



**CANDIDATE NOMINATION
PACKAGE**

Town of Innisfail

General Election October 18, 2021

CONTACT INFORMATION

Questions or information relative to the Office of Mayor and/or Councilor, contact:

Heather Whymark, Returning Officer
Town of Innisfail
4943 53 Street
Innisfail, AB T4G 1A1
Tel: (403) 227-3376
Email: heather.whymark@innisfail.ca

Copies of Provincial Legislation, including the *Local Authorities Election Act* (LAEA) and the *Municipal Government Act* (MGA), contact:

Queen's Printer
5 Floor Park Plaza Building
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Telephone: (780) 427-4952
Fax: (780) 452-0668
Email: qp@gov.ab.ca
www.qp.alberta.ca/Laws_Online.cfm

NOMINATION DAY

NOMINATION DAY for Mayor and Councillors is between the hours of **8:30 a.m. and 4:30 pm**, Monday to Friday, from **January 1, 2021 to September 17, 2021** and on **September 20, 2021** from **8:30 to 12:00 noon**. The date and time for accepting nomination forms is legislated and **cannot** be changed or extended.

OBTAINING NOMINATION FORMS

Please visit www.innisfail.ca for the Candidate Nomination Package containing the required forms or visit Municipal Affairs at <https://www.alberta.ca/municipal-election-forms.aspx> for all downloadable election forms and related candidate information and guides.

Nomination papers may also be obtained, during normal office hours, at the Town Office:

4943 53 Street
Innisfail, AB T4G 1A1

FILING OF NOMINATION PAPERS

All candidates running for Mayor or Councilor must submit the completed Nomination Paper and Candidate's Acceptance (Form 4). The Nomination Paper must be signed by a minimum of five (5) eligible electors and accompanied by the required deposit of \$100 for the position of the Mayor and each Councilor. The required deposit must be paid in cash, by certified cheque or by money order. To ensure the validity of their Nomination Papers, a Candidate is encouraged to submit more than the required five (5) electors' signatures.

The Returning Officer is required to refuse a candidate's nomination **only** if:

- The paper has not been signed by five (5) eligible electors; or
- The paper is not accompanied by the required deposit.

The Returning Officer does not have the authority to challenge the validity of the information provided on the Nomination Paper and Candidate's Acceptance Form. This is the responsibility of the electors of the Municipality and may be challenged through the Court.

Nominations for Mayor and Councillors will be received at the Town of Innisfail Office between the hours of **8:30 a.m. and 4:30 pm**, Monday to Friday, from **January 1, 2021 to September 17, 2021** and on **September 20, 2021** from **8:30 to 12:00 noon**.

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

NOTE: Mailed, faxed or electronically submitted Nomination Papers will not be accepted. The Nomination Paper and Candidate Acceptance Form is a legislated form and must not be modified in any way.

QUALIFICATIONS OF ELECTORS WHO SIGN NOMINATION FORMS

The *Local Authorities Election Act* requires that a person who signs a candidate's nomination forms be eligible to vote in the ward for which a candidate is being nominated.

An elector (voter) is eligible to sign nomination forms for a candidate if on Nomination Day (September 20, 2021) the person:

- is at least 18 years old,
- is a Canadian citizen,
- has lived in Alberta for at least 6 consecutive months immediately preceding Nomination Day (since March 21, 2022), and
- lives in the Town of Innisfail on the date they sign the nomination papers.

WITHDRAW OF NOMINATION

A candidate may withdraw their nomination in writing any time during the nomination period or within 24 hours after the close of nominations at 12 noon on Monday, September 20, 2021. The legislated deadline for withdrawals is 12 noon on Tuesday, September 21, 2021. The Returning Officer cannot accept a withdrawal if it results in less than the required number of candidates to fill that office.

OFFICIAL AGENTS AND SCRUTINEERS

On nomination day, each nominated candidate may appoint an elector to be the candidate's official agent, who:

- must not have been convicted within the previous 10 years of an offence under the *Local Authorities Election Act*, the *Election Act* or the *Canada Elections Act* (Canada),
- is not a candidate in the same election; and
- shall be assigned all duties by the candidate.

The candidate may appoint a new official agent by immediately providing the person's name and contact information in writing to the Returning Officer

Each candidate may appoint scrutineers to observe the voting process during the advance votes and on Election Day. To be a scrutineer, the person must:

- be at least 18 years of age,
- present to the presiding deputy returning officer with a written notice signed by the candidate appointing the person to represent that candidate as scrutineer at that voting station,

- must make a statement at each voting station in the prescribed form that they act on behalf of the candidate and will maintain the secrecy of the vote, and
- not have been convicted within the previous 10 years of an offence under the *Local Authorities Election Act*, the *Election Act* or the *Canada Elections Act* (Canada).

Only one of the candidate, an official agent or a scrutineer is permitted to be present in the voting station at a time.

QUALIFICATIONS OF CANDIDATES

QUALIFICATIONS

The *Local Authorities Election Act* (LAEA) legislates the qualifications of candidates, including rules of residence. A person is eligible to be nominated as a candidate if by the end of the nomination period the person:

- is at least 18 years old,
- is a Canadian citizen,
- has lived in the Town of Innisfail at least 6 consecutive months immediately preceding nomination day (since March 15, 2021), and
- is not otherwise ineligible or disqualified.

A candidate must swear or affirm an affidavit (Form 4 – Nomination Paper and Candidate’s Acceptance) before the Returning Officer or a Commissioner for Oaths confirming that they have reviewed the legislation and are eligible to be elected.

INELIGIBILITY

The LAEA also legislates who is ineligible to be nominated as a municipal candidate, such as:

- The person is an auditor of the municipality or school board,
- The person is an employee of the municipality or school board, unless the person takes a leave of absence,
- The person is in tax arrears for more than \$50 (except current taxes or arrears for which a consolidation agreement is in place and not in default),
- The person is in arrears to the municipality for any amount exceeding \$500 for more than 90 days,
- The person has been convicted of an offence within the previous 10 years under the *Local Authorities Election Act*, the *Election Act* or the *Canada Elections Act*,
- The person has not met the campaign disclosure requirements from a previous election.

The above information is not inclusive of all reasons for ineligibility. It is the candidate’s responsibility to ensure they read and understand the legislation and ensure they are eligible to be nominated.

CAMPAIGN CONTRIBUTION AND EXPENSE DISCLOSURE

The *Local Authorities Election Act* Part 5.1 requires campaign finance and contribution disclosure for all candidates running for municipal office and governs candidate registration, campaign contributions, accounting obligations, surplus campaign funds, campaign funding limits and rules about who cannot contribute to a campaign.

It is the candidate's responsibility to read and understand the legislation or to seek appropriate legal or accounting advice from professionals as required. The candidate is responsible for ensuring that his or her campaign complies with all legislation. If you have additional questions, please contact the Municipal Services Branch of Municipal Affairs at (780-427-2225), toll-free in Alberta by dialing 310-0000 first, and ask to speak with a Municipal Advisor, who can assist you with your questions or direct you to the appropriate contact.

CANDIDATE SELF-FUNDED ELECTION CAMPAIGN

Any money up to and including \$10,000 paid by the candidate out of the candidate's own funds (self-funded) for the purposes of their election campaign is not considered a campaign contribution. If the candidate's campaign is entirely self-funded, the candidate is not required to file a notice of intent to run, or open and deposit funds into a campaign account. If a candidate exclusively self-funds his/her campaign, a disclosure statement is not required; however, the candidate should inform the Municipality that a disclosure statement will not be filed to avoid being considered in contravention of the LAEA.

LIMITATIONS ON CONTRIBUTIONS

The maximum campaign contribution made by any person, corporation, trade-union or employee organizations is \$5,000 in any year. The maximum amount of money paid out of a candidates own funds to their election campaign is \$10,000 in any campaign period.

Contributions are not permitted from individuals who normally reside outside Alberta or from prohibited organizations, including any corporation that does not carry-on business in Alberta. Contributions may only be accepted from trade unions or employee organizations as defined in the LAEA.

ALLOWABLE ELECTION EXPENSES

Payments of the following election campaign expenses are permitted under provincial legislation:

- Personal expenses of the candidate,
- Cost of acquiring premises, accommodations, goods or services used for proper election campaign purposes,

- Payments for the fair cost of printing and advertising,
- Reasonable payments to any person for the hire of transportation used by the candidate or speakers for travelling to and from public meetings or by any person in connected with and for the proper purposes of an election.

DUTIES OF A CANDIDATE

A candidate is required under the *Local Authorities Election Act* to:

- Register with the Municipality prior to accepting any campaign contributions,
- Open a campaign account at a financial institution in the name of the candidate or the candidate's election campaign as soon as possible after the total amount of campaign contributions exceeds \$5000 and ensure all contributions of money are deposited into that account,
- Use the money in the above account only for the payment of allowable campaign expenses,
- Value contributions of real property, personal property and services,
- Receipts are issued for every contribution and obtained for every expense,
- File disclosure statements by the deadline of March 1, 2022,
- Keep records of contributions and expenses for 2 years from the date the disclosure statement was filed,
- Give proper direction to any person authorized to accept campaign contributions and incur expenses,
- Return any contribution received in contravention of the legislation to the contributor,
- Remit to the Municipality any anonymous contribution that cannot be returned.

CAMPAIGN DISCLOSURE STATEMENTS

If a candidate has received campaign contributions or has funded their campaign with a combination of self-funding and campaign contributions, the candidate is required to file a disclosure statement with the Municipality on or before March 1, 2022. The campaign disclosure statement must include:

- The total amount of all campaign contributions that did not exceed \$50 in total from any single contributor,
- The contributor's name and address, if the amount received from that contributor exceeds \$50 in total,
- The total amount of money paid by the candidate,
- The total amount of any campaign surplus, including any surplus from previous campaigns,
- A financial statement of the total amount of revenue and expenses.

If the candidate's disclosure statement shows a surplus, the candidate must pay the surplus to the Municipality, to be held in trust at a financial institution. If the candidate files nomination papers in the next election or by-election, the money will be paid to the candidate for use in that election. A candidate who does not file nomination papers for the next general election must, within 6 months of that election, direct the Municipality to donate the money to a registered charity. Candidates are required to clear any deficit within the same time frame.

A candidate who does not file the disclosure statement by the legislated deadline will be ineligible for nomination for any municipal election for a period of up to 8 years. Elected council members would be disqualified from council.

All disclosure statements and supporting documents are available for public viewing during regular business hours.

GENERAL DUTIES OF COUNCILLORS

Term of Office: 4 Years

Section 153 of the Municipal Government Act (MGA) provides as

follows: Councillors have the following duties:

- A. to consider the welfare and interests of the municipality as a whole and to bring to Council's attention anything that would promote the welfare or interests of the municipality,
- B. to participate generally in developing and evaluating the policies and programs of the municipality,
- C. to participate in Council meetings and Council committee meetings and meetings of other bodies to which they are appointed by the Council,
- D. to obtain information about the operation or administration of the municipality from the Chief Administrative Officer or a person designated by the Chief Administrative Officer,
- E. to keep in confidence matters discussed in private at a Council or Council committee meeting until discussed at a meeting held in public,
- F. to perform any other duty or function imposed on Councillors by this or any other enactment or by the Council.

Note: Councillors are appointed by Council to various boards and committees, on an annual basis, and serve as Deputy Mayor for three-month periods on a rotational basis.

GENERAL DUTIES OF THE CHIEF ELECTED OFFICIAL MAYOR

Term of Office: 4 years

Section 154 of the Municipal Government Act (MGA) provides as follows:

- A. A chief elected official, in addition to performing the duties of a Councilor, must:
 - 1. preside when in attendance at a Council meeting unless a bylaw provides that another Councilor or other person is to preside, and
 - 2. perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.

- B. The chief elected official is a member of all Council committees and all bodies to which Council has the right to appoint members under this Act, unless the Council provides otherwise.
- C. Despite subsection (2), the chief elected official may be a member of a board, commission, subdivision authority or development authority established under Part 17 only if the chief elected official is appointed in the chief elected official's personal name.

POWERS

As a member of Council you will have the opportunity to significantly influence the future of the Town. Your power as a member of Council depends on your ability to persuade the other members of Council to adopt your point of view. All decisions must be made at Council meetings which are open to the public.

As an individual member of Council you will not have the power to commit the Town to any expenditure or to direct the activities of Town employees. Any promise you make, as part of your election campaign, that involves Town expenditures or activities of employees, can only be carried out if you can convince a majority of Council that it is a good idea.

TIME REQUIREMENTS

The time commitment required of the Mayor or a Councilor is considerable. You will be required to attend:

- Regular and special meetings of Council
- Council committee meetings
- Meetings of other boards and agencies to which you are appointed as Council's representative
- Conferences, conventions, seminars and workshops for training and discussion
- Social and other events promoting your municipality

Regular Council meetings are presently the second and fourth Monday of each month commencing at 3:00 p.m. Monday meetings are moved to Tuesday in the case of statutory holidays that fall on Mondays.

Council also schedules annual planning and goal setting workshops.

The Alberta Urban Municipalities Association (AUMA), of which the Town is a member, holds a convention in the fall of each year. The Mayor and all Councillors normally attend this convention. On election years the fall convention is held in November in Edmonton and on non-election years in September. The location of this convention is always held in Edmonton or Calgary. In addition, the AUMA holds an annual one-day seminar in the spring at which they discuss many current issues.

The Federation of Canadian Municipalities (FCM), of which the Town is also a member, holds a convention in the spring.

You will also need to spend time reading material and talking with residents, the Chief Administrative Officer and others. This will all be part of the necessary preparation for meetings so that you can make informed decisions. Don't, however, forget the time you need for your personal and work life.

EXTERNAL COMMITTEE MEETINGS

Only those Councillors who are appointed to serve on a committee and/or board are required to attend meetings of those boards or committees. Only those appointed have the right to vote at those meetings.

There are several types of committees:

- Committees established under the Municipal Government Act.
- Committees established under other legislation.
- Other committees and/or boards that request or require representation by a Councillor.

FORMS

Attached are the various Government of Alberta forms:

- Nomination Paper and Candidate's Acceptance (Form 4)
- Enumerator, Candidate or Official Agent Proof of Identification for Section 52 Access (Form 11)
- Campaign Worker Proof of Identification (Form 12)
- Statement of Scrutineer or Official Agent (Form 16)

The Government of Alberta forms are legislated forms and must not be modified in any way. Please visit Municipal Affairs at <https://www.alberta.ca/municipal-election-forms.aspx> for all GOA election forms.