

Municipal Affairs
**Running for Municipal Office in
Alberta
A Candidate's Guide**



Adapted for the Municipality of Crowsnest Pass

Adapted from Alberta Municipal Affairs (2010) *Running for Municipal Office in Alberta – A Candidate's Guide*
Edmonton: Alberta Municipal Affairs

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Before you file your nomination paper

Here are some things you should consider:

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 preceding nomination day.

Ineligibility for nomination

You would not be eligible to become a candidate under any of the following circumstances:

- if you are the auditor of the municipality
- if you are an employee, unless granted a leave of absence
- if your property taxes are more than \$50 in arrears or you are in default, for more than 90 days, for any other debt in excess of \$500 to the municipality.

If you are a judge, a member of parliament, senator, or member of the legislative assembly, you must resign that position before you take office as a member of council.

Do you have the time?

The demands on your time will be heavy. You will be elected for a three-year term of office and during that time you will be required to attend:

- regular 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.

You will also need to spend time reading material and talking with residents, the Chief Administrative Officer (CAO), and others. This

will all be part of the necessary preparation for meetings so that you can make informed decisions. Don't forget the time you need for your personal life, work, etc.

Remuneration

Elected officials generally receive remuneration or other financial compensation for the time and energy they have devoted to their community. The remuneration policies for elected officials include Policy CNL.002.03-Council Remuneration for Municipal Day Meetings In Excess Of 6 Hours, CNL.003.03-Council Remuneration for Activities In Excess Of One Day, And Policy CNL.005.01-Monthly Stipend and Remuneration for Meetings (Less Than 6 Hours). These can be viewed on our website at <http://www.town.crownsnestpass.ab.ca> and all policies can be viewed at the Municipal office during regular business hours, located at 8502 - 19 Avenue Coleman.

Do you understand the position?

As a member of council you will have the opportunity to significantly influence the future of your community. Your power as a member of council depends on your ability to persuade the other members of council to adopt your view. All decisions must be made at meetings, held in public, 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 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.

Do you understand the powers of a municipal council?

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 act you will use most often is the ***Municipal Government Act***.

Are you familiar with local legislation?

Local legislation is in the form of bylaws that 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 tradition – and why it exists, before you will be able to start discussing your changes.

Some examples of local documents you will often refer to are the Procedural Bylaw 655/2005, Land Use Bylaw 632/2004 (Amend 770/2008), CAO Authorities Bylaw 418/1997, and the Policy Manual. Some bylaws are listed on our website at www.town.crowsnestpass.ab.ca/services/bylaws and all bylaws and policies can be viewed at the Municipal office during regular business hours, located at 8502 - 19 Avenue Coleman.

Do you know how the municipality is administered?

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. Alberta municipalities have competent and dedicated administrators. You will need the support, advice and assistance of the CAO if you are to be an effective member of council. Their training, experience, and understanding of how and why things have developed as they have, will be an important resource for you.

What other information should you have?

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. Sit in on some council meetings. Talk to the CAO to find out what other information is available. This will help you in your campaign and will assist you in assuming office. If you don't do that kind of research now, you'll have to do it after you are elected anyway, and you probably

have more time now than you will if you are elected.

Ask how much time may be required for committee work and for council appointments to other boards and agencies, over and above the time required for regular council meetings. Once you are elected you have a duty to represent your community.

Filing your nomination

Nomination form

Your nomination must be filed on the prescribed form. Your CAO, Returning Officer or Municipal Office Clerk will be able to tell you where to get a form and provide advice on filling it out. The form is also attached to this document and can also be downloaded online from

www.municipalaffairs.gov.ab.ca/mc_elections.cfm

Nominators

Your form must be signed by five people eligible to vote in the election. These people must be eligible to vote and residents in the local jurisdiction on the date of signing the nomination paper.

For each nominator, the form must include that person's name, address (street address or legal description of residence) and signature.

Candidate

The nomination form states that you are required to make an affidavit saying that you are eligible for nomination, not otherwise disqualified from office, and that you will accept the office if you are elected. You must swear or affirm that affidavit before a Commissioner for Oaths or the returning officer. Ensure you are aware of the contents of Sections 12, 21, 22, 23, 47 and 151 of the *Local Authorities Election Act*.

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

Filing the form

The completed form is to be filed with the returning officer between 10 a.m. and noon on

nomination day. Nomination day is Monday, September 20, 2010. The nomination form must be submitted to the Municipal office located at 8502 - 19 Avenue Coleman. You may want to file the form in person, however, **anyone** can file it on your behalf as long as it is fully completed.

**Nomination day is
Monday, September 20, 2010
10:00 am to noon at the
Municipal Office located at
8502 - 19 Ave Coleman**

Withdrawing

Within 24 hours (48 hours in a summer village) of the close of nominations, you may withdraw your nomination form, provided that more than the required number of candidates have been nominated for the office you were seeking. The returning officer cannot accept your withdrawal if it would result in less than the required number of candidates.

If you wish to withdraw, you must provide a written notice to the returning officer.

Insufficient nominations

If the number of nominations filed is less than the number of vacancies in any particular office, the returning officer will be available the next day (and for up to six days) from 10 a.m. until noon to receive further nominations.

If, by noon on any of the days, the number of candidates nominated equals the number of vacancies in any particular office, nominations will be closed and the returning officer will declare the candidates elected by acclamation. That means the candidates are elected without the necessity of actually holding the election.

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 as originally planned.

No late nominations

The returning officer cannot accept nominations after noon on nomination day.

May 2010

Be sure that your nomination paper is filed on time.

After filing

Campaigning

You will want your campaign style to match your municipality, your personality and your resources. The purpose of campaigning is to convince the electors that you are the best candidate for the position. You may want to do that by talking to people, preparing brochures or posters, and/or advertising in the media. Following are some rules regarding proper campaign procedures.

Bribery

It is an offence to give or promise to give money or any other valuable consideration (such as an office or job) to anyone in return for their voting or refraining from voting at an election. It is also an offence for anyone to accept money or any other valuable consideration in return for voting or not voting.

Undue influence

It is an offence to use or threaten violence, injury, damage or intimidation to compel a person to vote or refrain from voting at an election or to obstruct a person from voting.

Allowable campaign expenses

The payment of the following expenses (related to the campaign) is 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.
- A candidate whose campaign is entirely self funded has a funding cap of \$10,000

in a campaign period and is not required to open a bank account or file a disclosure statement unless there is a surplus exceeding \$500 from a previous election.

- A candidate must declare campaign contributions funded from any person, corporation, trade union, or employee organization by filing an Election Candidate Campaign Contribution and Disclosure Statement Form with the Municipality. Campaign contributions by any person, corporation, trade union or employee organization to a candidate shall not exceed \$5,000 in any year.
- A candidate who funds a campaign by contributions must open a campaign account at a financial institution.

On election day

It is an offence to canvass or solicit votes in or immediately adjacent to a voting station. It is also an offence to display or distribute campaign material inside or on the outside of a building used for a voting station.

Official Agent

You are entitled to have one official agent or scrutineer at each voting station. The returning officer will explain how official agents and scrutineers are appointed. An official agent or scrutineer must be at least 18 years of age.

Election day and later

The date of the election will be Monday, October 18, 2010.

Your returning officer is available to explain the election process to you. All ballot boxes are kept in the control of the deputy returning officer in each voting station until the closing of the vote. The ballot boxes are sealed after the ballots are counted, then the secretary must store them sealed, in a protected area until the time when the ballot boxes and contents may be destroyed. Unofficial results may be made available during and following the counting. The official results are announced at noon on the fourth day after the election.

Term of Office

If you are elected in a general election, you will be expected to serve a three-year term. This term will officially begin at the organizational meeting of the council. In a by-election, you take office as soon as you take the oath of office. A term of office may be ended early by resignation or disqualification from office.

This guide is an information summary only and has no legislative sanction. For certainty, refer to the Local Authorities Election Act and the Municipal Government Act. Copies are available for purchase from Alberta Queen's Printer Bookstore. Main Floor, Park Plaza Building, 10611 – 98 Avenue Edmonton AB T5K 2P7 Phone: (780) 427-4952

Appendix

Municipal Government Act

Section 3 Municipal Purposes

The purposes of a municipality are

- (a) to provide good government,
- (b) to provide services, facilities or other things that, in opinion of council, are necessary or desirable for all or a part of the municipality, and
- (c) to develop and maintain safe and viable communities.

Section 153 General duties of councillors

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.

Section 154 General duties of chief elected official (Mayor or Reeve)

(1) A chief elected official, in addition to performing the duties of a councillor, must

(a) preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and

(b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.

(2) 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.

(3) 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.

Section 201 Council's principal role in municipal organization

(1) A council is responsible for

(a) developing and evaluating the policies and programs of the municipality;

(b) making sure that the powers, duties and functions of the municipality are appropriately carried out;

(c) carrying out the powers, duties and functions expressly given to it under this or any other enactment.

(2) A council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

CANDIDATE INFORMATION SESSIONS – 2010 GENERAL ELECTION

Alberta Municipal Affairs and Transitional Solutions Inc. support a website to assist citizens, potential candidates and official agents prepare for the upcoming local government elections. The website address is www.elections2010.info.

What do potential candidates need to know before the election? The website design helps to provide an understanding of the election process and the obligations and rights that are associated with local governments and municipal election activities.

There will be a number of interactive sessions for potential candidates and official agents throughout the province.

Dates and Locations:

Evening sessions – 6:00 pm to 9:30 pm at each location

August 25	Morinville
August 31	Red Deer
September 1	Lethbridge
September 8	Grande Prairie
September 9	Peace River

Registration Details:

Fee – **There is no cost to attend the candidate sessions.** Participants must register prior to attendance as space is limited. Register at www.elections2010.info or by contacting Kevin Robins or Donna Tona at 780-288-4223, Jeff Bazinet at 780 264 5333.

With your workshop confirmation you will receive directions to the workshop location in your area.



Local Government Services Division Municipal Services Branch

Phone: 780-427-2225 . Fax: 780-420-1016 . E-mail: lgsmail@gov.ab.ca

17TH FLOOR COMMERCE PLACE, 10155 – 102 STREET, EDMONTON, ALBERTA T5J 4L4. INTERNET: www.municipalaffairs.alberta.ca

Nomination Paper and Candidate's Acceptance

FORM 3

Local Authorities Election Act
(Sections 12, 21, 22, 27, 47, 151)
School Act (Section 44(4))

Local Jurisdiction: Municipality of Crowsnest Pass, Province of Alberta

We, the undersigned electors of _____, nominate
(Name of Local Jurisdiction and Ward, if applicable)
 _____ of _____
(Candidate's Surname) (Given Names) (Street Address or Legal Land Description of the Candidate's Residence)

as a candidate at the election about to be held for the office of _____
(Office Nominated For)
 of Municipality of Crowsnest Pass
(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).

Printed Name of Elector	Street Address or Legal Land Description of Residence of Elector	Signature of Elector

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 of the *Local Authorities Election Act*;
- THAT I will accept the office if elected;
- THAT I have read sections 12, 21, 22, 27, 47, 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 _____ as my official agent.
(Name, Contact Information or Address and Telephone Number of Official Agent) (if applicable)

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

Note: The personal information that is being collected under the authority of the *Local Authorities Election Act* will be used for the purposes under that Act. It is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection, contact: Director of Finance at 403-562-8833
(Title and Business Phone Number of the Responsible Official)