mail, the returning officer shall make necessary entries in the poll book consistent with sub-clause 112(1)(b)(c) and (d) of the Act.

Counting Ballots

26. Mail-in ballots will be counted after the close of polls on election day.
27. Where the returning officer is of the opinion that the number of voters who voted by mail is small and as a result it may be possible to determine for which candidate any of the voters voted, the returning officer may direct the deputy returning officer to include the mail-in ballots in the same ballot box used for polling on election day.
28. The deputy returning officer:
- a. shall open the mail-in ballot box in the presence of persons authorized to be in the polling place pursuant to Section 134 of the Act;
 - b. examine each voter confirmation envelope in the ballot box and shall allow each other person in attendance at the polling place to view the voter's certification on the voter confirmation envelope; and
 - c. may reject a voter confirmation envelope if the signature of the voter is missing.
29. If the voter confirmation envelope is accepted, the deputy returning officer shall extract the ballot security envelope and examine it for any tears or unauthorized markings.
30. If the ballot security envelope:
- a. contains any tears or unauthorized markings, the deputy returning officer shall reject the ballot security envelope; or
 - b. is accepted by the deputy returning officer, he/she shall deposit the ballot security envelope into a container or another ballot box.
31. After all ballot security envelopes have been dealt with pursuant to Section 30 of this bylaw, the deputy returning officer shall then extract the ballots from the ballot security envelopes and proceed to count the ballots in accordance with Sections 129 to 132 of the Act.
32. The deputy returning officer shall deem spoiled, those ballots which were sent to voters by the returning officer but were not returned to the returning officer prior to the close of polls on election day and shall, pursuant to subsection 118(2) of the Act, reference this fact in the report of the count of the votes.
33. The mail-in ballots and forms used in conjunction with voting by mail, including the voter confirmation envelopes opened by the deputy returning officer pursuant to Section 29 of this bylaw are placed in packets in the same manner as other ballots pursuant to Section 136 of the Act.
34. The deputy returning officer will place the packets described in Section 33 of this bylaw along with the poll book and any other forms used in conjunction with voting by mail in the ballot box.
35. Ballots and other forms used in conjunction with voting by mail shall be retained with other election materials pursuant to Section 142 of the Act.

36. Upon receipt of a ballot described in Section 20 of this bylaw, the returning officer or municipal administrator shall:
- write "deemed spoiled" on the outer envelope;
 - record the date said ballot came into his/her possession;
 - initial the entry; and
 - retain it with, but not in, the ballot box described in Section 142 of the Act, unless said ballot can be deposited in the ballot box without unsealing the ballot box.

REMUNERATION OF ELECTION OFFICIALS

37. Remuneration of election officials shall be set at:
- the regular hourly wage earned by employees of the Municipality during their regular course of duties; or
 - as identified in Appendix B Schedule of Rates.

CANDIDATES AND CAMPAIGN

38. Campaign Finance and Contribution Disclosure Requirements
- Candidates are required to disclose names and addresses of donors;
 - Individual contributions are limited to \$5,000 per candidate for municipal candidates;
 - All advertising costs and distribution must be disclosed;
 - Candidates are not required to have financial statements audited or reviewed prior to filing disclosure statements;
 - There is not a campaign election spending limit for candidates.

39. Candidate to Keep Records

- A candidate for election to Council shall keep complete and proper accounting of records of all campaign contributions and all campaign expenses;
- Without limiting the generality of subsection (a), the candidate is responsible to ensure that:
 - Proper records are kept of receipts and expenses;
 - A record is kept of the value of every campaign contribution, whether in the form of money, goods or services, and of the name and address of the contributor; and
 - All records kept in accordance with this Section remain in the possession and under the control of the candidate at all times.

40. Candidate's Statement of Election Expenses and Contributions

- A candidate shall disclose his or her campaign contributions and expenses in accordance with this section.
- A candidate shall file a Statement of Election Expenses/Contributions with the Returning Officer:
 - In the case of a general election, on or before the first working day of May in the year immediately following the year in which an election is held, or
 - In the case of a by-election, not less than 180 days following election day.



41. Anonymous Contributions

- a. No candidate shall accept an anonymous campaign contribution except those received at a fundraising event.
- b. If a candidate receives an anonymous campaign contribution, except those received at a fundraising event, the candidate shall ensure that the contribution shall not be used or spent, but shall be donated to a registered charity of the candidate's choice within 30 days of the receipt of the contribution.

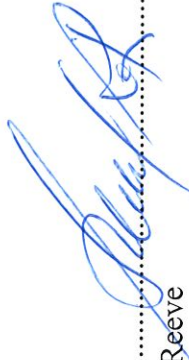
42. Except as modified by this bylaw, all elections in the R.M. of Mervin No. 499 shall be conducted in accordance with the provisions of *The Local Government Election Act*, 2015 including any revisions thereto and any associated legislation as set out in The Municipalities Act.

43. The Act shall apply where there is any conflict or inconsistency between this bylaw and the Act.

44. Bylaw 2021-19 is hereby repealed in its entirety.

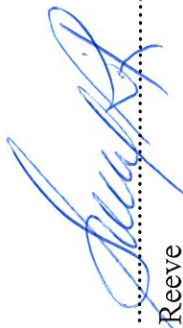
45. This bylaw shall come into effect on the day of its final passing.




.....
Reeve


.....
Administrator

Certified a true copy of
Bylaw No. 2024-16 adopted by
resolution of Council this
..... day of April....., 2024


.....
Reeve


.....
Administrator



Appendix C

FORM R

[Subsections 96(2) and 121(2) of the Act]

Voter's Registration Form and Poll Book

Name: _____ Phone: _____

Address: _____
(Print)

Election held in: (complete as applicable) _____
(Print)

Rural Municipality of Mervin No. 499

Ward/Division No. _____ Reeve: _____

Complete the following by placing an "X" in the box to the right of each statement that is correct:

- ☐ 1 I am a Canadian citizen.
- ☐ 2 I am the full age of 18 years or will attain the full age of 18 years on or before election day.
- ☐ 3 I have not already voted at this election.

Municipal Voters - Rural Municipalities only

3 On the day of the election, I: (complete one)

☐ (a) have resided in the rural municipality for at least three consecutive months immediately preceding the day of the election;

☐ (b) am the registered owner, (or purchaser pursuant to a bona fide agreement for sale), of land in the rural municipality;

☐ (c) am assessed with respect to land in the rural municipality pursuant to a lease, license, permit or contract in agreement with the registered owner;

☐ (d) am assessed with respect to an improvement in the rural municipality;

☐ (e) am the holder of a permit in the rural municipality with respect to a trailer or mobile home;

☐ (f) am the spouse of a person described in clause (b), (c), (d) or (e);

☐ (g) am the chief executive officer of a duly incorporated co-operative, corporation or religious association that is assessed on the last revised assessment roll with respect to property in the rural municipality that is not exempt from taxation.

Handwritten signature

SCHEDULE A
Appendix C
FORM R
[Subsections 96(2) and 121(2) of the Act]

Voter's Registration Form and Poll Book

Name: _____ Phone: _____
Address: _____
(Print) (Print)

Election held in: (complete as applicable)

Rural Municipality of Mervin No. 499	Reeve: _____
Ward/Division No. _____	

Complete the following by placing an "X" in the box to the right of each statement that is correct:

- ☐ 1 I am a Canadian citizen.
- ☐ 2 I am the full age of 18 years or will attain the full age of 18 years on or before election day.
- ☐ 3 I have not already voted at this election.

4 On the day of the election, I: (complete one)

☐ (a) have resided in the rural municipality or on land now in the rural municipality for at least three consecutive months immediately preceding the day of the election;

☐ (b) am the registered owner, (or purchaser pursuant to a bona fide agreement for sale), of land in the rural municipality;

☐ (c) am assessed with respect to land in the rural municipality pursuant to a lease, license, permit or contract in agreement with the registered owner;

☐ (d) am assessed with respect to an improvement in the rural municipality;

☐ (e) am the holder of a permit in the rural municipality with respect to a trailer or mobile home;

☐ (f) am the spouse of a person described in clause (b), (c), (d) or (e);

☐ (g) am the chief executive officer of a duly incorporated co-operative, corporation or religious association that is assessed on the last revised assessment roll with respect to property in the rural municipality that is not exempt from taxation.

I declare that I am a voter entitled to vote in Division No. _____ of the Rural Municipality of Mervin No. 499.

I declare that the information given by me with respect to the above statements is true in all respects.

Dated this _____ day of _____, 2024.

Witness:

(Deputy Returning Officer or other Person
Authorized by Bylaw for the Purposes of a
Mail-in Ballot)

(Voter)

MAIL-IN BALLOT DATE INFORMATION		VOTED WITH RESPECT TO	
Date of Acceptance	Date kit provided to voter	Date ballot received	

Remarks _____ Entry _____



SCHEDULE B
Appendix A
FORM C

[Section 92 of the Act and clause 18(1)(a) of the Regulations]

Declaration of Person Requesting Mail-in Ballot

Declaration of Absentee Voter:

- ☐ I am qualified to vote in the Rural Municipality of Mervin No. 499;
- ☐ I have completed a Voter's Registration Form; and
- ☐ I request that a mail-in ballot be issued to me.

I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath/affirmation and by virtue of the *Canada Evidence Act*.

Dated this _____ day of _____, 2024.

(Signature of Person Requesting Mail-in Ballot)

I have witnessed the signature of the person named above and I am satisfied the person's identity has been established pursuant to *The Local Government Election Act, 2015* and the regulations.

Dated this _____ day of _____, 2024.

*(Signature of Returning Officer or Person Authorized by Bylaw to
Witness the Signature of a Person Requesting a Mail-in Ballot)*



SCHEDULE C
Ballot Security Envelope

The following text shall be printed on a ballot security envelope:

BALLOT(S) ONLY. The ballot(s) contained within this envelope will be rejected if this envelope: ● is torn; ● bears any authorized markings; or ● contains materials other than ballots.
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SCHEDULE D
Voter Confirmation Envelope

The following text shall be printed on a voter confirmation envelope:

OFFICE USE ONLY: Name of Voter _____ Ballots Included: ☐ Office of Reeve ☐ Office of Councillor [Division ____] ☐ Office of Member, _____ School Division ☐ Bylaw ☐ Question	To be completed by the voter: Insert sealed ballot envelope in this envelope, seal and complete the following certificate. I certify that I am entitled to vote in this election pursuant to <i>The Local Government Election Act, 2015</i> and that enclosed in this envelope is a ballot envelope that contains the ballot(s) received by me and marked by me. Dated this ____ day of _____, 2024. _____ Signature of Voter
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SCHEDULE E
Special Ballot [Template]

Face of Ballot, Office of Reeve

Special Ballot - for the Office of REEVE

Rural Municipality of Mervin No. 499

CANDIDATE "A"	
CANDIDATE "B"	
CANDIDATE "C"	

INSTRUCTIONS TO VOTE

Vote by marking an "X" in the square to the right of the candidate of your choice

Maximum - 1 (ONE) Candidate

Face of Ballot, Office of Councillor

Special Ballot - for the Office of COUNCILLOR

Division _____

Rural Municipality of Mervin No. 499

CANDIDATE "A"	
CANDIDATE "B"	
CANDIDATE "C"	

INSTRUCTIONS TO VOTE

Vote by marking an "X" in the square to the right of the candidate of your choice

Maximum - 1 (ONE) Candidate

Back of Ballot

	RO
	INITIALS
Rural Municipality of Mervin No. 499 PO Box 130, Turtleford, SK S0M 2Y0	

[Handwritten Signature]